



UNITED NATIONS

**E/NL** 1951/81-84  
15 October 1951

## **LAWS AND REGULATIONS**

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE  
CONVENTION OF 13 JULY 1931 FOR LIMITING THE MANUFACTURE  
AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS, AS  
AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

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## **COLOMBIA**

COMMUNICATED BY THE GOVERNMENT OF  
COLOMBIA

### **NOTE BY THE SECRETARY-GENERAL**

In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate the following legislative text.

*New York, 1951*

**ACT 84 of 1946**

(26 December)

regulating the practice of pharmacy  
and containing other  
provisions

The Congress of Colombia

**DECREES:**

**ARTICLE 1.** As from the entry into force of the present Act, the following shall be the only persons authorized to practise pharmacy in the country:

- (a) Persons holding a degree of pharmacist from a national university approved by the Government, or from a faculty which may be established the curriculum and teaching methods of which are not inferior to those of the Faculty of Pharmacy of the National University;
- (b) Pharmacists holding licences or permits authorized under the terms of Act 44 of 1935 or of Executive Decree 1,500 of 1945;
- (c) Pharmacists holding foreign degrees, duly authorized in accordance with the provisions laid down by the National University; and
- (d) Those who have honourably and competently exercised the profession as chief pharmacists for more than 10 (ten) years before the date of this Act should be entitled to continue to do so in municipalities, districts and villages where there is only one pharmacy operated by a graduate or licensed pharmacist.

The sworn statement of 4 (four) qualified doctors and 2 (two) witnesses of good character shall be required to testify to previous practice, good reputation and competence.

**ARTICLE 2.** The practice of pharmacy shall be understood to mean the preparation and analysis of medicaments. The word "medicaments" means any substance or preparation intended exclusively for the treatment, immunization or prevention of disease in human beings or animals.

**SUB-PARAGRAPH.** Medicaments shall be sold only in pharmacies, drug stores, laboratories or legally established stores operated by a responsible pharmacist.

**ARTICLE 3.** Only pharmacists with university degrees shall operate new first-class pharmacies and laboratories manufacturing pharmaceutical products.

**SUB-PARAGRAPH.** Licensed pharmacists may operate new first or second-

class pharmacies and laboratories manufacturing pharmaceutical products when they are the exclusive owners of such establishments.

ARTICLE 4. Any person practising pharmacy in the territory of the Republic, who fails to comply with the requirements laid down by this Act, shall be liable to a fine of 100 (one hundred) pesos for the first offence and 500 (five hundred) pesos for the second. Additional offences shall be punished by imprisonment of from 6 (six) months to 1 (one year).

ARTICLE 5. The Department of Pharmacy shall be established as a section of the Ministry of Labour, Health and Social Welfare or the Ministry of Pharmacy shall be created, with responsibility for the inspection and control of the preparation and sale of medicaments and narcotic drugs, and shall be headed by a pharmacist holding a university degree. In agreement with the National University, the Ministry of Pharmacy shall proceed to train a body of inspectors of pharmacies and laboratories manufacturing pharmaceutical products, composed of pharmacists legally exercising that profession and coming under the Department of Pharmacy established by this article.

SUB-PARAGRAPH. The Government shall have the right to determine the personnel required and the functions to be assigned to them in application of the foregoing article, and to appropriate the necessary credits in the National Budget Act.

ARTICLE 6. The Government shall be authorized, in agreement with the National University, to prepare and publish the national pharmacopoeia.

ARTICLE 7. Regional or private professional university faculties shall not have to meet requirements other than those fixed by the National University, and the degrees which they confer shall have equal validity.

Any existing laws contrary to this Act shall be amended in accordance with the foregoing provisions.

ARTICLE 8. The present Act shall come into effect as soon as promulgated.

Done at Bogota on the fourteenth of December, one thousand nine hundred and forty-six.

*Ricardo Bonilla Gutierrez*, President of the Senate.

*Julio Cesar Turbay Ayala*, President of the House of Representatives.

*Arturo Salazar Grillo*, Secretary of the Senate.

*Andres Chaustre B.*, Secretary of the House of Representatives.

Republic of Colombia - National Government - Bogota, 26 December 1946. To be published and executed.

MARIANO OSPINA PEREZ

*Blas Herrera Anzoategui*, Minister of Labour, Health and Social Welfare.

*Mario Carvajal*, Minister of National Education.

(Official Journal No. 26,317 of 30 December 1946.)

**DECREE No. 1,032 OF 1943**

(26 May)

containing provisions governing essential commodities.

**THE PRESIDENT OF THE REPUBLIC OF COLOMBIA,**

in exercise of his powers under Act 7<sup>a</sup> of 1943,

**DECREES:**

**ARTICLE 4.** For the duration of the current international emergency, the Pharmaceutical Preparations Commission shall give preferential consideration to applications for licences submitted prior to the date of the present Decree and to those which may be lodged in future by national producers.

The Commission shall, when appropriate, review licences already issued.

**ARTICLE 5.** In addition to the reasons given in Article 4 of Act 116 of 1937 for the suspension of licences for pharmaceutical products, the Pharmaceutical Preparations Commission shall suspend them in the following cases:

- (a) When, on the basis of scientific standards established by research conducted after the issue of the licence, the licensed product must now be considered to be therapeutically ineffective when compared with recently discovered products.
- (b) When the indications in the licence issued for the product have been altered on the containers or in advertisements;
- (c) When the preparation or mixture of the ingredients is defective and when the publicity does not correspond exactly to the therapeutical indications specified when application was made for the licence\*.

**SUB-PARAGRAPH.** In future, the holders or beneficiaries of licences issued by the Pharmaceutical Preparations Commission shall submit press or radio publicity material for the various products to the competent departmental health inspectors.

**ARTICLE 6.** In every case, the holder or beneficiary of a licence or his proxy or representative shall be notified of a proposed review, and if he cannot be traced, he shall be summoned to appear by means of a notice published in the Official Journal on at least three occasions at intervals of one month.

**ARTICLE 7.** As from the entry into force of the present Decree, persons desiring an analysis of special pharmaceutical preparations shall in each case be required to pay the sum of 100 (one hundred) pesos as a fee for the examination and analysis made in connexion with the issue of a licence. Fees paid in

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\* See Article 8 of Resolution 1 of 1932 and Article 4 of Act 116 of 1937.

this way shall accrue to the National Health Institute and shall be used exclusively to purchase equipment required for analysing pharmaceutical preparations. The National Health Institute shall keep a special account showing the movement of such funds.

ARTICLE 8. The review of licences shall not entail the payment of a fee.

ARTICLE 9. In order to implement the international conventions for the suppression of illicit traffic in narcotic drugs and measures to combat drug addiction, the Ministry of Labour, Health and Social Welfare shall establish a control service, the cost of which shall be met from the Narcotics Rotating Fund and from the proceeds from fines imposed for illicit traffic in heroic drugs and the illegal practice of medicine and its branches.

ARTICLE 10. For the purposes envisaged in the foregoing article, the Government may appropriate additional credits in the Budget of current expenditure, subject only to certification by the Office of the Controller-General of the Republic regarding the availability of funds.

As from the fiscal year 1944, there shall be incorporated in the National Budget of Revenues as a special item a sum representing revenue accruing to the Narcotics Rotating Fund and the proceeds of fines imposed for illicit traffic in heroic drugs and the illegal practice of medicine and its branches, and an equivalent amount shall be included in the Appropriation Acts, Section of the Ministry of Labour, Health and Social Welfare, to be applied exclusively to defraying the costs of the campaign against drug addiction and suppression of the use of narcotic drugs.

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ARTICLE 12. The present Decree shall become effective from the date of its publication in the Official Journal.

To be published and executed.

Done at Bogota, the 26th day of May 1943.

(Official Journal No. 25, 263 of 31 May 1943.)

**DECREE No. 2,251 OF 1948**

(4 July)

containing provisions for the review of licences granted for  
pharmaceutical preparations

**THE PRESIDENT OF THE REPUBLIC OF COLOMBIA,**  
in exercise of his legal powers, particularly those conferred upon him by  
Article 4 of Act 116 of 1937 and Article 5 of Legislative Decree 1,032 of 1943,

**DECREES:**

**ARTICLE 1.** The Legal Department of the Ministry of Health or the body performing its functions shall, for the purposes of review, call upon holders of licences for pharmaceutical preparations granted to date under the terms of Article 4 of Act 116 of 1937 and Article 5 of Legislative Decree 1,032 of 1943. The review shall proceed in chronological order and after the Legal Department shall have issued the appropriate orders and instructions.

**ARTICLE 2.** The laboratory fee for each product analysed by the "Samper-Martinez" National Health Institute for purposes of the proposed review shall be fixed at 100 (one hundred) pesos. The said fee shall be paid by the licence-holder concerned to the Treasury of the Institute and a receipt for the amount paid shall be attached to the application for review.

**ARTICLE 3.** The Legal Department of the Ministry of Health, in the orders it shall issue, shall state what documents are to be submitted by persons affected by the licence reviews.

**ARTICLE 4.** One month after publication of the appropriate notice regarding licence reviews in accordance with the terms of Legislative Decree 1,032 of 1943, the Legal Department of the Ministry of Health shall suspend licences for pharmaceutical preparations whose holders have not submitted them for review.

**ARTICLE 5.** When the review of the pharmaceutical products has been effected, the Legal Department shall extend the validity of the respective licences for ten years or suspend them for the reasons stipulated in Article 4 of Act 116 of 1937 and Article 5 of Legislative Decree 1,032 of 1943.

**ARTICLE 6.** The present Decree shall come into effect as soon as promulgated.

To be published and executed.

Done at Bogota on the 4th day of July 1948.

**MARIANO OSPINA PEREZ**

*Jose Maria Bernal*, Minister of Finance and Public Credit  
*Jorge Bejarano*, Minister of Health

(Official Journal No. 26,765 of 12 July 1948)

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**COLOMBIA**

**DECREE No. 1858 of 1951**

(4 September)

containing certain penal and police measures.

**THE PRESIDENT OF THE REPUBLIC OF COLOMBIA,**  
in exercise of the powers conferred upon him by Article 121 of the National  
Constitution, and

**CONSIDERING:**

That by Decree No. 3518 of 9 November 1949 public order was proclaimed  
to be disturbed and the entire country in a state of siege:

That the adoption of more effective measures against crime will contribute  
to the restoration of public order,

**DECREES:**

**ARTICLE ONE.** Under the terms of Act 48 of 1936 and the provisions supplementing and revising that Act, persons who cultivate, prepare, trade in or in any manner use or incite others to use marihuana (*Cannabis Sativa* or *Cannabis Indica*) shall be offenders against the law.