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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

FRENCH EQUATORIAL AFRICA

COMMUNICATED BY THE GOVERNMENT OF

FRANCE

Lake Success,
New York, 1950

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 herewith the following legislative text.

DECREE NO. 48-1586 OF 8 OCTOBER 1948 TO AMEND THE REGULATIONS RESPECTING THE TRADE IN AND THE POSSESSION AND USE OF POISONOUS SUBSTANCES IN FRENCH EQUATORIAL AFRICA

The President of the Council of Ministers,

Having considered the report of the Minister for Overseas France,

In view of Article 1 of the Act of 19 July 1845 respecting the sale of poisonous substances, the Royal ordinance of 29 October 1846 issuing regulations for the administration of Article 1 of the Act of 19 July 1845 made applicable to the colonies by the decree of 15 January 1853;

In view of the decree of 30 December 1916 respecting the application in French Equatorial Africa of the Act of 12 July 1916 regarding the importation of, trade in, possession and use of poisonous substances, with special reference to opium, morphine and cocaine;

In view of the decree of 5 March 1918 respecting the application of the Act of 12 July 1916 to French Equatorial Africa;

In view of the decree of 23 June 1922 to prohibit in the Possessions and Protectorates under the Minister of the Colonies, the exportation, re-exportation, transit and trans-shipment of opium and products containing opium;

In view of the decree of 14 September 1916 to issue public administrative regulations respecting the application of the Act of 12 July 1916, as amended by the decrees of 20 March 1930, 9 November 1937, 2 December 1940, 28 August 1945, 28 May 1946, 12 June 1946, 16 January 1947 and 22 October 1947;

In view of the decree of 9 October 1926 to issue regulations respecting the trade in, and possession and use of poisonous substances in French Equatorial Africa, as completed by the decree of 4 June 1932;

In view of the decree of 1 December 1935 to issue public administrative regulations respecting the application in French Equatorial Africa of the Fraudulent Practices Act of 1 April 1905;

In view of the decree of 9 October 1926 respecting the exercise of the profession of pharmacy in French Equatorial Africa,

HEREBY DECREES:

Article 1. The above-mentioned decrees of 9 October 1926 and 30 April 1932 shall be amended as follows:

1. The following provisions shall be added to Article 4:

"It shall not be lawful to use for the sale or transport of these substances beer bottles, flasks bearing the name of a beverage in the substance of which they are made, casks, vessels or other receptacles still bearing the labels of foods or beverages of any kind".

2. The first paragraph of Article 11 shall be replaced by the following provisions:

"The supply and use of soluble arsenic compounds shall be forbidden for the destruction of harmful agricultural parasites and for the destruction of flies. The supply and use of products in the manufacture of which metalloid arsenic is used and which are intended for the destruction of flies shall also be forbidden".

3. Article 19 shall be replaced by the following provisions:

"Pharmacists may renew a prescription prescribing the substances mentioned in list A, but only after a time limit which shall be determined in accordance with the method of administration indicated in the prescription by the author thereof and subject to the following reservations:

"A prescription containing a mention by the author thereof to the effect that renewal is forbidden shall not be renewed either by the pharmacist who dispensed the prescription for the first time nor by any other pharmacist.

"The following prescriptions shall not be renewed unless otherwise indicated by the author of the prescription:

1. prescriptions prescribing the aforementioned substances either in their pure form or in solution for the purpose of subcutaneous injections;

2. prescriptions prescribing in the form of preparations to be taken orally, irrespective of the dosage, mercury or potassium, cyanides, aconitine or the salts thereof, digitalin, strophantin, veratrin or the salts thereof;

3. prescriptions prescribing in the form of preparations to be taken orally, the dose being greater than that indicated in the pharmacopoeia as the maximum dose for twenty-four hours, the substances mentioned in List A other than those specified in the preceding paragraph.

"Nevertheless, pharmacists may renew prescriptions which do not contain any special mention and which do not prescribe a quantity exceeding five grammes of tincture of nux vomica in a pure form."

4. Article 21 shall be replaced by the following provisions:

"Pharmacists, medical practitioners and veterinary surgeons shall affix to every medicament supplied by them and containing one or more of the substances mentioned in List A, a label indicating their name and address, the serial number under which the prescription is entered in their special register, and how and in what form, as indicated in the prescription the medicament is to be administered.

"The colour of the said label shall be orange-red and it shall contain the words: 'Toxic: Do not exceed the prescribed dose', whether the substances in question are those mentioned in List A supplied in their pure form or in preparations to be diluted before use and intended for oral administration, or whether the said substances are to be administered in some other manner, with the exception of applications to the skin.

"The said label shall be orange-red and shall bear the words: 'Poison: for external use', in the case of the substances mentioned in List A, supplied in any form whatsoever for application to the skin.

"In the case of medicaments intended for veterinary purposes, the label shall be orange-red and shall in all cases bear the words: 'For veterinary use:' and 'Poison'."

5. The last paragraph of Article 24 shall be replaced by the following provisions:

"When supplying to the public medicaments which are prepared in advance and contain the substances mentioned in List A, medical practitioners, pharmacists and veterinary surgeons shall be bound to affix to the outside wrapper a label bearing their name and address, the number in the sales register under which the medicament is entered and the manner of administration, which must be indicated in the prescription in accordance with Article 18".

6. The following shall be added to Article 29 of Title II:

"Where the preparations can be used for injections and, in the case of cocaine and its derivatives, even if the medicament is prescribed in the form of powder, prescriptions for medicaments containing the substances mentioned in List B shall be written on sheets taken from a counterfoil book in conformity with a model established by the Minister for Overseas France.

"The prescribing medical practitioner or dental surgeon shall himself enter the name and address of the patient on each prescription and on the counterfoil. The said counterfoils shall be kept by the medical practitioner or dental surgeon for ten years.

"The counterfoil books shall be issued to practitioners by the local directorate of the health service."

7. Article 36 of Title II shall be replaced by the following provisions:

"Article 36. It shall not be lawful for a medical practitioner to prescribe and for a pharmacist to fill prescriptions involving the use of medicaments composed of the substances in their pure form, mentioned in List B.

"It shall not be lawful for a pharmacist to renew a prescription prescribing the substances mentioned in List B in the form of solutions for injection.

"The same prohibition shall apply to prescriptions prescribing powders having as their chief ingredient cocaine or the salts thereof and containing these substances in a higher proportion than one per thousand; and it shall also apply to prescriptions for preparations to be absorbed through the digestive tract which contain such an amount of the substances mentioned in List B as would bring them under paragraph 2 of the said list.

"By way of exception to the preceding provision, prescriptions prescribing preparations to be absorbed through the digestive tract may be renewed, provided that they do not contain more than 250 milligrammes of medicinal opium, nor more than 25 milligrammes of benzoylmorphine, of hydrocodeinone, of dihydrohydroxycodeinone, or of cocaine and the same applies to prescriptions for laudanum in its pure form up to an amount not exceeding 5 grammes.

"Pharmacists may supply to practitioners legally entitled to prescribe them for therapeutic use, but only against prescriptions in accordance with the requirements of the last three paragraphs of Article 29, the substances mentioned in List B necessary for the exercise of their profession within the limit fixed by agreement between the local health authority and the representative of the medical profession, to provide a stock for emergency purposes. Any amounts withdrawn from such stocks shall be replaced on production of prescriptions made out by the medical practitioner or the dentist under the same conditions. The said prescriptions shall not be filled except by a pharmacist domiciled within the area of the medical practitioner concerned, or by a pharmacist in an adjacent area if the former pharmacist does not possess a laboratory; the name of the pharmacist chosen by the medical practitioner shall in all cases be indicated by the latter to the director of the local health authority. It shall not be lawful for a pharmacist to supply a medical practitioner with any substance mentioned in List B in its pure form.

"Pharmacists shall keep for three years and shall produce when so required by the competent authority, requests from medical practitioners, veterinary surgeons, dental surgeons and midwives and shall submit a return to the director of the local health authority at the end of each quarter".

8. The following shall be added to Article 39:

"When intended for the destruction of parasites and animals harmful to agriculture, by coating, spraying, fumigating, dusting, baiting or other methods, substances mentioned in List C in their pure form and preparations containing them shall, except in cases of chemical incompatibility, be mixed with odoriferous and colouring substances in accordance with the formulae prescribed by an order of the Minister for Overseas France.

"The addition of odoriferous and colouring substances or of one of these substances only may be prescribed, in cases where any other use is intended, by an Order of the Minister for Overseas France, issued after consultation with the Higher Public Health Council of Overseas France, fixing for each product the quantity of the substance or substances to be added."

9. The last paragraph of Article 40 shall be replaced by the following provisions:

"They shall not be supplied except in packets or containers bearing a label stating the name and address of the vendor, the number of the entry in the special sales register and how and in what form, as indicated in the prescription, the medicament is to be administered."

10. Article 41 shall be replaced by the following provisions:

"The provisions of Articles 22, 24, 25, 26 and 29 shall apply to the substances mentioned in List C and to the preparations containing them.

"Where a pharmacist, medical practitioner or veterinary surgeon supplies any substance mentioned in List C, either in its pure form or as a preparation to be diluted before use by oral administration, or in any form whatsoever for administration in any other manner, with the exception of application to the skin, he shall affix to each packet or container a green label bearing the words 'TO BE USED WITH CAUTION'.

"If he supplies these substances in any form whatsoever for application to the skin, he shall affix to each envelope or container a green label bearing the words 'DANGEROUS: FOR EXTERNAL USE'.

"He may renew prescriptions for the substances mentioned in List C or for preparations containing them, but only after a time-limit determined by the manner of administration indicated on the prescription by the author thereof.

"If a pharmacist or veterinary surgeon supplies the said substances for the purpose of veterinary medicine either in their pure form or in the form of preparations, he shall affix to the packets or containers a green label bearing the words: 'FOR VETERINARY USE: DANGEROUS'.

"These provisions shall apply to trade in medicaments which are prepared and made up in advance for sale to the public and contain the substances mentioned in List C."

Article 2. An Article 42 b, reading as follows, shall be inserted in Title IV of the Decree of 9 October 1926:

"If a pharmaceutical speciality contains one or more of the substances mentioned in Lists, A, B or C, the quantity or concentration thereof being in excess of the quantity or concentration specified in the order issued under Article 29 of this Decree, the manufacturer shall comply with the following requirements:

"A blank space shall be reserved on the label on which the pharmacist shall write his name, address, the number in his prescription book and the manner of administration. The said space shall be enclosed by a red border if the substance contained in the speciality in question is mentioned in List A, by a double red border if mentioned in List B, and by a green border if mentioned in List C. If the speciality includes substances mentioned in Lists A and B, the border is to be the same as that required for substances listed in List B. If the speciality includes a substance mentioned in List C mixed with a substance mentioned in another list, the type of border shall not be changed as a consequence of the presence of the substance mentioned in List C.

"If the shape of the container is a parallelepiped, the side with the greatest surface shall be reserved for the label, provided that such surface is not less than 5 square centimetres; otherwise the space on the cover shall be reserved.

"If the container is cylindrical, and in other cases not provided for, the reserved space shall occupy at least one quarter of the visible surface of the label, but not less than 5 square centimetres."

Article 3. "As a transitional measure and for a period of eighteen months reckoned from the publication of the present Decree, the manufacturer may, by way of exception to the provisions of Article 42 b, affix directly to the label or to the package, so that it will adhere thereto, another white label with a green or red border, according to the case as provided above.

"The said additional label shall cover at least a quarter of the visible surface

of the label but not less than 5 square centimetres.

Article 4. The following substances shall be deleted from List A annexed to the Decree of 9 October 1926:

"(a) Santonin

(b) Stovaine."

Article 5. The following substances are to be added to List A annexed to the Decree of 9 October 1926:

"Methyl bromide

Chloropicrin

Quabain (strophant in G)

Ethylene oxide

Phosphorized pastes

Arsenic (tri-iodide of)

Calabar bean

Trinitroglycerine

Yohimbine (chlorhydrate of)

Radioactive elements of the uranium and radium series, of the actinium series, of the thorium series and their salts, excluding natural radioactive water and natural radioactive mud;

Intermediate products or radioactive residues from the preparation of these salts;

Preparations of any kind rendered radioactive by the incorporation of radioactive elements, natural radioactive water or mud or by any other procedure;

Metalloid arsenic (cobalt);

Thallium salts."

Article 6. The following shall be added to List B annexed to the Decree of 30 April 1932:

"Ethylic ether of methyl-phenyl-piperidine carbonic acid and its salts."

Article 7. List C annexed to the Decree of 9 October 1926 shall be amended as follows:

Delete: "Lead acetates and preparations which contain them;
Lead carbonates and preparations which contain them;
Zinc chloride and its pharmacopoeia solution;
Crystallized and molded silver nitrate and preparations containing the same;
Lead nitrate and preparations containing it;
Phenylenediamine (meta and para) and preparations containing them;
Sulphide of mercury and preparations containing it."

And insert: "Lead acetate;
Basic lead carbonate (white lead);
Zinc chloride;
Silver nitrate;
Lead nitrate;
Phenylenediamine (meta and para);
Sulphide of mercury."

Article 8. The following substances shall be added to List C annexed to the Decree of 9 October 1926:

"(a) Posterior lobe of the hypophysis (injectable solution of);

(b) Dinitrophenol;

(c) Derivatives of malonylurea and their salts;
Cyclopentenylethylbarbituric acid;
Diallylmalonylurea (dial);
Diethylmalonylurea (veronal);
Dipropylmalonylurea (proponal);
Ethylbutylmalonylurea (soneryl);

Ethylcyclohexenylmalonylurea (phanodorn);
Ethylisoamylmalonylurea (amytal);
Isobutylmalonylurea (sandoptal);
Isopropylallylmalonylurea (numal);
N-Methylcyclohexenylmethylmalonylurea (evipan);
Phenylethylmalonylurea (gardenal);
Ethylmethylbutylmalonylurea (nembutal);

(d) Local anesthetics:
Alpha-butyloxycinchoninate of diethylethylene diamine and its salts (percaine);
Para-beta-methoxyethyl-aminobenzoyl-piperidinoethenol and its salts;
Benzoyl-dimethylamino-dimethylethyl carbinol and its salts (stovaine);
Benzoyl-tetramethyldiamino-dimethylethylcarbinol and its salts (alypin);
Para-amino benzoyldiethylaminoethanol and its salts (aldocaine, allocaine, carbaine, dunacaine, ethocaine, herocaine, neocaine, novocaine, paracaine, plenocaine, procaine, sourocaine, syncaine);
Para-amino benzoyl-disopropylaminoethanol and its salts (isocaine);
Para-amino-benzoyl-dibutylaminopropanol and its salts (butine, butelline);
Cinnamyl-diethylaminopropanol and its salts (apothesin);
Benzoyl-2-ethylamino-3-phenylpropanol and its salts (allocaine);
Para-amino-benzoyl-1-diethylamino-2-methyl-3-butanol and its salts (tutocaine);
Para-amino-benzoyl-N-diethylleucinol and its salts (panthesine);
Para-butyl-amino-benzoyl-dimethylaminoethanol and its salts (pantocaine);
1-Para-amino-benzoyl-2-dimethyl-3-diethylamino-propanol and its salts (larocaine);
Penta-methyl-benzoyl-oxypiperidine carbonate of methyl and its salts (eucaine A);
Benzoyl-trimethyl-oxypiperidine and its salts (eucaine B);
Pseudo-dextro-cocaine (delcaine);

(e) Soluble metallic fluosilicates;
Insoluble metallic fluosilicates and products containing more than 25 per cent thereof;

(f) Preparations with a base of aniline for dyes;

(g) The following chlorine compounds and hair lotions containing them:
Dichloromethane (methylene bichloride);
Alpha-dichloroethane (ethylidene chloride);
Beta-dichloroethane (ethylene chloride);
Alpha-trichloroethane (methyl chloroform);
Alpha-dichloroethylene (acetylidene chloride);
Beta-dichloroethylene (acetylene chloride);
Trichloroethylene;

(h) Santonin;

(i) Vitamin D;

(j) Adonis Vernalis;

(k) Colocynths;

(l) Creosote;

(m) Guaiacol;

(n) Essence of chenopodium;

(o) Black nightshade

(p) Picric acid;

(q) Lead (oxide);

(r) Mercurial ointment in equal parts;
(s) Mercurial ointment treated with belladonna;
(t) Potassium (dichromate acid of);
(u) Potassium hydroxide (dissolved);
(v) Lead oxide powder, melted;
(w) Trioxymethylene;
(a') Chloralose (anhydroglucochloral);
(b') Metaldehyde;
(c') Barium salts (except barium sulphate);
(d') Phenylamin-propane and its salts;
(e') Folliculin and its salts;
(f') Synthetic oestrogens;
(g') Metallic nitrates;
(h') Chlorated amylene;
(i') Metallic chlorates;
(j') Nitrated derivatives of carbazole;
(k') Dichlorodiphenyltrichloroethane;
(l') Dehydro-folliculin and its salts;
(m') Metallic fluorides;
(n') Hexachlorocyclohexane and its sulphated derivatives;
(o') Anthracene oil;
(p') Mercury;
(q') Methylene dihydroxycoumarin;
(r') Orthotoluidine;
(s') Alkaline oxalates;
(t') Powders treated with nicotine for dusting;
(u') Sulphated benzene products in sulphamided groups and anilides, whether coloured or not (sulphamides, aniline dyes etc...);
(v') Alkaline sulphocarbonates;
(w') Carbon disulphide;
(x') Streptomycin;
(y') Tetra, penta and hexa chloroethane;
(z') Thiodiphenylamine (phenothiazine);
(a'') Alkaline xanthates and alkylxanthates.

Article 9. The following shall be deleted from List C annexed to the Decree of 9 October 1926:

Saccharin.

Article 10. The following substances shall be deleted from List C annexed to the Decree of 9 October 1926, while, however, remaining subject to the provisions of the said Decree as preparations containing substances listed in Lists A or C:

Antimony chloride caustic;
Zinc chloride caustic (Canquoin paste);
Potassium hydroxide and quicklime caustic (Vienna paste);
Phosphorated pastes.

Article 11. The Minister for Overseas France shall be responsible for the administration of this Decree, which shall be published in the *Journal Officiel* of the French Republic and in the *Journal Officiel* of French Equatorial Africa and inserted in the *Bulletin Officiel* of the Ministry of Overseas France.

Done at Paris on 8 October 1948.

The President of the Council of Ministers:

The Minister for Overseas France:

DECREE NO. 48-1587 OF 8 OCTOBER 1948 AMENDING THE REGULATIONS COVERING THE TRADE IN, POSSESSION AND USE OF POISONOUS SUBSTANCES IN FRENCH WEST AFRICA

The President of the Council of Ministers,

Having considered the report of the Minister for Overseas France,

In view of the Act of 12 July 1916 respecting the importation, exportation, trade in, possession and use of poisonous substances;

In view of the Decree of 30 December 1916 extending the Law of 12 July 1916 to French West Africa;

In view of the Decree of 5 March 1918 respecting the application of the Act of 12 July 1916 to French West Africa;

In view of the Act of 23 June 1922 to prohibit in the possessions and protectorates under the Minister of the Colonies the exportation, re-exportation, transit and trans-shipment of opium and products containing opium;

In view of the Decree of 26 January 1926 to issue regulations governing the trade in, possession and use of poisonous substances in French West Africa;

In view of the Act of 19 June 1927 to ratify the Convention signed at Geneva on 19 February 1925 regulating the traffic in narcotic drugs, together with the Decree of 31 October 1928;

In view of the Decree of 20 March 1930 to amend the provisions of Title II of the Decree of 14 September 1916 to issue public administrative regulations for the application of the Act of 19 July 1845 in Metropolitan France;

In view of the Decree of 25 April 1932 to amend the provisions of Title II of the Decree of 26 January 1926;

In view of the Decree of 9 November 1937 and Decrees No. 45-1954 of 28 August 1945, No. 46-1254 of 28 May 1946, No. 46-1475 of 12 June 1946, No. 47-181 of 16 January 1947 and No. 47-2079 of 22 October 1947 to amend the Decree of 14 September 1916,

HEREBY DECREES:

Article 1. The aforementioned Decree of 26 January 1926 shall be amended to read as follows:

1. The following provisions shall be added to Article 4:

"It shall not be lawful to use for the sale or transport of these substances beer bottles, flasks bearing the name of a beverage in the substance of which they are made casks, vessels, or other receptacles still bearing the labels of foods or beverages of any kind."

2. The first paragraph of Article 11 shall be replaced by the following provisions:

"The supply or use of soluble arsenic compounds shall be forbidden for the destruction of harmful agricultural parasites and for the destruction of flies. The supply or use of products in the manufacture of which metalloid arsenic has been employed and which are intended for the destruction of flies shall also be forbidden."

3. Article 19 shall be replaced by the following provisions:

"Pharmacists may renew a prescription prescribing the substances mentioned in List A, but only after a time-limit which shall be determined in accordance with the method of administration indicated in the prescription by the author thereof and subject to the following reservations:

"A prescription containing mention by the author thereof to the effect that renewal is forbidden, shall not be renewed either by the pharmacist who dispensed the prescription for the first time nor by any other pharmacist.

"The following prescriptions shall not be renewed unless otherwise indicated by the author of the prescription:

"1. Prescriptions prescribing the aforementioned substances either in their pure form or in solution for the purpose of subcutaneous injections;

"2. Prescriptions prescribing in the form of preparations to be taken orally and irrespective of the dosage the use of mercury or potassium cyanides, aconitine or the salts thereof, digitalin, strophantin, veratrin or the salts thereof;

"3. Prescriptions prescribing, in the form of preparations to be taken orally, the dose being greater than that indicated in the pharmacopoeia as the maximum dose for twenty-four hours, the substances mentioned in List A other than those specified in the preceding paragraph;

"Nevertheless pharmacists may renew prescriptions which do not contain any special mention and which do not prescribe a quantity exceeding 5 grammes of laudanum or tincture of nux vomica in their pure form."

4. Article 21 shall be replaced by the following provisions:

"Pharmacists, medical practitioners and veterinary surgeons shall affix to every medicament supplied by them and containing one or more of the substances mentioned in List A, a label indicating their name and address, the serial number under which the prescription is entered in their special register and how and in what form, as indicated in the prescription, the medicament is to be administered.

"The colour of the said label shall be orange-red and it shall contain the words: 'Toxic: Do not exceed the prescribed dose' whether the substances in question are those mentioned in List A supplied in their pure form, or in preparations to be diluted before use and intended for oral administration or whether the said substances are to be administered in some other manner, with the exception of applications to the skin.

"The said label shall be orange-red and shall bear the words 'Poison: For external use' in the case of substances mentioned in List A supplied in any form whatsoever for application to the skin.

"In the case of medicaments intended for veterinary purposes, the label shall be orange-red and shall in all cases bear the words 'For veterinary use' and 'Poison'."

5. The last paragraph of Article 34 is replaced by the following provisions:

"When supplying to the public medicaments which are prepared in advance and contain the substances mentioned in List A, medical practitioners, pharmacists and veterinary surgeons shall be bound to affix to the outer wrapper a label bearing their name and address, the number in the sales register under which the medicament is entered and the manner of administration which must be indicated in the prescription in accordance with Article 20."

6. The provisions of Title II of the Decree of 26 January 1926 shall be replaced by the following:

TITLE II

Substances Classified in List B

"Article 28. The preceding articles shall apply to the importation, purchase, sale, possession and use of substances classified in List B, provided that the provisions of the said articles are not contrary to those of this Title."

"Article 29. The manufacture, conversion, extraction, preparation, possession, offer, distribution, sale or purchase on commission, purchase, sale, import and export of the substances enumerated in List B and generally all commercial or industrial dealings in any of these substances without an authorization shall be

prohibited. The licence shall be granted by the Minister competent in respect of the prevention and punishment of fraudulent practices on the advice of a committee, the composition of which shall be determined by an order of the chief officer of the Territory.

"The authorization shall be personal. It shall be withdrawn by an order of the chief officer of the Territory after consultation with the commission as provided above.

"An authorization shall not be granted to, or shall be withdrawn from any person who has been convicted in France of illicit trafficking in narcotic drugs.

"In case of a change of the industrial or commercial domicile, the holder of the authorization shall notify the chief officer of the Territory before opening the new establishment, failing which the authorization may be withdrawn. If the manufacture of or trade in these substances is discontinued, the holder of the authorization shall notify the authority which issued the authorization who shall then declare the licence withdrawn.

"The deposit for the countersignature of the diploma of pharmacist of the holder of the authorization shall take the place of an authorization in the case of a dispensary open to the public but only in respect of the preparation and supply in the dispensary of the substances enumerated in List B.

"The order under which the authorization is issued shall state the name of each of the substances or preparations in respect of which extraction, conversion, manufacture or trade is authorized. In the case of industrial users, the authorization shall indicate the quantity of each substance which may be treated annually as well as the quantity of the products obtained.

"It shall not be lawful for any person who has not been duly authorized for that purpose in accordance with the provisions of this article to purchase such substances or to cause them to be supplied to him except on a prescription from a practitioner duly qualified under the relevant regulations to prescribe them for therapeutical use and subject to the special conditions laid down in this Decree.

"This prohibition, however, shall not apply to such laboratories or establishments as are designated by the chief officer of the Territory in orders issued after consultation with the chief officer of the health service to prescribe the conditions under which the said substances may be delivered to the said laboratories and establishments and the maximum quantities which they are authorized to cause to be delivered to them.

"Where the preparations can be used for injections and in the case of cocaine and its derivatives, even if the medicament is prescribed in the form of powder, prescriptions for medicaments containing the substances mentioned in List B shall be written on sheets taken from a counterfoil book in conformity with a model established by the Minister for Overseas France.

"The medical practitioner or dental surgeon shall himself enter the name and address of the patient on each prescription and on the counterfoils. The said counterfoils shall be kept by the medical practitioner or dental surgeon for ten years.

"The counterfoil books shall be issued to practitioners by the local directorate of the health service."

"Article 30. It shall not be lawful to import or export, to place in a bonded warehouse or on deposit at the Customs or to remove from such bonded warehouse or deposit substances mentioned in List B without a special authorization issued in respect of each such operation in accordance with the conditions to be determined by a local order.

"Importers shall be bound to take out a bond note 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 bond notes shall be subject to the production of the authorization for importation or removal from the bonded warehouse or deposit for the purposes of consumption, provided in the first paragraph of this article. The bond note shall be forwarded to the issuing Customs Office within one month from the date of issue accompanied by a clearance certificate from the chief local authority of the place of residence of the consignee or consignees.

"Exporters shall be bound to obtain from the Customs Office through which the goods are cleared an export certificate in respect of any goods sent out of the country.

"The certificate 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 name and quantity of the pure drug or drugs mentioned in List B which it contains.

"The vendor shall keep the certificates for three years for production at any request made by the competent authorities."

"Article 31. The substances mentioned in List B shall not be held for sale, and they shall not be distributed, imported or exported, unless the wrappers or containers immediately enclosing them are provided with the label and band as laid down in Article 4. The said label shall indicate, in addition to the name of the substance as shown in List B, the quantity of the substance contained, the name and address of the vendor as well as a reference number for each wrapper or container.

"In the case of magistral medicaments or medicaments prepared and divided into doses in advance for sale to the public, the proportion of the substance or substances contained per 100 grammes shall be written in full on the label, which shall also carry the indications as provided in Article 21.

"The outer wrappers of parcels for dispatch shall be provided with the band and the orange-red label as stipulated in Article 4. The label shall indicate the substance or substances contained, the total contents, the serial number in the register as provided in the following article, as well as the name and address of the consignor and the consignee.

"Parcels in respect of which a Customs clearance certificate has been issued need not carry the band and label required under the provisions of the preceding paragraph.

"In such cases the outer wrapper shall bear the name and address of the consignor and the consignee together with the serial number in the register.

"A person in possession of any substance enumerated in List B, with the exception of coca leaves, shall store them in a cupboard or in premises under lock and key. Such cupboards or premises shall not contain any substance other than those enumerated in Lists A and B. Any quantity of the said substance found outside the said cupboards or premises shall be seized.

"It shall not be lawful to enclose in an envelope or parcel for transportation through the post any substances or preparations enumerated in List B. This prohibition, however, shall not apply to such substances if sent for medical purposes to countries which admit them in that condition. In such cases the substances shall not be despatched otherwise than as insured boxes.

"Unless otherwise agreed between the countries concerned, none of the substances or preparations whatsoever enumerated in List B shall be enclosed in postal packages. This prohibition, however, shall not apply to such substances

if sent for medical purposes to countries which admit them in that condition."

"Article 32. Every purchase and every transfer of the said substances, even if free of charge, shall be entered in a special register reserved for the substances mentioned in List B, the pages of which shall be numbered and initialled by the mayor or chief officer of police. The authority countersigning this special register shall cause the authorization issued to the person concerned to be produced before him. Said authority shall enter the date on which the authorization was issued on the first page of the said register.

"Each operation shall be entered in the register under a serial number, which may be applied to all the products included in one and same consignment or delivery. Entries shall be made at the actual time of receipt or delivery without blank spaces and without any erasures or alterations.

"The entry shall state the name, occupation and address of the purchaser or the vendor, as well as the quantity of the product and the name under which it is mentioned in List B and the reference number as provided 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 mentioned in List B, contained in such preparations.

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

"In the case of resale of a product or preparation in a wrapping bearing a mark of origin, the reference number or numbers on the label of origin shall be entered on the register.

"The provisions of this article shall apply to all persons authorized to manufacture, process, buy or sell the said substances under the conditions laid down in Article 29, and in particular to pharmacists, medical practitioners and veterinary surgeons, to importers and exporters, to native producers for their sale, and to wholesale brokers.

"Nevertheless, pharmacists shall be authorized, for the purpose of sales against prescriptions, to enter not more than once a month, in the special register, the statement of the total amount of the said substances appearing for that month in the register of sales as provided in Article 20, in which they shall then enter the names and addresses of the persons to whom they have delivered these substances.

"In so far as the manufacturers are concerned, the quantities used for manufacture shall be entered in the register in the same way as deliveries and the quantities of the products obtained in the same way as consignments."

"Article 33. Manufacturers who manufacture or transform the substances mentioned in List B shall be required, after indicating such operations on the special register as provided in Article 32, to enter after the quantity and kind of the raw materials used, the quantity and kind of the product or products obtained.

"Pharmacists who treat these substances with a view to converting them into pharmaceutical products shall be bound by the same requirements when the said products are not intended solely for supply in their dispensary.

"Acquittal of the difference shall be given on this register by the Chief Inspector of Pharmacies, if the deficit noted appears to him to be the normal consequence of the transformations or operations stated.

"Manufacturers and pharmacists covered by this article shall be required to submit, not later than 1 February, 1 March, 1 August and 1 November, to the authority which delivered the authorization a quarterly statement of sales, made

during the preceding quarter, whether of narcotic drugs (untreated drugs and preparations), or of the products of transformation. These returns shall indicate the name of the substance or product of the transformation, and the quantities.

"A return of the stocks of narcotic drugs (untreated drugs and preparations) available on 31 December of the preceding year as well as of the stocks of the products of conversion available on the same date, shall be appended to the quarterly statement to be submitted before 1 February."

"Article 34. The register as provided in Article 32 shall be kept for ten years to be presented on a request made by the competent authority.

"The vendor shall be held not liable for the quantities received to the extent only of the sales made by him and entered on the said register, or of the acquittal given in accordance with the conditions of the preceding article.

"Article 35. With the exception of delivery made against a prescription for therapeutic use, it shall be forbidden to sell or supply the said substances to any person who cannot show that he has satisfied the conditions of Article 29 of this decree.

"The said substances shall not be supplied except against a written order, dated and signed by the buyer or by his representative, giving his name, his occupation and his address, and stating in words the quantity of the substances requested.

"The order shall be preserved for three years by the vendor to be presented on a request made by the competent authority.

"The provisions of the first paragraph of this article shall be applicable in the case of sale or transfer of the said substances after seizure by the public authorities or at the request of creditors.

"Article 36. It shall not be lawful for a medical practitioner to prescribe and for a pharmacist to fill prescriptions involving the use of medicaments composed of the substances in their pure form, mentioned in List B.

"It shall not be lawful for pharmacists to renew any prescription for substances mentioned in List B in the form of solutions for injection.

"The same prohibition shall apply to prescriptions for powders having as their chief ingredient cocaine or its salts and containing these substances in a higher proportion than one per thousand, and it shall also apply to prescriptions for preparations to be absorbed through the digestive tract which contain such an amount of the substances mentioned in List B as would bring them under paragraph 2 of the said list.

"By way of exception to the preceding provision, prescriptions may be renewed for preparations to be absorbed through the digestive tract which do not contain more than 250 milligrammes of medicinal opium, nor more than 25 milligrammes of benzoylmorphine, of hydrocodeinone, of dihydrohydroxycodeinone, or of cocaine, as also prescriptions for laudanum in its pure form provided that the dose does not exceed 5 grammes.

"Pharmacists may supply to practitioners legally entitled to prescribe them for therapeutic use, but only against prescriptions in accordance with the requirements of the last three paragraphs of Article 31, the substances in List B necessary for the exercise of their profession within the limit fixed by agreement between the local health authority and the representative of the medical profession, to provide a stock for emergency purposes. Any amounts withdrawn from such stocks shall be replaced on production of prescriptions made out by the medical practitioner or the dentist under the same conditions. The said prescriptions shall not be filled except by a pharmacist domiciled within the area of the

medical practitioner concerned or by a pharmacist in an adjacent area if the former pharmacist does not possess a laboratory. The name of the pharmacist chosen by the medical practitioner shall in all cases be indicated by him to the director of the local health authority. It shall not be lawful for a pharmacist to supply a medical practitioner with any substance mentioned in List B in its pure form.

"Pharmacists shall keep for three years, and shall produce when so required by the competent authority, requests from medical practitioners, veterinary surgeons, dental surgeons, and midwives and shall submit a return to the director of the local health authority at the end of each quarter.

"Article 37. It shall not be lawful for a medical practitioner to draw up and for a pharmacist to fill a prescription prescribing for a period of more than 7 days any substance mentioned in List B, if the composition of the preparations prescribed fulfils the conditions for prohibition laid down by the preceding article."

"Article 38. The definitions given in the first article of the Convention on the Trade in Narcotic Drugs, signed at Geneva on 19 February 1925, shall apply to the substances mentioned under the same named in List B.

"The provisions of this title, except for those of Article 31 relating to consignments through the post, shall not apply to preparations containing substances mentioned in List B which, in view of the nature of the medicinal substances with which these narcotic drugs are combined and which practically prevent their recovery, have been recognized as unable to give rise to drug addiction.

"A Ministerial order shall be issued to determine whether these preparations are to be entered in List A or List C.

"The provisions of this title shall not apply to those alkaloids of opium, their salts and derivatives which are not specifically mentioned in List B.

"These substances shall be subject to the provisions of Title I and shall henceforward be classified in List A.

"A period of six months reckoned from the publication of this Decree shall be allowed for fulfilment of the formalities laid down in the new Articles 28, 31 and 32 of the Decree of 26 January 1926."

(7) The following shall be added to Article 39:

"When intended for the destruction of parasites and animals harmful to agriculture, by coating, spraying, fumigating, dusting, baiting or other methods, substances mentioned in List C in their pure form and preparations containing them shall, except in cases of chemical incompatibility, be mixed with odoriferous and colouring substances in accordance with the formulae prescribed by an order of the Minister for Overseas France.

"The addition of odoriferous and colouring substances or of one of these substances only may be prescribed, in cases where any other use is intended, by an order of the Minister for Overseas France, issued after consultation with the Higher Public Health Council of Overseas France, fixing for each product the quantity of the substance or substances to be added."

(8) The last paragraph of Article 40 shall be replaced by the following provisions:

"They shall not be supplied except in packets or containers bearing a label stating the name and address of the vendor, the number of the entry in the special sales register and how and in what form, as indicated in the prescription, the medicament is to be administered."

(9) Article 41 shall be replaced by the following provisions:

"The provisions of Articles 22, 24, 25, 26 and 29 shall apply to the sub-

stances mentioned in List C and to the preparations containing them.

"Where a pharmacist, medical practitioner or veterinary surgeon supplies any substance mentioned in List C, either in its pure form or as a preparation to be diluted before use by oral administration, or in any form whatsoever for administration in any other manner, with the exception of application to the skin, he shall affix to each packet or container a green label bearing the words 'TO BE USED WITH CAUTION'.

"If he supplies these substances in any form whatsoever for application to the skin, he shall affix to each envelope or container a green label bearing the words 'DANGEROUS: FOR EXTERNAL USE'.

"He may renew prescriptions for the substances mentioned in List C or for preparations containing them, but only after a time-limit determined by the manner of administration indicated on the prescription by the author thereof.

"If a pharmacist or veterinary surgeon supplies the said substances for the purpose of veterinary medicine either in their pure form or in the form of preparations, he shall affix to the packet or container a green label bearing the words: 'FOR VETERINARY USE: DANGEROUS'.

"These provisions shall apply to trade in medicaments which are prepared and made up in advance for sale to the public and contain the substances mentioned in List C."

Article 2. An Article 42b, reading as follows, shall be inserted in Title IV of the Decree of 26 June 1926:

"If a pharmaceutical speciality contains one or more of the substances mentioned in Lists A, B or C the quantity or concentration thereof being in escess of the quantity or concentration specified in the order issued under Article 29 of this decree, the manufacturer shall comply with the following requirements:

"A blank space is to be provided on the label on which the pharmacist shall write his name, address, the number in his prescription book and the manner of administration. The said space shall be enclosed by a red border if the substance contained in the speciality in question is mentioned in List A, by a double red border if mentioned in List B, and by a green border if mentioned in List C. If the speciality includes substances mentioned in Lists A and B, the border is to be the same as that required above for substances listed in List B. If the speciality includes a substance mentioned in List C mixed with a substance mentioned in another list, the type of border shall not be changed as a consequence of the presence of the substance mentioned in List C.

"If the shape of the container is a parallelepiped, the side with the greatest surface shall be reserved for the label, provided that such surface is not less than 5 square centimetres; otherwise the space on the cover shall be used.

"If the container is cylindrical, and in other cases not provided for, the reserved space shall occupy at least one quarter of the visible surface of the label, but not less than 5 square centimetres."

Article 3. As a transitional measure and for a period of eighteen months reckoned from the publication of the present decree, the manufacturer may, by way of exception to the provisions of Article 42b, affix directly to the label or attach to the package, so that it will adhere thereto, another white label with a green or red border according to the case, as provided above. The said additional label shall cover at least one quarter of the visible surface of the label, but not less than 5 square centimetres.

Article 4. The following substances shall be added to List A annexed to the decree of 26 January 1926:

Methyl bromide

Chloropicrin
Ouabain (strophantin G)
Ethylene oxide

Article 5. The following substances shall be deleted from List A annexed to the Decree of 26 January 1926:

(a) Santonin
(b) Stovaine

The following substances shall also be deleted from List A, as coming under the category of preparations covered by List B (2), in Article 5 below:

(a) Rousseau's laudanum
(b) Sydenham's laudanum
(c) Tincture of opium

The following substances shall be added to List A:

(a) Arsenic (triiodide of)
(b) Calabar bean
(c) Trinitroglycerine
(d) Yohimbine (chlorhydrate of)
(e) Radioactive elements of the uranium and radium series, of the actinium series, of the thorium series and their salts, excluding radioactive natural water and natural radioactive mud.

Intermediate products or radioactive residues from the preparation of these salts;

(f) Preparations of any kind rendered radioactive by the incorporation of radioactive elements, natural radioactive water or mud or by any other procedure.
(g) Metalloid arsenic (cobalt)
(h) Thallium salts.

Article 6. List B annexed to the Decree of 26 January 1926 shall be replaced by the following list:

LIST B

1. Raw opium
Powdered opium
Extract of opium
Morphine and its salts
Diacetylmorphine and its salts
Benzoylmorphine and its salts
Hydrocodeinone and its salts
Dihydrocodeinone and its salts
Coca leaves
Raw cocaine
Ecgonin
Cocaine and its salts
Indian hemp
Indian hemp resin
Preparations with a base of Indian hemp resin
Extract and tincture of Indian hemp
Ethylic ether of methyl-phenyl-piperidine-carbonic acid and its salts.
2. All preparations whether stocked in a dispensary or not which contain:
Diacetylmorphine in any proportion whatsoever;
Prepared cocaine in a proportion of more than 1: 1,000;
Morphine or benzoylmorphine or hydrocodeinone or

Dihydro-hydroxycodeinone in a proportion of more than 2:1,000.

Article 7. List C annexed to the Decree of 26 January 1926 shall be amended as follows:

Delete:

"Lead acetates and preparations which contain them,
Lead carbonates and preparations which contain them.
Zinc chloride and its pharmacopoeia solution,
Crystallized and moulded silver nitrate and preparations which contain the contain the same;
Lead nitrate and preparations containing it;
Phenylenediamine (meta and para) and preparations containing them."

And insert:

"Lead acetates
Basic lead carbonate (white lead)
Zinc chloride
Silver nitrate
Lead nitrate
Phenylenediamine (meta and para)"

Article 8. The following substances shall be added to List C annexed to the Decree of 26 January 1926:

(a) Posterior lobe of the hypophysis (injectable solution of);

(b) Dinitrophenols;

(c) Derivatives of malonylurea and their salts;
cyclopentenylethylbarbituric acid
diallylmalonylurea (dial);
diethylmalonylurea (veronal);
dipropylmalonylurea (proponal);
ethylbutylmalonylurea (soneryl);
ethylcyclohexenylmalonylurea (phanodorn);
ethylisoamylmalonylurea (amytal);
isobutylmalonylurea (sandoptal);
isopropylallylmalonylurea (numal);
N-Methylcyclohexenylmethylmalonylurea (evipan);
Phenylethylmalonylurea (gardenal);
Ethylmethylbutylmalonylurea (nembutal);

(d) Local anaesthetics:
Alpha-butyloxycinchoninate of diethylethylene diamine and its salts (percaine):
Para-beta-methoxyethyl-aminobenzoyl-piperidinoethanol and its salts;
Benzoyl-dimethylamino-dimethylethyl carbinol and its salts (stovaine);
Benzoyl-tetramethyldiamino-dimethylethylcarbinol and its salts (alypin);
Para-amino benzoyldiethylaminoethanol and its salts (aldocaine, allocaine, carbaine, dunacine, ethocaine, herocaine, neocaine, novocaine, paracine, plenocaine, procaine, sourocaine, syncaine);
Para-amino benzoyl-disopropylaminoethanol and its salts (isocaine);
Para-amino-benzoyl-dibutylaminopropanol and its salts (butine, butelline);
Cinnamyl-diethylaminopropanol and its salts (apothesin);
Benzoyl-2-ethylamino-3-phenylpropanol and its salts (allocaine);
Para-amino-benzoyl-1-diethylamino-2-methyl-3-butanol and its salts

(tutocaine);
Para-amino-benzoyl-N-diethylleucinol and its salts (panthesine);
Para-butyl-amino-benzoyl-dimethylaminoethanol and its salts (pantocaine);
1-Para-amino-benzoyl-2-dimethyl-3-diethylamino-propanol and its salts (larocaine);
Penta-methyl-benzoyl-oxypiperidine carbonate of methyl and its salts (eucaine A);
Benzoyl-trimethyl-oxypiperidine and its salts (eucaine B);
Pseudo-dextro-cocaine - salt of - (delcaine);

(e) Soluble metallic fluosilicates;
Insoluble metallic fluosilicates and products containing more than 25 per cent thereof;

(f) Preparations with a base of aniline for dyes;

(g) The following chloride compounds and hair lotions containing them;
Dichloromethane (methylene bichloride);
Alpha-dichloroethane (ethylidene chloride);
Beta-dichloroethane (ethylene chloride);
Alpha-trichloroethane (methyl chloroform);
Alpha-dichloroethylene (acetylidene dichloride);
Beta-dichloroethylene (acetylene chloride);
Trichloroethylene;

(h) Santonin;

(i) Vitamin D;

(j) Adonis Vernalis;

(k) Metallic nitrites;

(l) Colocynths;

(m) Creosote;

(n) Guaiacol;

(o) Black nightshade;

(p) Picric acid;

(q) Lead (oxide of);

(r) Mercury ointment made up of equal parts;

(s) Mercury ointment treated with belladonna;

(t) Potassium (dichromate acid of)

(u) Potassium hydroxide (dissolved);

(v) Lead oxide powder, melted;

(w) Trioxymethylene;

(a') Chloralose (anhydroglucochloral);

(b') Metaldehyde;

(c') Barium salts (except barium sulphate);

(d') Phenylamino-propane and its salts;

(e') Folliculin;

(f') Synthetic oestrogens;

(g') Phenylamino-propane and its salts;

(h') Sulfanilamide;

(i') Sulfamerazine;

(j') Sulfapyridine;

(k') Sulfadizaine;

(l') Sulfaguanidine;

(m') Metallic nitrites;

(n') Mercury sulphide;
(o') Chlorated amylene;
(p') Metallic chlorates;
(q') Nitrated derivatives of carbazole;
(r') Dichlorodiphenyltrichloroethane;
(s') Dehydro-folliculin and its salts;
(t') Metallic fluorides;
(u') Hexachlorocyclohexane and its sulphated derivatives;
(v') Anthracene oil;
(w') Mercury;
(a'') Methylene dihydroxycoumarin;
(b'') Orthotoluidine;
(c'') Alkaline oxalates;
(d'') Powders treated with nicotine for powdering;
(e'') Alkaline sulphocarbonates;
(f'') Carbon disulphide;
(g'') Tetra, penta and hexa chloreothane;
(h'') Thiodiphenylamine (phenothiazine);
(i'') Alkaline xanthates and alkylxanthates.

Article 9. The following is to be deleted from List C annexed to the Decree of 26 January 1926:

Saccharin.

Article 10. The following substances are to be deleted from List C annexed to the Decree of 26 January 1926, while, however, remaining subject to the provisions of the said decree as preparations containing substances enumerated in the list:

Antimony chloride caustic;
Zinc chloride caustic (Canquoin paste);
Potassium and quicklime caustic (Vienna paste);

Article 11. The following are subject to the provisions of the Decree of 26 January 1926, as preparations containing substances enumerated in List A:

Phosphorated pastes.

Article 12. The Minister for Overseas France shall be responsible for the administration of this decree, which shall be published in the *Journal Officiel* of the French Republic and in the *Journal Officiel* of French West Africa and inserted in the *Bulletin Officiel* of the Ministry of Overseas France.

Done at Paris on 8 October 1948.

The President of the Council of Ministers:

The Minister for Overseas France:

UNITED NATIONS

ECONOMIC AND SOCIAL COUNCIL

E/NL.1950/2-3/Corr.1
17 April 1950

ENGLISH/FRENCH

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

FRENCH EQUATORIAL AFRICA

CORRIGENDUM

The decree published under Symbol E/NL.1950/2 is in respect of French Equatorial Africa, whereas the decree published under Symbol E/NL.1950/3 is in respect of French West Africa.

LOIS ET REGLEMENTS

COMMUNIQUES CONFORMEMENT AUX DISPOSITIONS DE LA CONVENTION DU 13 JUILLET 1931 POUR LIMITER LA FABRICATION ET REGLEMENTER LA DISTRIBUTION DES STUPEFIANTS AMENDEE PAR LE PROTOCOLE DU 11 DECEMBRE 1946

AFRIQUE EQUATORIALE FRANCAISE

CORRIGENDUM

Le décret publié sous la cote E/NL.1950/2 se refère à l'Afrique equatoriale française, tandis que le décret publié sous la cote E/NL.1950/3 se refère à l'Afrique occidentale française.