UNITED NATIONS NATIONS UNIES

LAWS AND REGULATIONS

COMMUNICATED IN COMPLIANCE WITH THE TERMS OF THE

CONVENTION FOR LIMITING THE MANUFACTURE
AND REGULATING THE DISTRIBUTION
OF NARCOTIC DRUGS OF 13 JULY 1931

AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

FRANCE

COMMUNICATED BY THE GOVERNMENT OF

FRANCE

1948

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Note by the Secretary-General

In accordance with Article 21 of the Convention of 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 forward to the Members of the United Nations and to the other parties to the Convention the following law communicated by the Government of France.

DECREE OF 14 SEPTEMBER 1916

as amended by the Decrees of 20 March 1930, 9 November 1937, 2 December 1940, 28 August 1945, 12 June 1946 and 15 January 1947

Article 1 The importation, purchase, sale, possession and use of poisonous substances are subject to different regulations depending on whether the said substances are listed in the Schedules A, B or C annexed to the present Decree.

SECTION ONE

Substances listed in Schedule A

Chapter One

Regulations governing the substances in Schedule A when intended for commercial, industrial or agricultural uses.

Article 2 Any person wishing to trade in one or more of the substances listed in Schedule A or to engage in an industry in which they are used shall give prior notification thereof to the mayor of the community in which his establishment is situated. In Paris and within the jurisdiction of the Prefecture of Police such notification shall be made to the said Prefecture.

The notification shall be entered in a special register; an acknowledgment of its receipt shall be issued to the person making same. It must be renewed if the establishment is moved to a new address or is sold. Dispensing chemists will produce their certificate for endorsement instead of giving notification.

Any person stocking one or more of the said substances for sale or use in industry or agriculture shall keep them in a cupboard under lock and key or in places to which persons not employed in the establishment do not have free access.

The cupboards or places referred to in the preceding paragraph may contain other substances but not such as are intended for human or animal consumption.

If the person stocking such substances deals in products intended for human or animal consumption, there shall be no direct communication inside the premises between the establishment and its annexes where such trade is carried on and the places where the poisonous substances are kept. This rule does not apply to dispensing chemists nor to persons trading in standardized solutions of nicotine which are kept and delivered in sealed drums.

Article 4 None of these substances shall be held for sale, sold, supplied, transported or distributed unless it is enclosed in a wrapper or container inscribed with the name of the said substance as shown in the Schedule annexed to the present Decree.

Such inscription shall be made in very prominent black lettering on an orange-red label affixed in such a way that it cannot be accidentally detached.

The inscription as above described shall be followed by the word "POISON" displayed on a band of the same colour encircling the wrapper or container.

Casks, vessels or other containers, as well as the wrappers that have held these substances shall under no circumstances be used for products intended for human or animal consumption.

No beer bottles, flagons with the name of a beverage enbossed thereon, casks, vessels, or other receptacles still bearing the labels of foods or drinks of any kind shall be used for the sale or conveyance of such substances.

Article 5 The display for sale and the sale of the said substances, or preparations containing them, in the form of tablets, lozenges, pills, tabloids or generally in any form usually associated with the taking of medicine, shall be forbidden if such substances or preparations are intended for use other than as medicine.

Article 6 All sales of poisonous substances must be entered in a special register with the pages numbered and initialled by the mayor or the commissioner of

police. The entries in the register shall be consecutive, and closely spaced, and be made without any erasures or alterations, at the actual time of issue or despatch. They shall state the description and the amount of the substances sold, the date of the sale, as well as the name, occupation and address of the purchaser.

Each sale shall be given a consecutive number, which may be applied to all the products included in the same delivery. This number, as well as the name and address of the vendor, shall be entered on the label affixed in pursuance of the provisions of the first two paragraphs of Article 4.

The register in which these entries are made must be kept for ten years and produced whenever asked for by the competent authority.

Article 7 The poisonous substances may not be sold except to persons at least 18 years old who are personally known to the vendor, or who can establish their identity.

The substances may not be supplied except against a signed and dated receipt given by the purchaser or his representative and stating his occupation and address.

This receipt may be replaced by a written order signed and dated by the purchaser or his representative and stating his occupation and address.

If the purchaser's occupation does not indicate the use to which the substances that have been ordered will be put, the receipt or order must specify for what purpose these substances will be used.

The receipt or order must be kept by the vendor for three years and be produced whenever asked for by the competent authority.

Article 8 Poisonous substances that are intended for the destruction of agricultural pests shall not be supplied in pure form. They must be mixed with substances possessing a distinctive smell or colour as required by the orders of the Ministry of Agriculture.

The provisions of Articles 4, 6 and 7 shall apply to the sale of such mixtures, which may be sold or supplied only in metal containers.

Notwithstanding the provisions of the present Article the said substances, may, when intended for scientific experiments, be supplied in pure form, on the basis of a special permit from the Ministry of Agriculture. This permit, which is valid for one year, may be renewed.

Article 9 The use of the said substances for the destruction of agricultural pests is forbidden in market gardening as well as in all other branches of cultivation where their use has not been authorized by the Ministry of Agriculture. An order of the Minister shall establish for each kind of crop and for each district the conditions governing such authorization, as well as the seasons of the year during which the use of the said substances is forbidden.

An order of the said Minister issued on the recommendation of the French Supreme Council of Public Health shall define the precautions to be taken by persons making use, in accordance with the present Article, of products containing arsenic, more particularly lead arsenic.

Article 10 The offer or sale of the said substances for the destruction of agricultural pests in conditions other than those defined in the preceding Article is forbidden.

Article 11 The supply or use of soluble arsenic compounds is forbidden for the destruction of agricultural pests as well as of flies.

The supply or use of products for the manufacture of which metallic arsenic has been employed and which are intended for the destruction of flies is also forbidden.

The sale and use of products containing arsenic, lead or mercury are forbidden for the liming of seeds or embalming of corpses, as well as for the destruction of weeds on garden paths, yards and sports grounds.

Article 12 The substances dealt with in the present Section may not be supplied in pure form if they are intended for the destruction of grasshoppers, rodents, moles and wild animals. They must be mixed in the proportion of at least ten

parts to one part of their weight with inert and insoluble substances, and then have added to them a strong black, green or blue dye.

Notwithstanding Article 2 the sale of such mixtures is forbidden to anyone not holding a dispensing chemist's diploma.

Article 13 The sale of picrotoxin, Indian berry and its derivatives is forbidden for any except medical use.

Therefore, the sale of these products is forbidddn to anyone not holding a dispensing chemist's diploma.

Article 14 The provisions of Article 4 shall apply to hair dyes and hair lotions, rouge, cosmetics, depilatories and toilet articles prepared with substances listed in Schedule A.

The sale of the said compounds containing arsenic, mercury or lead is forbidden to any person not holding a dispensing chemist's diploma.

Article 15 Nothing in these provisions shall affect the Decree of 19 July 1895, issued in application of the Law of 16 April 1895, on the sale of phosphorus.

Chapter Two

Regulations governing the substances in Schedule A when intended for medical or veterinary purposes.

Article 16 The substances listed in Schedule A may not be supplied in any form:

(I) for medical use except by dispensing chemists or by doctors legally authorized to supply medicine to their patients;

(II) for veterinary use, except by dispensing chemists and, with the reservations specified in the next Article, by certified veterinary surgeons.

Article 17 Veterinary surgeons shall be authorized to stock the aforesaid substances for use in veterinary medicines.

Although not entitled to have business premises open to the public, they shall be authorized to supply such substances to their clients if the latter reside in communes or built-up areas that have no dispensing chemists. In other communes they shall exercise this privilege only in cases where they administer the said substances to animals personally.

Article 18 Dispensing chemists, doctors and veterinary surgeons shall conform to the conditions laid down in Articles 3 and 4 with regard to possession of poisonous substances.

They shall not be permitted, however, to keep in the cupboards, referred to in Article 3, other substances than those mentioned in Schedules A and B.

Article 19 Dispensing chemists may supply the said substances for medical or veterinary use only on a prescription from a doctor or veterinary surgeon.

They may, however, supply on the prescription of a dentist or certified midwife such of the said substances as are listed in special orders of the Ministry of Public Health.

Article 20 The author of a prescription is required, subject to the penalties provided in the Law of 19 July 1845, to date and sign it and state in legible characters his name and address, and to write out in full the quantities of the poisonous substances prescribed and indicate how the medicine is to be administered.

Article 21 Chemists may renew prescriptions of substances listed in Schedule A, but only after the lapse of time specified in the instructions given in the prescription by its author and under the following reservations:

No prescription may be renewed either by the dispensing chemist who dispensed the prescription originally or by any other dispensing chemist if the author of such prescription indicated that the prescription was not renewable.

Unless otherwise indicated by the author of the prescription no renewal may be made:

(1) of prescriptions directing the use of the said substances either in their pure form or in the form of solutions for subcutaneous injection;

(2) of prescriptions directing the use in the form of preparations to be taken orally and in any dose whatsoever of mercury or potassium cyanide, aconitin and its salts, digitalin, strophantin, and verantrine or its salts;

(3) of prescriptions directing the use in the form of preparations to be taken orally and in larger quantities than a maximum twenty-four hour pharmacopoeial dose of substances in Schedule A other than those mentioned in the preceding paragraph.

Dispensing chemists may, however, renew prescriptions containing no special stipulation and prescribing laudanum or tincture of nux vomica in their pure form but in doses not exceeding five grammes.

Article 22 Dispensing chemists shall register prescriptions for poisonous substances in special sales registers kept as provided for in Article 6 of the present Decree. They shall be liable to the same obligations in respect of the deliveries of medicines they are authorized to make as provided for in Articles 27 and 28.

In the case of sales against prescriptions, however, they shall not be obliged to register the name of the purchaser but must specify the name and address of the author of the prescription. Renewals of one and the same prescription must be entered in the register on the occasion of every renewal under a new consecutive number. Such entry may consist of merely specifying the number under which the original prescription was registered.

Dispensing chemists are authorized to copy in the same way in their special sales register medical prescriptions that do not involve the supply of poisonous substances.

They may return prescriptions for substances covered by the present Section only after affixing their dispensary stamp which should show the number under which the prescription has been entered in the sales register as well as the date of such entry.

They must retain a prescription which, pursuant to the provisions of Article 21, cannot be renewed.

When retaining a prescription they shall give the person concerned a complete copy dated and signed by them, stamped with their official dispensary stamp and bearing the number under which it has been entered in the register. Prescriptions retained by dispensing chemists must be kept by them for three years and produced whenever asked for by a competent authority.

Article 23 Dispensing chemists, doctors and veterinary surgeons must affix to all the medicines they supply which contain one or more of the substances listed in Schedule A a label bearing their name, address, the number under which the prescription has been entered in the special register, as well as the medium and mode of administering the substance as stated in the prescription.

The label shall be of an orange-red colour and contain the words "POISON; do not exceed prescribed dose" if the substances listed in Schedule A are supplied in pure form or in preparations to be diluted before administering orally and if the same substances are supplied under any form whatsoever to be taken by any method other than external application.

The label shall be of an orange-red colour and contain the word "POISON" followed by the words "for external use" when the substances listed in Schedule A are supplied in any form whatsoever for external application.

In the case of medicine intended for veterinary purposes the label shall be of an orange-red colour and shall in every case contain the words "For veterinary use" and "POISON".

Article 24 Physicians authorized to dispense medicines are subject to the same obligations as those imposed on dispensing chemists under paragraphs 2 and 3 of Article 22 and under Article 23.

When they themselves prescribe the medicines they supply they must give the patient a prescription as required in Article 20.

They shall specify in the said prescription the number under which it has been entered in the sales register.

Article 25 Veterinary surgeons who are authorized to supply medicine, as provided for in Article 17, are subject to the same requirements as apply to dispensing chemists in accordance with paragraphs 1 and 3 of Article 22 and paragraphs 1, 2 and 5 of Article 23. They must also record in their register the name and address of the client to whom the sale has been made.

When they themselves supply their clients with the medicines they have prescribed they shall also give him a prescription prepared in accordance with the provisions of Article 20.

Article 26 When medicines intended for human or veterinary use and containing one or more of the substances referred to in the present Section are prepared and divided up beforehand for sale to the public, the wrappers and containers enclosing such medicines must bear a label stating the name of the poisonous substances as listed in Schedule A as well as the dose, written out in full, of each such substance contained in every 100 grammes of the preparation.

All the preceding provisions with the exception of those set out in Article 18 shall apply to dealings in such preparations.

When supplying the public with medicines prepared beforehand and containing substances listed in Schedule A, the doctors, dispensing chemists and veterinary surgeons supplying such substances shall affix to the external wrapping a label bearing their name, address and the number in the special sales register under which the sale of the medicine has been entered and the manner of administering same which should be shown on the prescription as required in Article 20.

Article 27 Dispensing chemists may supply physicians and veterinary surgeons against their written, signed and dated orders, with substances covered by the present Section and intended for use by them either in emergencies, or for operations, dressings or injections.

Such medicaments shall be used by the practitioners themselves; they are forbidden to pass them on to their clients either for payment or free of charge.

Such substances can be supplied only in the pharmaceutical form corresponding to their intended medical use.

The author of the order shall state legibly his name and address and write out in full the amount of the poisonous substances contained in the preparations.

The provisions of Article 20 shall apply to medicines supplied in accordance with the provisions of the present Article.

Article 28 An order of the Minister of Public Health shall list the poisonous substances which dispensing chemists may supply, in accordance with the provisions of the foregoing Article, to dental surgeons and midwives for the exercise of their profession.

Article 29 The provisions of the present Chapter shall not apply to medical preparations containing substances listed in Schedule A in doses that are too small to bring the said preparations under the present rules.

Such doses shall be fixed in respect of each of the substances by an order of the Minister of Public Health issued on the recommendation of the French Supreme Council of Public Hygiene. The order shall be incorporated in the Pharmacopoeia.

SECTION TWO

Substances listed in Schedule B

Article 30 The preceding Articles shall apply to the importation, purchase, sale, possession and use of the substances listed in Schedule B in so far as their provisions do not conflict with the provisions of the present Section.

Article 31 The manufacture, conversion, extraction, preparation, possession, offer, distribution, sale or purchase on commission, purchase, sale, import and export of the substances listed in Schedule B and generally all industrial or commercial dealings in any of these substances without a licence shall be prohibited.

Licences are granted by the Minister of Public Health on the advice of a commission, the members of which will be appointed by an order of the Minister of Public Hygiene.

Licences are personal. They shall be withdrawn by an order of the Minister of Public Health acting upon the advice of the above Commission.

They may not be granted to or shall be withdrawn from any person who has been found guilty in France of illicit trafficking in narcotic drugs.

Should the location of the factories or offices be changed, the licensee shall lodge a declaration with the Minister of Public Health before opening the new premises, failing which the licence may be withdrawn. Should the manufacture of or trade in these substances be discontinued, the licensee shall notify the authority which issued the licence and which shall then declare it withdrawn.

In the case of business premises that are open to the public, the deposit for endorsement of the licensee's diploma, certifying that he is a dispensing chemist, shall take the place of the said licence but only for the preparation and supply on such premises of the substances listed in Schedule B.

The order granting such licence shall list by name each substance or preparation, the extraction, conversion, manufacture or trade in which is authorized.

In the case of industrial users the order shall mention the quantities of each substance that may be treated annually as well as the quantities of the products obtained.

No person who has not been duly authorized in accordance with the provisions of the present Article shall be permitted to purchase or receive such substances except on a prescription from a practitioner duly authorized to prescribe them for therapeutical uses and subject to the special conditions laid down in the present Decree.

Such prohibition shall not, however, apply to laboratories and establishments designated, on the recommendation of the French Supreme Council of Public Hygiene, by orders of the Ministry of Public Hygiene, which shall determine both the conditions under which the said substances may be delivered to such laboratories and establishments and the maximum quantities which they are permitted to receive.

"When the preparations can be used in injections and in the case of cocaine and its derivatives, even when the medicine prescribed is in powdered form, the prescriptions authorizing medicines, containing substances listed in Schedule B, must be made out on sheets taken from counterfoil books of the type prescribed for the entire territory by the Ministry of Public Health."

"The physician or dentist making out such prescription shall himself enter the name and address of the patient on the prescription and on the counterfoils. Such counterfoils must be preserved for ten years."

"The counterfoil books shall be supplied to practitioners by professional medical organizations."

Article 32 The import or export, the deposit in transit stores or bonded warehouses or the delivery from transit stores or warehouses of the substances listed in Schedule B shall be forbidden without a special authorization presented in respect of each such operation in accordance with conditions laid down in the Decree of 12 December 1928.

Importers are required to take out a bond at the Customs Office, through which the goods are to be brought in, stating the quantity of each substance imported as well as the name and address of the consignee or consignees.

The issue of such bonds is subject to the production of an import licence or an authorization for the removal of the said substances from the store or warehouse for consumption in France as provided in the first paragraph of this Article. Such bond shall be forwarded to the issuing Customs Office within a month of the date of issue with a receipt from the local authorities of the place of residence of the consignee or consignees.

Exporters are required to secure from the Customs Office through which the goods are cleared an export licence in respect of any goods sent abroad.

The licence shall state the nature and the quantity of the pure drug exported and, in the case of preparations, the nature of the preparation exported as well as the names and quantity of the actual drug or drugs it contains as listed in Schedule B.

The vendor must keep the certificates for three years and produce them when asked to do so by the competent authority.

Article 33 The substances listed in Schedule B may not be held for sale, distributed, imported or exported unless the wrappers or containers immediately enclosing them are provided with the label and band described in Article 4. Such label shall, in addition to the name of the substance as shown in Schedule B, indicate the amount of the substance contained, the name and address of the seller as well as a reference number for each wrapper or container.

In the case of magistral medicines or of medicines previously prepared and divided up for sale to the public the label shall specify in writing the amount of the substance or substances contained in 100 grammes of the preparation and bear the notices referred to in Article 23.

The outer wrappings of parcels to be despatched shall be provided with the orange-red band and label as required in Article 4. The label shall state the substance or substances contained, the total quantity enclosed, the serial register number referred to in the next article, as well as the names and addresses of the consignor and consignee.

Parcels that are being cleared for export through the Customs need not be provided with the orange-red band and label required by the preceding paragraph.

In such case the outer wrapping must show the names and addresses of the consignor and consignee as well as the serial register number.

Except in the case of coca leaves persons in possession of the substances listed in Schedule B shall keep same in locked cupboards or premises. Such cupboards or premises may not contain other substances than those mentioned in Schedules A and B. Any amounts found outside the said cupboards or premises shall be confiscated.

No substances or preparations listed in Schedule B shall be enclosed in envelopes or parcels sent through the post. This prohibition, however, shall not apply to such items if sent for medical purposes to countries admitting them as such. In such cases the substances may only be dispatched as insured box post in accordance with the provisions of the Decree of 12 December 1928.

Unless otherwise agreed between the countries concerned none of the substances or preparations whatsoever listed in Schedule B shall be enclosed in postal packages. This prohibition, however, shall not apply to such items if sent for medical purposes to countries admitting them as such.

Article 34 All purchases or sales, even without consideration of poisonous substances, must be entered in a special register kept for the substances listed in Schedule B, with the pages numbered and initialled by the mayor or commissioner of police.

The authority certifying this register must check the licence held by the person concerned. He should enter on the first page of the said register the date on which such licence was issued.

A serial number will be given to each operation entered in the register, and may be used for all the products included in the same consignment or delivery. Entries shall be closely spaced and be made, without any erasures or alterations, at the actual time of receipt or delivery.

The entry shall state the name, occupation and address of the purchaser or the vendor, as well as the quantity of the product and its name as listed in Schedule B and the reference number referred to in the preceding Article. In the case of preparations the same particulars shall be entered, as well as the quantity of the drug or drugs in pure form, as listed in Schedule B, contained in such preparations.

In the case of purchases or receipts of supplies the reference number allocated to the products by the vendor shall also be entered in the register.

In case of a product or preparation being resold in a container bearing the original label, the reference number or numbers shown on the original label shall be recorded in the register.

The provisions of the present Article are binding upon anyone authorized to manufacture, convert, purchase or sell the said substances on the terms specified in Article 31, and especially on dispensing chemists, physicians and veterinary surgeons, importers and exporters, indigenous producers in respect of their sales, as well as commission agents.

Dispensing chemists are, however, authorized, when effecting sales against prescriptions, to enter only once a month in the special register the total amounts of poisonous substances shown for that month in the sales register referred to in Article 22, in which they shall then enter the names and addresses of the persons to whom deliveries of these substances were made.

In the case of manufacturers the quantities used for manufacture shall be entered in the register as though they were deliveries and the quantities manufactured as though they were receipts.

Article 35 Manufacturers manufacturing or converting substances listed in Schedule B shall be required, after recording such operations in the special register referred to in Article 34, to enter after the amount and kind of the raw material used the amount and kind of the product or products obtained.

Chemists treating such substances in order to convert them into pharmaceutical products shall comply with the same requirements when such products are not intended to be delivered entirely from their premises.

The Inspector appointed pursuant to Article 2 of the Decree of 5 August 1908 shall give a discharge in the register for any difference ascertained if he considers such difference to be the normal result of the conversion or other processes reported.

The manufacturers and dispensing chemists mentioned in the present Article shall lodge not later than 1 February, 1 May, 1 August and 1 November with the authority which issued the licences a quarterly return of the sales either of narcotics (pure drugs and preparations) or of the products of conversion effected in the previous quarter. These returns shall give the description of the substance or conversion product, as well as the quantities.

A return of the stocks of narcotic substances (pure drugs and preparations) as well as of conversion products available on 31 December of the preceding year must be annexed to the quarterly report that has to be lodged before 1 February.

Article 36 The registry referred to in Article 34 must be kept for ten years and produced whenever asked for by the competent authority.

The vendor shall be held accountable for the quantities he has received only to the extent of the sales he has effected and entered in the said registry, or of amounts for which he has obtained a discharge in accordance with the preceding Article.

Article 37 With the exception of amounts supplied for therapeutic use or on prescriptions, poisonous substances may not be sold or supplied to any person who cannot prove that he has complied with the requirements of Article 31 of this Decree.

The said substances may only be supplied against a written, signed and dated order of the buyer or his representative, giving his name, occupation and address, and stating in writing the amount of the substance required.

Such orders must be kept by the vendor for three years and produced whenever asked for by the competent authority.

The provisions of paragraph 1 of the present Article shall apply in cases of sale or assignment of the said substances after confiscation by the competent authorities.

Article 38 Doctors are forbidden to prescribe, and chemists to dispense prescriptions calling for medicines composed of the pure substances listed in Schedule B.

Dispensing chemists are forbidden to renew any prescriptions calling for substances in Schedule B in the form of solutions intended to be used for injections.

The same prohibition shall apply to prescriptions for powders with a basic composition of cocaine or salts of cocaine and containing more than 1 to 1,000 by proportion of poisonous substances and also to prescriptions of preparations to be taken orally and containing substances listed in Schedule B in doses which would bring them under the provisions of paragraph 2 of the said Schedule.

Notwithstanding the above provision, prescriptions may be renewed when they prescribe preparations to be taken orally which do not contain more than 250 mg. of medicinal opium nor more than 25 mg. of benzoylmorphine, hydrocodinone, dihydrohydroxycodeinone, cocaine, as well as prescriptions prescribing natural

laudanum in doses not exceeding 5 grammes.

The substances listed in Schedule B which are needed for the exercise of their profession may be supplied by dispensing chemists to practitioners lawfully authorized to prescribe them for therapeutic purposes, but only on prescriptions made out as directed in the last three paragraphs of Article 31. This shall be done to the extent agreed between the Regional Director of Health and Welfare and the Departmental Medical Council concerned, as appropriate for emergency treatment. Any amounts withdrawn from this stock shall be made good on the basis of prescriptions issued by physicians or dentists under the same conditions. Unless otherwise agreed to by the Departmental Medical Council, these prescriptions may only be dispensed by a chemist located in the commune of the practitioner, or by a chemist in an adjoining commune if the practitioner's own commune has no chemist's shop and the name of the chemist then selected by the practitioner shall in any case be notified by the practitioner to the Departmental Medical Council. Dispensing chemists are forbidden to deliver to practitioners substances in Schedule B in a pure form.

Dispensing chemists must keep for three years orders by doctors, veterinary surgeons, dental surgeons, and midwives, and produce them when asked to do so by the competent authority, and shall also forward at the end of each quarter a return of such orders to the Regional Director of Health and Welfare.

Article 39 Physicians are forbidden to issue and chemists to dispense prescriptions for substances in Schedule B to cover more than a seven-day period if the composition of the preparations so prescribed complies with the prohibition laid down in the previous Article.

Article 40 The definitions set forth in Article 1 of the Convention on the Traffic in Narcotics signed at Geneva on 19 February 1925 shall apply to the substance listed under the same names in Schedule B.

The provisions of the present Section, except those of Article 33 relating to despatch by post, shall not apply to preparations containing substances in Schedule B which by reason of the nature of the medicinal substances with which the said narcotics are associated and which cannot be recovered in practice, have been recognized by the Health Committee of the League of Nations as non-habit-forming.

A ministerial order shall then determine on which of the Schedules A or C these preparations should be entered.

The provisions of this Section shall not apply to such alkaloids of opium, their salts and their derivatives, which are not specifically listed in Schedule B.

Such substances come under the provisions of Section I and shall henceforth be listed in Schedule A.

SECTION THREE

Substances Listed in Schedule C.

Article 41 Any person holding for sale substances listed in Schedule C shall be required to stock them in his warehouse in such a way as to keep them separate from substances that are not dangerous and especially from products intended for human or animal consumption.

The said substances must be enclosed in containers or wrappers inscribed with the description of the substance as set out in the annexed schedule and bearing a green band with the word "Dangerous" printed in very prominent letters.

Such substances may only be supplied to buyers in containers or wrappers bearing, in addition to the name of the substance, the name and address of the vendor and the green band mentioned in the preceding paragraph.

When intended for the destruction of agricultural pests by painting, spraying, fumigation, powdering as bait, or in other forms, the substances in Schedule C in their pure state and the preparations which contain them shall be mixed except where this is chemically impossible with colouring matter in accordance with formulas established by an order of the Minister of Agriculture.

The addition of substances having a distinctive colour or smell or of one

kind only of such substances may be enacted for all other uses by an order of the Minister of Public Health on the advice of the French Supreme Council of Public Health, such orders to establish for each product the quantity or quantities of such additional matter.

Article 42 The said substances or the preparations containing them may not be supplied for medical or veterinary use except on the conditions laid down in Articles 16, 17 and 19.

They will be supplied only in wrappers or containers bearing a label giving the name and address of the vendor, the number of the entry in the special sales register, and also the medium and method of administering the medicine as stated in the prescription.

Article 43 The provisions in Articles 22, 24, 25, 26 and 29 shall apply to the substances in Schedule C and to the preparations containing them.

When dispensing chemists, physicians and veterinary surgeons supply substances from Schedule C, whether in pure form or in preparations to be diluted before use and to be taken orally, or in any form whatsoever to be administered by any other means, except by external application, they must affix on each wrapper or container a green label bearing the words "To be Used with Care".

When supplying such substances to be administered in any form whatsoever by external application, they must affix on each wrapper or container a green label bearing the word "Dangerous" followed by the words "For External Use".

They may renew prescriptions that call for substances in Schedule C or preparations containing them, but only after a time-limit as defined in the instructions given on the prescription by its author.

When dispensing chemists or veterinary surgeons supply the said substances for veterinary medicine, either in pure form or in the form of preparations, they must affix on the wrappers or containers a green label bearing the inscription "For External Use - Dangerous".

These provisions shall apply to the sale of medicines previously prepared and divided up for sale to the public when they contain the substances listed in Schedule C.

Article 44 Tinctures and lotions for the hair, rouge, cosmetics and toilet preparations made with substances from Schedule C may not be held for sale, offered for sale or sold except in containers bearing a label which describes the substances of which they are composed and also a green band with the word "Dangerous" as provided in the preceding Article.

Article 44(2) When a proprietary article contains either one or several substances listed in Schedules A, B, or C in quantities or strengths exceeding those prescribed in the orders issued in conformity with Article 29 of the present Decree, the manufacturer shall comply with the following regulations:

"A blank space shall be provided on the label in which the retail chemist shall inscribe his name, address, the number of his prescription book and the manner of its use. This space shall be surrounded by a red border if the substance in the proprietary article is listed in Schedule A, by a double red border if it is listed in Schedule B, and by a green border if it belongs to Schedule C. If the proprietary article contains substances from Tables A and B, the border shall be that provided for the substance in Schedule B. If the medicine contains a substance from Schedule C mixed with a substance from another Schedule, the border required shall not be changed because of the presence of the Schedule C substance.

If the package is in the form of a parallelepiped, the space will be reserved on the largest of the sides if it is not less than 5 square centimetres. Otherwise, the space will be reserved on the lid.

If the package is cylindrical in form and in other cases not provided for, the space will occupy at least one-quarter of the visible surface of the label and be not less than 5 square centimetres.

As a temporary measure and for a period of 18 months from the date of publication of the present Decree, a manufacturer may, notwithstanding the provisions of Article 44(2) above, affix directly to the label or wrapping a separate adhesive white ticket with a green or red border in accordance with the provisions as above.

Such additional label shall cover at least a quarter of the visible surface of the label and be not less than 5 square centimetres.

SECTION FOUR
General Provisions

Article 45 Jointly with the inspectors responsible for the inspections referred to in Articles 29, 30 and 31 of the Law of 21 Germinal, Year XI, as amended by the Law of 25 June 1908, mayors and commissioners of police shall arrange for enforcement of the above provisions.

They are empowered, with the help of the inspectors appointed under Article 2 of the Decree of 5 August 1908 or, if such inspectors are not available, with the help of a chemist designated by the Prefect, to inspect the premises of dispensing chemists, the stocks of medicines kept by physicians and veterinary surgeons, as well as the warehouses and stores of wholesale pharmacists and commission agents dealing in such substances, the laboratories where they are treated for the extraction of alkaloids or for conversion into pharmaceutical preparations, herbalists' and grocers' shops, hairdressers' and perfumers' establishments and generally, in accordance with the Law of 25 June 1908, all premises for the manufacture, storage or sale of medical or hygienic products.

Article 46 The authority making the inspection shall demand the production of the receipt given for the notification which had to be lodged under Article 2 or Article 31 of the present Decree, as the case may be. If such receipt is not produced, any illicit products found shall be confiscated, and if they are found to contain one or more of the substances listed in Schedule B the Prefect shall order the establishment to be closed. If the notification is produced, the inspecting authority shall satisfy himself that the registers are properly kept and that their entries correspond with the quantities on hand. In the case of any infraction which may entail the application of the penalties provided in Article 1 of the Law of 19 July 1845, as amended and amplified by the Law of 12 July 1916, an official report shall be drawn up concerning the findings and operation of the inspection. This report shall be forwarded to the Attorney-General of the Republic by the authority that made the inspection and a copy thereof forwarded by such authority to the Prefect.

Article 47 A six months time-limit shall be granted from the date of publication of the orders referred to in Article 29 to enable the parties concerned to comply with the requirements of Article 26 and the last paragraph of Article 43.

Article 48 The Decrees of 29 October 1846, of 1 October 1908 and in general, all regulations not compatible with the present Decree issued for the enforcement of the law of 19 July 1845 are hereby rescinded.

SUBSTANCES LISTED IN SCHEDULE B

1. Raw opium
   Opium powder
   Opium extract
   Morphine and its salts
   Diacetylmorphine and its salts
   Benzoylmorphine and its salts
   Hydrocodeinone and its salts
   Dehydrohydroxycodeinone and its salts
   Coca leaf
   Raw Cocaine
   Ecgonine
   Cocaine and its salts
   Indian Hemp
   Indian Hemp resin
   Preparations of which Indian Hemp resin forms the basis
   Extract and tincture of Indian Hemp
   Ethylester of methyl-phenyl-piperidine carboxylic acid and its salts
2. All preparations, whether in the Pharmacopoeia or not, containing diacetylmorphine in any proportion, cocaine in a proportion exceeding 1/1000, morphine or benzoylmorphine or hydrocodeinone and dihydrohydroxycodeinone in a proportion exceeding 1/2000.