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LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF
THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

COLOMBIA

Communicated by the Government of Colombia

NOTE BY THE SECRETARY GENERAL -- In accordance with the relevant Articles of the International Treaties on Narcotic Drugs and Psychotropic Substances, the Secretary-General has the honour to communicate the following legislative texts.

INDEX

	page
E/NL.1976/113 Decree No. 855 of 10 May 1973	1
E/NL.1976/114 Legislative Decree No. 1188 of 25 June 1974	3
E/NL.1976/115 Decree No. 1514 of 26 July 1975	14
E/NL.1976/116 Decree No. 701 of 9 April 1976	16
E/NL.1976/117 Decision No. 4837 of 10 June 1976	17

E/NL.1976/113

REPUBLIC OF COLOMBIA
Ministry of Justice

DECREE NO. 855 OF 10 MAY 1973

Issuing rules governing the confiscation
and destruction of substances which
produce physical or psychic dependence

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA,

in the exercise of his constitutional and legal powers, and

CONSIDERING:

That article 59 of the Penal Code provides that "weapons, instruments or other things with which an offence has been committed or which derive from its commission" may be destroyed;

That Title I of the Second Book of the Code of Penal Procedure sets out the duties of the judicial police in criminal investigations;

That it is necessary to regulate the confiscation and destruction of substances which produce physical or psychic dependence;

That some of these substances have no medical application or exist in quantities which exceed the current demand for therapeutic or scientific purposes;

DECREES:

Article 1. As from the entry into force of this decree, the judicial police authorities referred to in articles 285 and 287 of the Code of Penal Procedure shall destroy the marijuana plantations existing on the national territory, by the following procedure:

- (a) The plantation shall be identified by experts using the appropriate scientific technique;
- (b) the property under cultivation shall be identified by its borders and the approximate area of the plantation;
- (c) the name and other personal particulars of the owner or person in possession of the land, the grower, workers and other persons present shall be noted; and,
- (d) samples of the plants, in quantities considered sufficient by the experts, shall be taken for further expert examination.

A record of all these particulars and of any other information useful for the investigation shall be drawn up and signed by the officials taking part in the investigation and by the person owning, possessing or farming the property. The Agent of the "Ministerio Público" (department responsible for prosecutions) may take part in these proceedings.

When the record has been signed, the plantation shall be destroyed. If the marijuana crop is mixed in with useful plants, it shall be destroyed in such a way that the latter are not affected.

The record and the experts' findings, together with the relevant report and the persons taken into custody, shall be sent to the examining magistrate in accordance with the conditions laid down in articles 290 and 303 of the Code of Penal Procedure.

The destruction of the plantation may also be ordered and witnessed by the examining magistrate.

Article 2. When the judicial police confiscate marijuana, cocaine, morphine, heroin or any other substance which produces physical or psychic dependence, they shall immediately have it identified by experts; they shall specify the quantity, quality, weight and approximate value; they shall give the names and other personal particulars of those appearing to be involved in the offence and shall describe any other circumstance useful for the investigation; all this information shall be included in a record signed by the officials taking part in the investigation and by the person or persons in whose possession the drug or substance was found. An official of the "Ministerio Público" must be present at these proceedings.

Article 3. Within the time-limits referred to in article 290 of the Code of Penal Procedure, the official of the judicial police who carried out the aforementioned investigation, shall send the record of proceedings to the examining magistrate. On the day following receipt of the record, the examining magistrate shall carry out a judicial inspection of the confiscated drug or substance at the place where it has been deposited by the judicial police.

Once the proceedings have been concluded, the magistrate shall take a sample of the drug or substance and send it to the Institute of Forensic Medicine for further expert examination; he shall then order and witness the destruction of the remainder and draw up the relevant record, which shall be signed by those taking part in the destruction.

When it is not possible to identify the author of the offence, the judicial police, after taking samples of the confiscated drug or substance and sending them to the Institute of Forensic Medicine for expert identification, and after drawing up the record referred to in the preceding article, shall destroy the drug or substance. This proceeding shall be witnessed by an official of the "Ministerio Público".

Article 4. The inquiries carried out by the officials of the judicial police, to which reference is made in the preceding articles, shall have the evidential value specified in article 306 of the Code of Penal Procedure.

Article 5. Drugs or substances producing physical or psychic dependence which are now deposited at the Bank of the Republic, the Ministry of Public Health or any other official establishment, at the disposal of the criminal justice or Customs authorities, shall be destroyed within 30 days following the entry into force of this decree, by order and in the presence of the examining magistrate or trial judge. The proceedings shall also be witnessed by the agent of the "Ministerio Público", by a representative of the entity which was holding the drug in safe keeping and by the other parties concerned; a record of the proceedings shall be drawn up and signed by those taking part.

When the drug or substance has not been identified by experts, the judge shall take a sample and have it identified by experts on the spot; once its identity has been established, the judge shall order and witness its destruction as provided in this article.

Article 6. This decree shall come into force on the date of its issue.

TO BE COMMUNICATED, PUBLISHED AND IMPLEMENTED

Done at Bogotá, D.E., on the tenth (10th) day of May, one thousand nine hundred and seventy-three (1973).

THE PRESIDENT OF THE REPUBLIC

E/NL.1976/114

LEGISLATIVE DECREE NO. 1188 OF 25 JUNE 1974

Promulgating the National Statute on Narcotic Drugs

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA,

in the exercise of his legal powers and especially of the extraordinary powers conferred on him by Law 17 of 1973, and after hearing the opinion of the Committee provided for therein,

DECREES:

CHAPTER I

GENERAL PRINCIPLES

Article 1. The words and expressions used in this Statute shall be understood in their natural and obvious meaning, in accordance with general usage; except that, when they have been expressly defined by legislation for certain subjects, they shall be given their legal meaning where those subjects are concerned.

For the purposes of interpretation of this Statute, the definitions contained therein shall be preferred to any others given by legislation.

Article 2. The terms "Statute" and "Council", when used without qualification, refer to this Decree and to the National Narcotics Council.

Article 3. "Drug" means any substance which, when introduced into the living organism, can modify one or more of its functions.

Article 4. The expression "drugs or substances which produce physical or psychic dependence" means those drugs or substances which, when introduced into the living organism, have a psychotoxic action manifested by alteration of the behaviour of the individual, and which, in addition, are subject to control in accordance with the official lists of the United Nations, the World Health Organization and the Ministry of Public Health.

Article 5. "Dependence" or "drug dependence" is the personal state brought about by periodic or continuous ingestion of drugs in any way.

"Physical dependence" is a state of adaptation to a drug or substance which creates an organic need for it.

"Psychic dependence" is the compulsive habitual use of a drug or substance.

Article 6. "Personal dose" is the amount of a drug which a person ordinarily ingests in any way at one time, and "therapeutic dose" is the amount which a doctor normally prescribes for a patient.

Article 7. "Plantation" means a number of growing plants from which drugs or substances producing physical or psychic dependence can be extracted.

CHAPTER II

PUBLICITY CAMPAIGNS AND EDUCATIONAL PROGRAMMES

Article 8. Any publicity campaign aimed at discouraging the production of traffic in and consumption of drugs or substances which produce physical or psychic dependence, must be approved by the Ministry of Public Health either directly or through the bodies attached to it.

Article 9. The campaigns referred to in the preceding article must contain only scientifically valid information and be adapted to the persons to whom the publicity programmes are directed.

Article 10. Sixty days after the entry into force of this Statute, all radio stations and television channels operating in the country must broadcast advertisements aimed at combating the traffic in and consumption of drugs or substances which produce physical or psychic dependence, of such length and at such intervals as may be determined by the Ministry of Public Health in agreement with the Ministry of Communications, which shall be responsible for ensuring compliance with this provision.

The advertisements may be prepared direct by the radio stations and television channels, but must be submitted to the Ministry of Public Health for approval. If the radio stations and television channels so prefer, the Ministry will provide them with advertisements already prepared.

The broadcasts referred to in this article shall be made free of charge.

Article 11. Primary and secondary education programmes shall include information on the dangers of drug dependence, in the form determined by the Ministry of National Education.

Article 12. The National Narcotics Council, in co-ordination with the National Mental Health Council, shall sponsor the establishment and operation of civic committees against the consumption of and traffic in drugs or substances which produce physical or psychic dependence.

CHAPTER III

CAMPAIGNS AGAINST ALCOHOL AND OTHER SUBSTANCES IN LAWFUL USE

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CHAPTER IV

CONTROL OF THE MANUFACTURE AND DISTRIBUTION OF SUBSTANCES WHICH
PRODUCE PHYSICAL OR PSYCHIC DEPENDENCE

Article 22. The following functions are assigned to the Ministry of Public Health:

- (a) To import and sell, in accordance with health requirements and the rules laid down in this Statute, raw materials and substances for the manufacture of drugs and products which produce physical or psychic dependence;
- (b) To purchase the products based on such substances which are prepared in the country in the form of medicaments;
- (c) To supply to the entities referred to in article 26, the substances, products and proprietary preparations included in Schedules I, II, III and IV of the 1961 Single Convention on Narcotic Drugs or in such schedules as may be prepared by the Ministry of Public Health;
- (d) To exercise control over the manufacture and sale to the public of the substances referred to in the preceding subparagraph;
- (e) To keep a card index of products showing inward and outward movements and stocks, and comparative statistics of official and private needs;
- (f) To review the decisions taken by the Departmental and Municipal Heads of Drugs and Narcotics Control referred to in Decree 1528 of 1964, in cases in which the acts committed by offenders are not subject to the penalties provided for in chapters V and VI of this Statute.

Article 23. Only the National Government, through the Ministry of Public Health, may import drugs or substances which produce a physical or psychic dependence.

Article 24. The Narcotic Drugs Revolving Fund referred to in Law 36 of 1939,^{2/} shall be responsible for carrying out financial operations for the import, export, purchase and sale of drugs, raw materials and substances which produce physical or psychic dependence.

From its resources, the Fund shall finance prevention, control and assistance programmes on drug dependence, in accordance with the policies indicated by the National Narcotics Council.

Article 25. The imports referred to in the preceding articles shall be made under cover of the certificates officially issued by Colombia against the corresponding export certificates issued by the country from which the substances are shipped, and subject to the quotas determined by the International Narcotics Control Board at Geneva or by the body representing the Board.

^{1/} Note by the Secretariat: The sections which are not relevant to narcotics have been omitted.

^{2/} Note by the Secretariat: Communicated under C.41.M.41.1946.XI and C.57M.52.1940.XI.

Article 26. The Ministry of Public Health shall supply substances, raw materials and drugs which produce physical or psychic dependence to laboratories, official or private health establishments, research centres, pharmacies and drug stores which are registered with the Ministry for this purpose in accordance with such regulations as it may issue.

Article 27. Factories and laboratories manufacturing drugs or substances which produce physical or psychic dependence may not hold stocks of raw materials other than those supplied by the Ministry of Public Health. The finished products shall be sold to the Narcotic Drugs Revolving Fund as they are manufactured.

Article 28. Official health establishments shall submit their orders for pharmaceutical products through an office authorized by the Head of the Public Health Service concerned.

Article 29. Laboratories which produce proprietary pharmaceutical preparations containing drugs or substances which produce physical or psychic dependence, shall submit reports to the Ministry of Public Health giving particulars of the raw materials received and the medicaments produced.

Article 30. Pharmacies and drugstores may not stock proprietary pharmaceutical preparations containing drugs or substances which produce physical or psychic dependence in quantities manifestly greater than are required to meet normal demand as estimated by the Ministry of Public Health.

Article 31. Health establishments, whether official or private, pharmacies and drug stores must keep a register of drugs and substances producing physical or psychic dependence, in accordance with the provisions issued by the Ministry of Public Health.

Article 32. Prescriptions for therapeutic doses of preparations containing drugs or substances which produce physical or psychic dependence, must be made out on official forms designed for this purpose, which shall be supplied to doctors through the departmental or municipal health services.

Article 33. Doctors treating patients who need drugs or substances which produce physical or psychic dependence in quantities greater than therapeutic doses are required so to inform the competent health authorities, supplying the following particulars: the name, age, marital status, nationality and domicile of the patient, how long he has been using the substances, what they are and the daily dose required.

Article 34. The Ministry of Public Health shall keep a register of drug addicts, which shall contain all the data necessary evaluating, at any time, the trend of this phenomenon in the national territory.

The register shall be confidential and the data it contains shall be used only to prevent the illicit traffic.

Article 35. All factories, laboratories, pharmacies, drug stores and health establishments which keep, manufacture, use or trade in drugs or substances producing physical or psychic dependence are subject to inspection and supervision by the Ministry of Public Health.

Article 36. The manufacture and import of hypodermic syringes and needles is subject to prior authorization by the Ministry of Public Health; these articles may only be sold in establishments authorized by the Ministry.

CHAPTER V

OFFENCES

Article 37. Any person who, without the permission of the competent authority, cultivates or keeps plants from which marijuana, cocaine, morphine, heroin or any other drug or substance producing physical or psychic dependence can be extracted, shall be liable to imprisonment for two to eight years and a fine of 1,000 to 100,000 pesos.

Article 38. Any person who, without the permission of the competent authority, introduces into the country, even in transit, or removes from it, transports, takes with him, stores, keeps, manufactures, sells, offers, acquires or supplies for any reason, marijuana, cocaine, morphine, heroin or any other drug or substance which produces physical or psychic dependence, shall be liable to imprisonment for three to twelve years and a fine of 5,000 to 500,000 pesos.

If the quantity of drugs or substances the person has with him is the equivalent of a personal dose, the penalty shall be detention for one month to two years and a fine of 200 to 1,000 pesos.

Article 39. Determination of the personal dose referred to in the second paragraph of the preceding article shall be based on a medico-legal expert assessment taking into account the quality and quantity of the substance and the clinical history and situation of the accused.

Article 40. Without prejudice to the provisions of articles 124 and 125 of Legislative Decree 522 of 1971 (article 208, paragraph 5, and article 214, paragraph 3 of the National Police Code), any person who assigns movable or immovable property for the use therein of any of the drugs or substances referred to in article 38, or who authorizes or tolerates such use, shall be liable to imprisonment for two to eight years.

This penalty shall be increased by up to one-half and a fine of 5,000 to 100,000 pesos shall be imposed if the motive was profit.

Article 41. Any person who in any way encourages or, without the permission of the competent authority, spreads the use of drugs or substances producing physical or psychic dependence, shall be liable to imprisonment for two to eight years.

Article 42. Any member or practitioner of the medical, dental, nursing or pharmaceutical professions or of any of the ancillary medical professions who, in the exercise of such a profession, prescribes, supplies or applies, for non-therapeutic purposes or in quantities greater than necessary, a drug or substance which produces physical or psychic dependence, shall be liable to imprisonment for two to eight years.

In addition to the penalty prescribed in the preceding paragraph, the offender shall be debarred from exercising his or her profession for a period of two to eight years.

Article 43. The penalty applicable shall be increased by up to three-quarters in the following cases:

1. With respect to articles 37 and 38, when the person committing the offence has made use, for that purpose, of persons under 21 years of age, persons who are sick or mentally deficient, or persons who are habitual users of drugs or substances which produce physical or psychic dependence;

2. With respect to articles 37 to 42, when the offence is committed in relation to persons under 21 years of age, persons who are sick or mentally deficient or persons who are habitual users of drugs or substances which produce physical or psychic dependence, or when it is committed in relation to persons being initiated into the use of such drugs or substances;
3. With respect to articles 37 and 38, according to the quantity and quality of the plant, drug or substance, as assessed by the judge.

Article 44. Any person who, through negligence, commits one of the offences punishable under articles 37 to 42 of this Statute, shall be liable to the penalties prescribed therein, reduced by not more than three-quarters.

Article 45. Any public official or employee or official worker having custody of drugs or substances which produce physical or psychic dependence who removes, conceals, improperly retains or adulterates all or part of such drugs or substances, shall be liable to imprisonment for three to twelve years.

Article 46. Any public official or employee or official worker who, through negligence, causes drugs or substances producing physical or psychic dependence which have been entrusted to him for safe keeping to be lost, mislaid or adulterated, shall be liable to imprisonment for six months to two years.

Article 47. The authority competent to grant the permission referred to in articles 37, 38 and 41 is the Ministry of Public Health.

Article 48. The offences referred to in this Statute are, in the first instance, within the exclusive jurisdiction of the circuit judges trying criminal, or both criminal and civil, cases.

For the investigation of these offences, specialized personnel of the judicial police and resident or itinerant examining magistrates of the criminal courts shall be employed whenever possible.

Article 49. Any person owning land on which the plants referred to in article 37 are grown shall be liable to a fine equal to the cadastral valuation of the property, unless he proves that although he exercised the utmost diligence and care in supervising his estate he could not have known of its unlawful use.

If the person responsible for the offence described in article 37 is the owner of the land on which the plants mentioned therein are grown, the fine referred to in the article shall be equal to the cadastral valuation of the property.

Article 50. Without prejudice to the penalties applicable for any of the offences described in this chapter, the owner of real property used for the manufacture or preparation of drugs or substances producing physical or psychic dependence, shall be liable to a fine equal to the cadastral valuation of the property, unless he proves that although he exercised the utmost diligence and care in supervising his property, he could not have known of its unlawful use.

Article 51. In order to give effect to the penalties provided for in the two preceding articles, the properties in question shall not be offered for sale, and shall constitute collateral for payment of the fine imposed.

Article 52. Furniture, equipment and other articles used for the storage, preservation, manufacture or preparation, sale or supply, in any way, of marijuana, cocaine, morphine, heroin or any other drug or substance which produces physical or psychic dependence, as well as vehicles and other means of transport used for commission of the offences described in this chapter, shall be confiscated, and the Government may assign them by Executive Decision to the official service of the body which made the confiscation

or sell them at auction. The profits obtained shall be used for prevention of the traffic in such drugs and substances and for assistance to drug addicts, under the control and supervision of the National Narcotics Council.

Exceptionally, it may be ordered that the vehicles and other means of transport be returned to third persons who prove that although they exercised the utmost diligence and care, they could not have known that their property was being used for unlawful purposes.

Article 53. Circuit court prosecutors shall give special attention to the progress of cases involving the offences covered by this Statute, following the instructions given them on this matter by the Attorney General's office; they shall report monthly to this Office on the progress of each case.

CHAPTER VI

CONTRAVENTIONS

Article 54. Radio stations and television concessionaires which fail to transmit the advertisements referred to in article 10, or which do not transmit them for the time and at the intervals prescribed by law, shall be liable to successive fines of 10,000 to 50,000 pesos.

Article 55. Primary and secondary education establishments which do not include in their curricula the information referred to in article 11, shall be liable to a fine of 5,000 to 20,000 pesos and suspension of their operating licence for three to twelve months.

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Article 58. Any person who manufactures, sells, distributes or uses an inscription, label or notice containing the name of or references to drugs or substances which produce physical or psychic dependence, shall be liable to a fine of 100 to 2,000 pesos. The police shall confiscate and destroy such inscriptions, labels or notices.

Article 59. Pharmacies and drug stores holding more than the authorized stocks of proprietary pharmaceutical preparations containing drugs or substances which produce physical or psychic dependence, shall be liable to a fine of 5,000 to 50,000 pesos.

In addition to this penalty, if the act is particularly serious or is repeated, the operating licence may be suspended for three to twelve months.

Article 60. Entities or establishments subject to inspection and supervision in accordance with article 35, which oppose such inspection and supervision or fail to give the necessary co-operation for it to be carried out, shall be liable to a fine of 5,000 to 30,000 pesos and to suspension of their operating licence for three to twelve months.

Article 61. Any person who, without the prior authorization of the Ministry of Public Health, manufactures hypodermic syringes or needles or who introduces them into the country, shall be liable to a fine of 5,000 to 50,000 pesos.

Article 62. Any person who sells hypodermic syringes or needles without legal authorization, shall be liable to a fine of 500 to 10,000 pesos.

Article 63. Any person who, without legal authorization, possesses a hypodermic syringe or needle shall be liable to a fine of 500 to 5,000 pesos.

Article 64. In the cases provided for in the three preceding articles, confiscation of the hypodermic syringes and needles and suspension of the operating licences of the establishments concerned for a period of three to twelve months shall also be ordered when appropriate.

Article 65. In the investigation of and trial on the contraventions described in this chapter, the procedure laid down in Chapter XII, Title IV, Book III, of the National Police Code (articles 295-331) shall be followed.

It shall be the duty of the magistrates, or of police inspectors representing them, to try, in the first instance, cases involving the contraventions described in the chapter.

In courts of second instance, such cases shall be tried by Departmental Governors, Commissioners and Intendants, and, in the Special District of Bogota, by the District Court of Justice.

Article 66. The proceeds of fines imposed on persons committing the offences or contraventions described in this Statute, shall be paid into the Narcotic Drugs Revolving Fund of the Ministry of Public Health and allocated to the programmes of the National Narcotics Council.

Article 67. When there are serious reasons for believing that a foreigner, who does not possess a diplomatic or resident's visa, is concerned in the production, traffic or consumption of drugs or substances which produce physical or psychic dependence, the Ministry of External Relations or other competent authority shall proceed to cancel his visa, tourist card or permit, at the request of the judicial police authorities.

The foregoing measure shall be taken without prejudice to any appropriate criminal proceedings.

CHAPTER VII

DESTRUCTION OF CONFISCATED SUBSTANCES

Article 68. The judicial police authorities referred to in articles 285 and 287 of the Code of Criminal Procedure, shall destroy plantations, in the national territory, of marijuana, coca, opium poppy and other plants from which drugs or substances producing physical or psychic dependence can be extracted, carrying out the following procedure:

- (a) The plantation shall be identified by experts using the appropriate scientific technique;
- (b) The property under cultivation shall be identified by its borders and the approximate area of the plantation;
- (c) The name and other personal particulars of the owner and the person in possession of the land, the grower, workers and other persons present shall be noted; and,
- (d) Samples of the plants, in quantities considered sufficient by the experts, shall be taken for further expert examination.

A record of all these particulars and of any other information useful for the investigation shall be drawn up and signed by the officials taking part in the investigation and by the person owning, possessing or farming the property. Where possible, an official of the "Ministerio Público" (department responsible for prosecutions) shall take part in these proceedings.

When the record has been signed, the plantation shall be destroyed. The record and the experts' findings, together with the relevant report and those persons taken into custody, shall be sent to the examining magistrate in accordance with the conditions laid down in articles 290 and 303 of the Code of Penal Procedure.

The destruction of the plantation may also be ordered and witnessed by the examining magistrate.

Article 69. The National Government shall promote the growth of economic substitute crops to provide a living for the indigenous population and settlers who were working coca plantations before this Statute came into force.

Article 70. When the judicial police confiscate marijuana, cocaine, morphine, heroin or any other substance which produces physical or psychic dependence, they shall immediately have it identified by experts; they shall specify the quantity and weight; they shall give the names and other personal particulars of those appearing to be involved in the offence and shall describe any other circumstance useful for the investigation; all this information shall be included in a record signed by the officials taking part in the investigation and by the person or persons in whose possession the drug or substance was found. When the investigation takes place in an urban area it must be attended by an official of the "Ministerio Público".

Article 71. Within the time-limits referred to in article 290 of the Code of Penal Procedure, the official of the judicial police who carried out the aforementioned investigation shall send the record of proceedings to the examining magistrate. On the day following receipt of the record, the examining magistrate shall carry out, with the official of the "Ministerio Público", a judicial inspection of the drug or substance at the place where it has been deposited by the judicial police.

Once the proceedings have been concluded, the magistrate shall take a sample of the drug or substance confiscated and send it to the Institute of Forensic Medicine for further expert examination; he shall then order and witness the destruction of the remainder and draw up the relevant record, which shall be signed by those taking part in the destruction.

When it is not possible to identify the author of the offence, the judicial police, after taking samples of the confiscated drug or substance and sending them to the Institute of Forensic Medicine for expert identification, and after drawing up the record referred to in the preceding article, shall destroy the drug or substance. This proceeding shall, if possible, be witnessed by an official of the "Ministerio Público".

Article 72. The inquiries carried out by the officials of the judicial police, to which reference is made in the preceding articles, shall have the evidential value specified in article 306 of the Code of Penal Procedure.

Article 73. Units of the Administrative Security Department, the National Police and the Customs Office, or of any other authority performing judicial duties, which confiscate drugs or substances producing physical or psychic dependence, shall carry out an expert identification of such substances at the time when they are confiscated.

If the authority making the confiscation does not have the necessary technical equipment to carry out an expert identification, it shall send the confiscated substance to the nearest unit of the Administrative Security Department, National Police, Customs Office or sectional Institute of Forensic Medicine which has adequate technical equipment.

Article 74. The samples taken for expert examination by the authorities mentioned in the preceding article shall not exceed 3 grammes per bag or container of substance found. As an exception, on expert advice accompanied by a statement of reasons, larger samples may be taken.

Article 75. Any surplus of samples taken for expert examination shall be sent to the Institute of Forensic Medicine at Bogotá. When expert examinations are carried out by that Institute, it shall retain any surplus.

In any case, surplus quantities deposited at the Institute of Forensic Medicine at Bogotá shall remain at the disposal of the Court trying the case until the judgement is given in the first instance, the case is dismissed or the proceedings are discontinued, after which the substances may be used for lawful purposes or destroyed, as decided by the National Narcotics Council.

Article 76. When the provisions of article 70 have been complied with, officials of the judicial police who confiscate marijuana or any other drug or substance which produces physical or psychic dependence shall deposit them at the nearest branch of the Bank of the Republic, within the time prescribed for the distance and with the appropriate safeguards.

CHAPTER VIII

TREATMENT AND REHABILITATION

Article 77. The main object of health and social measures for the treatment and rehabilitation of drug addicts shall be to enable the individual to become a useful member of the community again.

Article 78. The Ministry of Public Health shall include among its programmes the provision of services for the prevention of drug addiction and the treatment and rehabilitation of addicts.

Article 79. The opening and operation of any establishment, public or private, for the prevention of drug addiction and the treatment and rehabilitation of drug addicts shall be subject to authorization and inspection by the Ministry of Public Health.

Article 80. Persons who, without having committed any of the offences described in this Statute, are suffering from the effects of consumption of drugs or substances which produce physical or psychic dependence, shall be sent to the establishments listed in articles 40 and 50 of Decree 1136 of 1970, in accordance with the procedure laid down in that Decree.

CHAPTER IX

NATIONAL NARCOTICS COUNCIL

Article 81. The National Narcotics Council, established under the Ministry of Justice, shall perform the functions listed below.

Article 82. The Council shall consist of:

- (a) The Minister or Deputy Minister of Justice, who shall be Chairman;
- (b) The Minister or Deputy Minister of Public Health;
- (c) The Minister or Deputy Minister of National Education;
- (d) The Attorney-General or the Assistant Prosecutor for the Judicial Police;
- (e) The Head of the Administrative Security Department;
- (f) The Director-General of Police or the National Head of the Division of Information, Judicial Police and Criminal Statistics (DIPEC);
- (g) The Director-General of Customs; and
- (h) The Director of the Colombian Institute of Family Welfare.

Article 83. The functions of the Council are:

- (a) To formulate, for adoption by the National Government, the policy and the plans and programmes to be promoted by public and private bodies to combat the production, trade in and use of drugs or substances which produce physical or psychic dependence. The Council shall also propose measures to control the lawful use of such drugs and substances;
- (b) In conformity with the preceding subparagraph, to inform the various official bodies of the specific campaigns and actions each of them should promote;
- (c) To issue the rules necessary for the proper performance of its functions and to propose to the Government the enactment of provisions falling within its competence;
- (d) To direct and co-ordinate the activities of State and private bodies concerned with prevention, scientific research, judicial police investigations, control and rehabilitation, with respect to drugs or substances which produce physical or psychic dependence;
- (e) To maintain contacts with foreign governments and international organizations on matters coming within its competence and promote measures in those organizations with a view to co-ordinating the activities of the Colombian Government with those of other States and obtaining assistance where necessary.

Article 84. The decisions taken by the Council in the exercise of the functions listed in the preceding article are mandatory.

Article 85. The Narcotic Drugs Office of the Ministry of Justice shall act as the Executive Secretariat of the Council and, as such, perform the following functions:

- (a) Submit to the Council for consideration plans, projects and programmes which it considers necessary for the performance of the Council's functions;
- (b) Carry out the studies which the Council entrusts to it;
- (c) Ensure that the Council's decisions are carried out and submit the relevant reports to it;
- (d) Evaluate progress in carrying out the policy, plans and programmes adopted in pursuance of article 83 and suggest any changes or adjustments considered necessary;
- (e) Provide liaison between the Council and official or private bodies concerned with prevention, investigation control, punishment and rehabilitation, with respect to drugs or substances which produce physical or psychic dependence.

Article 86. The Council may call to its meetings officials it considers necessary to hear and the authorities must give it the collaboration it needs for the performance of its functions.

Article 87. This decree shall come into force on the date of its publication and repeals any provisions which may be contrary to it.

TO BE COMMUNICATED AND IMPLEMENTED

Done at Bogotá, D.E. on

REPUBLIC OF COLOMBIA

DECREE NO. 1514 OF 26 JULY 1975

giving effect to articles 52 and 66 of Legislative Decree No. 1188 of 1974 3/ promulgating the National Statute on Narcotic Drugs

WHEREAS it is necessary, in order to ensure that programmes and campaigns and the rehabilitation of drug abusers are effective, to indicate the procedure to be followed in keeping and handling funds obtained from the sales by auction referred to in article 52 of Legislative Decree No. 1188 of 1974 and from the fines referred to in its article 66,

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA,

by virtue of the powers vested in him by article 120, section 3, of the National Constitution and after consultation with the National Narcotics Council,

DECREES

Article 1. When an object, element or means of transport, of the kind referred to in article 52 of Legislative Decree No. 1188 of 1974 is seized or confiscated, the official in charge of the inquiry or the judge dealing with the case shall, within the next 24 hours, notify the National Narcotics Council listing, with particulars, the objects, elements or means of transport concerned and stating what decision has been taken by the court in respect of them.

The sole purpose of this information is to facilitate disposal of them in the manner laid down in article 52 of the Decree under reference.

Article 2. The Council shall decide whether the objects, elements or means of transport are to be used for official purposes or are to be sold by auction, and shall notify its decision to the Government so that the necessary executive resolution may be issued.

If they are to be used for official purposes, the Council shall decide, by any method which it may deem appropriate, which was the body which carried out the confiscation or seizure.

The use to which they are to be put shall in all cases be in accordance with the purposes of article 52 of Legislative Decree No. 1188.

Article 3. A body receiving for official use the objects, elements or means of transport referred to in the present Decree may not use them for purposes other than those specified; it shall produce them on request to the official in charge of the inquiry or dealing with the case, for purposes connected with the proceedings, and shall maintain and preserve them with particular care.

Article 4. When an executive resolution has been issued providing that the elements, objects or means of transport are to be used for official purposes, the Narcotic Drugs Office of the Ministry of Justice shall communicate it to the judge in charge of the case with which these elements are associated.

Within 10 days of the notification, the judge shall arrange for them to be handed over and shall for this purpose appoint the body mentioned in the executive resolution as depositary.

3/ Note by the Secretariat: E/NL.1976/114.

Article 5. When the case has been concluded without any change having occurred in the status of these objects as elements or means whereby the offence was committed, the judge concerned shall so inform the National Narcotics Council with a view to deciding how they are to be finally disposed of.

Article 6. When the National Narcotics Council, having received the notification referred to in article 1 of the present Decree, decides that some or all of the elements, objects or means of transport, instead of being assigned for official use, are to be sold by auction, the Council shall so inform the Government, with a view to the issue of an executive resolution.

Such a decision may be taken only in respect of elements, objects or means of transport associated with proceedings which have terminated.

Article 7. When, in the opinion of the National Narcotics Council, circumstances make it desirable to do so, the original decision to assign for official use the elements, objects and means of transport referred to in this Decree may be replaced by a decision to sell them by auction.

This decision may be taken only when the proceedings with which the objects are associated have terminated.

Article 8. When a seizure takes place, a valuation of the objects seized shall be made immediately by two experts appointed by the Sectional Head of the Administrative Security Department. This valuation shall be made in writing and shall be attached to the file.

Article 9. The sales by auction shall be conducted by the auction room of the Banco Popular.

Once the auction has been concluded, the official shall notify the National Narcotics Council and the Narcotic Drugs Revolving Fund of the Ministry of Public Health.

Article 10. Once the sentence imposing any of the fines mentioned in article 66 of Legislative Decree No. 1188 of 1974 is final, the official concerned must notify the National Narcotics Council and the Narcotic Drugs Revolving Fund within 24 hours of receiving the record of the proceedings, stating the amount of the fine and whether it has or has not been paid.

Article 11. The Fund shall open special accounts for the proceeds of sales by auction and of fines.

Article 12. The proceeds of the sales by auction and fines referred to in this Decree shall be placed at the disposal of the Revolving Fund within the shortest possible time.

Article 13. The Director of the Narcotic Drugs Revolving Fund of the Ministry of Public Health shall report monthly to the National Narcotics Council on the position of the accounts referred to in the preceding article.

Article 14. The National Narcotics Council shall allocate at least 30 per cent of the amount of the special accounts of the Revolving Fund instituted under the preceding article to programmes for preventing the production, traffic in and use of drugs and substances producing physical or psychic dependence and for the treatment and rehabilitation of drug addicts.

When the Revolving Fund has been notified of the purposes to which the National Narcotics Council has decided to allocate the funds in the accounts in question, it shall draw on them.

Article 15. This Decree shall come into force on the date of publication.

TO BE COMMUNICATED AND IMPLEMENTED

Done at Bogotá on 26 July 1975.

Ministry of Justice

DECREE NO. 701 of 9 APRIL 1976

regulating articles 6, 38, second paragraph and 39 of
Legislative Decree No. 1188 of 1974 3/

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA

in the exercise of the powers conferred on him by article 120, paragraph 3, of the National Constitution, after hearing the opinion of the National Narcotics Council, and

CONSIDERING:

That pursuant to Law No. 17 of 1973, the Government promulgated Legislative Decree No. 1188 of 1974 covering various offences related to narcotics;

That among these offences it is necessary to differentiate between those that involve the manufacture and sale of substances which produce physical or psychic dependence and those that are limited to the mere carriage of small quantities for personal consumption;

That the latter offence has special consequences and therefore calls for specific and appropriate treatment as regards investigation, which in practice gives rise to certain technical difficulties;

DECREES:

Article 1. Magistrates and members of the judicial police, when ordering a technical investigation to determine whether a seized substance constitutes a personal dose, shall accompany their order with information concerning the quantity of the substance seized and the circumstances of its seizure and, if possible, personal or clinical particulars of the person caught in possession of the drug which is the subject-matter of the investigation.

Article 2. The personal dose of a person who is being treated with a drug which produces physical or psychic dependence shall be the equivalent of the therapeutic dose noted in the patient's medical prescription or attested under oath by the doctor in charge of the case.

Article 3. The personal dose of a person suffering from physical or psychic dependence shall be ascertained from the record of the proceedings and the results of the related clinical tests.

Article 4. Provided that the dose in question is not shown to be a therapeutic dose or that it is impossible to determine the personal dose by means of established scientific criteria, the personal dose of the person concerned shall be as follows:

Marijuana	up to	28 g
Hashish	up to	10 g

Article 5. This decree shall come into force on the date of its promulgation.

TO BE COMMUNICATED, PUBLISHED AND IMPLEMENTED

Done at Bogotá, D.E., on 9 April 1976

(Signed): INDALECIO LIEVANO AGUIRRE MINISTER FOR FOREIGN AFFAIRS

DECISION NO. 4837 OF 10 JUNE 1976

promulgating the list of drugs and medicaments under special control, the requirements governing their production, distribution and consumption, and making further provisions

THE MINISTER OF HEALTH

in the exercise of the powers conferred on him by articles 22 to 36 of Legislative Decree No. 1188 of 1974, 3/

DECIDES:

Article 1. To promulgate the following list of drugs and medicaments subject to special control:

GROUP I

NARCOTIC DRUGS AND SPECIAL ANALGESICS

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
1	Pure cocaine and its salts	Powder	F.R.E. (1)
2	Pure codeine and its salts	Powder	F.R.E.
3	Cliradon	Tablets, ampoules	F.R.E.
4	Demerol	Ampoules	Winthrop
5	Dicodid	Tablets	Knoll
6	Dilaudid	Tablets, ampoules	Knoll
7	Dilaudid-Atropina	Tablets, ampoules	Knoll
8	Dionina	Powder	F.R.E.
9	Dolisan	Ampoules	Hormona
10	Dolosal	Ampoules	Specia
11	Dolantina	Ampoules, tablets, suspension	Hoechst
12	Dolophine	Ampoules, syrup	Lilly
13	Dromoran	Ampoules	Roche
14	Paregoric Elixir	Elixir	Magistral
15	Ethylmorphine	Powder	F.R.E.
16	Eukodal	Ampoules, tablets	E. Merck
17	<u>Fentanyl</u> <u>4/</u>	Ampoules	Pharmetique
18	Gramorfina (D) - (2)	Ampoules	Life
19	Gradeucor (D)	Ampoules	Life

(1) F.R.E. NARCOTIC DRUGS REVOLVING FUND of the Ministry of Health.

(2) (D) Product no longer made, but still available in some pharmacies and drug stores.

4/ Note by the Secretariat: International non-proprietary names of drugs are underlined.

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
20	Gratidina	Ampoules	Wyeth
21	Sydenham Paudanum	Tincture	Magistral
22	Laudopan (1)	Ampoules	Wander
23	Lomotil	Tablets, suspension	Searle
24	Metopon (D)	Capsules, ampoules	Roche
25	Miss	Ampoules	Cofarma
26	Pure morphine and its salts	Powder	F.R.E.
27	Morphine	Ampoules	Gerco
28	Nalline	Ampoules	M.S.D.
29	Narcan	Ampoules	Endo
30	Narcosil	Ampoules	Jerezco
31	Neosedol	Ampoules	Theraplix
32	Opium	Powder	F.R.E.
33	Palfium (D)	Tablets, ampoules	Janssen
34	Pantopon	Ampoules	Roche
35	Pethidine (Meperidin)	Ampoules	Gerco
36	Dover's powder	Powder	Magistral
37	Sedol	Ampoules	Theraplix
38	Sosegón	Ampoules, tablets	Winthrop
39	Tincture of opium	Tincture	Magistral
40	Valoron	Ampoules, tablets, drops	Warner Ch.

GROUP II

BARBITURICS OR MEDICAMENTS CONTAINING BARBITURICS

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
1	Alepsal	Tablets	Panier
2	Allonal (D)	Tablets	Roche
4	Amytal	Ampoules, tablets, capsules	Lilly
5	Apacyl	Tablets	Sofracol
6	Aspasmil	Drops, ampoules, tablets	Lutecia
7	Asmac	Pills	Wander
8	Barbisedan (D)	Tablets	Cup
9	Barbitone (D)	Tablets, elixir	Harris
10	Baytinal (D)	Ampoules	Bayer
11	Belladona Ergotamina		
	Phenobarbital	Tablets	OFA
12	Belladenal	Tablets	Sandoz
13	Belladenal Retardado	Tablets	Sandoz
14	Bellergal Retardado	Pills	Sandoz
15	Butabarbital (D)	Tablets	OFA
16	Butisol (D)	Tablets	McNeill
17	Bardase	Tablets, syrup	Parke-Davis
18	Cafergot P.B.	Pills	Sandoz
19	Calcidrine	Syrup	Abbott
20	Cantil with Phenobarbital	Pills	Lakeside
21	Comisial (D)	Tablets	Life
22	Cumatil	Tablets	Bayer
23	Cumatil L.	Tablets	Bayer
24	Dainite (D)	Tablets	Luinza
25	Delvinal	Tablets	N.S.D.
26	Dial	Tablets, ampoules	Ciba Geigy
27	Disodrina	Drops, tablets	Fixalia
28	Dolviron	Tablets	Bayer

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
29	Donnatal	Elixir	H. Robins
30	Donnasep	Pills	H. Robins
31	Efetiol	Tablets, elixir	Luinza
32	Edsivil	Tablets	Enza
33	Elixir of Passiflora with Phenobarbital	Elixir	Junin
34	Elixocolic	Elixir	Pediatrics
35	Espasonal Phenobarbital	Tablets	Etics
36	Ethobral	Tablets	Wyeth
37	Etonal	Tablets	Richter
38	Eumensine	Elixir	Remo
39	Evipal or Evipan (D)	Tablets, ampoules	Bayer
40	Fanodormo	Tablets	E. Merck
41	<u>Phendimetrazine + Phenobarbital</u>	Tablets	Siegel
42	<u>Phenobarbital</u>	Tablets, elixir	OFA, Enza y others
43	<u>Phenobarbital</u> with Belladonna	Tablets	OFA y others
44	Gardenal	Tablets, ampoules	Specia
45	Guinoval	Syrup	Quifarcol
46	Hidantoina Compound	Tablets	Bioquimico
47	Hipnotal	Tablets	Ifsa
48	Hidanil	Tablets, suspension	Parke, Davis
49	Hipnosedan (D)	Ampoules, tablets	Continental
50	Hipoespas	Tablets	Luinza
51	Himesonal (D)	Tablets	Incobra
52	Itridal	Ampoules, tablets	Quibi
53	Luminaletas (D)	Tablets	Bayer
54	Luminal (D)	Tablets, ampoules, powder	Bayer, E. Merck
55	Medinal	Tablets	Schering A.G.
56	Medomine (D)	Tablets	Ciba Geigy
57	Microrrectal OM Antiasmatico	Suppositories	OM
58	Microrrectal OM Sedante	Suppositories	OM
59	Namuron	Tablets	Winthrop
60	Natishedine	Tablets	Lafrancol
61	Nembutal	Tablets, elixir	Abbott
62	Neo-Meprofen	Tablets	Neo
63	Neurotrasentina	Tablets	Ciba Geigy
64	Nervosine	Syrup	Quifarcol
65	Neurinase	Tablets, elixir	Cajiao
66	Nidoxital (D)	Capsules	Ortho
67	Nidar	Tablets	Armour
68	Noctinal	Tablets	Frosst
69	Noval	Suspension	Synthesis
70	Optalidón	Tablets	Sandoz
71	Ortal Sodio (D)	Capsules	Ortho
72	Pali-Asma	Syrup	Palisaza
73	Pasifen	Syrup	Metro
74	Pasifen with Belladonna	Syrup	Metro
75	Passiflora compound	Elixir	Junin, Zahye
76	Passisedan Elixir	Syrup	Delta
77	Pathilon with Phenobarbital	Tablets	Cyanamid
78	Pediafen II	Drops	Mead Johnson
79	Penthotal	Ampoules	Abbott
80	<u>Pentobarbital</u>	Tablets	OFA y others
81	Pernoston	Tablets	Ames
82	Pernocton	Tablets	Ames
83	Piptal Pediatrico	Drops	Lakeside
84	Prominal	Tablets	E. Merck
85	Prominaletas (D)	Tablets	E. Merck
86	Proponal (D)	Tablets	E. Merck

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
87	Probitol	Tablets	Searle
88	Prydonal	Spansules, capsules	Fixalia
89	Prisoofen	Tablets	Ciba Geigy
90	Plexonal	Pills	Sandoz
91	Plexonal Forte	Pills	Sandoz
92	Polamidon	Tablets	Hoechst
93	Robaxisal P-II	Tablets	H. Robins
94	Robinul P-II	Tablets	H. Robins
95	Sandoptal	Tablets	Sandoz
96	Sedofil	Tablets	Broquimico
97	Seconal	Capsules	Lilly
98	<u>Secobarbital</u>	Capsules	OFA
99	Sedaryl	Syrup	Remo
100	Serenol	Syrup	Indufarma
101	Sosegal	Drops	Quibi
102	Soneryl	Tablets	Specia
103	Sonival	Drops	Pulmobronk
104	Sonalgin	Tablets	Hormona
105	Spalmalgina (D)	Ampoules	Roche
106	Spasmidol	Drops	Rovingal
107	Sommifene	Drops	Roche
108	Stental Stentabs	Tablets	H. Robins
109	Supverine	Suppositories	Sofracol
110	Tedral	Tablets, suspension	Warner
111	Tedral AS	Tablets	Warner
112	Teobital	Tablets	Lafrancol
113	Teofilina-efedrina		
	Phenobarbital	Tablets, suspension	OFA
114	Tuinal	Capsules	Lilly
115	Utrapasmol	Drops	Mendel
116	Vagosin with Noctinal	Tablets	Frosst
117	Valpin PB	Drops, tablets, elixir	Endo
118	Veronal	Tablets	Bayer
119	Vesparax	Tablets	Lafrancol

GROUP III

AMPHETAMINES, ANOREXIANTS AND THE LIKE

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
1	Adelgadina	Tablets	Lacico
2	Actemin	Tablets	Cajiao
3	Ambar (D)	Tablets	H. Robins
4	Anagrax (D)	Pills	Quibi
5	Bellaprone	Capsules	Boehringer Mannheim
6	Bencedrina	Tablets	Fixalia
7	Bifetaminas	Tablets	Strassenburgh
8	Daprisal	Tablets	Fixalia
9	Deaner 100	Tablets	Riker
10	Delgazán	Tablets	Neo
11	Desbutal	Tablets	Abbott

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
12	Dexamil	Spansules, tablets	Fixalia
13	Dexedrina	Tablets	Fixalia
14	Exipid	Tablets	Undra
15	<u>Phendimetrazine</u>	Tablets	Siegal
16	Fenisee	Tablets	Roussell
17	Grazilán	Tablets	H. Robins
18	Hista 3	Pills (adults)	Life
19	Glutin	Capsules, syrup	Incobra
20	Ionamina	Capsules	Strassenburgh
21	Lucofen	Pills	Warner Ch.
22	Lucidril Forte	Ampoules	Bioquimico
23	Methedrina	Tablets, ampoules	Burroughs
24	Obedrin	Tablets	Massengil
25	Obedrin L.A.	Tablets	Massengil
26	Orfovit H-3	Capsules	Incobra
27	Tenuate Dospan	Tablets	Merrell
28	Ritalina	Tablets	Ciba Geigy

GROUP IV

TRANQUILLIZERS, ANTI-DEPRESSANTS AND NON-BARBITURIC HYPNOTIC PREPARATIONS

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
1	Adumbran	Tablets	Boehringer Ingelheim
2	Anafranil	Ampoules, pills	Ciba
3	Anatensol	Tablets, drops	Squibb
4	Ansiopaz	Capsules	Glaxo
5	Antikokitine	Syrup	Indufarma
6	Apacyl	Tablets	Sofracol
7	Atarogen	Tablets	Ayerst
8	Activan	Tablets	Wyeth
9	Aventyl	Capsules	Lilly
10	<u>Chlordiazepoxide</u>	Pills	OFA y others
11	Consolium	Tablets	Medifarma
12	Concordin	Tablets	Frosst
13	Dacalma	Tablets	Ecar
14	Dihidrobenzoperidol (Thalamonal)	Ampoules, tablets, drops	Janssen
15	Diafon	Tablets	Incobra
16	<u>Diazepam</u>	Tablets	OFA, Enza y others
17	Dispranol	Capsules	Italmex
18	Droperidol	Ampoules, tablets, drops	Janssen
19	Dimedrán	Pills	Quifarcol
20	Doriden	Tablets	Ciba Geigy
21	Ecuamil	Tablets	Wyeth
22	Ecuagésico	Tablets	Wyeth
23	Emesil	Pills	Schering U.S.
24	Equilid	Capsules, syrup, ampoules	Lepetit
25	Equilid Fuerte	Tablets	Lepetit
26	Esucos	Tablets	Lafrancol
27	Fenarol	Tablets	Winthrop

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
28	Faseina	Pills	Boehringer Mannheim
29	Faseina Fuerte	Pills	Boehringer Mannheim
30	Firutal	Syrup	Andrómaco
31	Haldol	Ampoules, tablets	Janssen
32	Haloperidol	Ampoules, tablets, drops	Pharmetique
33	Hemineurin	Tablets	Astra
34	Insidón	Pills	Ciba Geigy
35	Largactil	Tablets, drops, ampoules	Specia
36	Librax	Pills	Roche
37	Librium	Pills	Roche
38	Limbitrol	Capsules	Roche
39	Liranol	Tablets, ampoules	Wyeth
40	Litranol	Tablets, ampoules	Wyeth
41	Mandrax	Tablets	Rorer
42	Mayeptil	Tablets, ampoules	Specia
43	Meleril	Tablets	Sandoz
44	<u>Meprobamate</u>	Tablets	OFA y others
45	Mequelón	Tablets	Frosst
46	<u>Methagualone</u>	Tablets	OFA y others
47	Mogadón	Tablets	Roche
48	Mosegor	Pills, syrup	Wander
49	Motival	Tablets	Squibb
50	Mutabón A	Pills	Schering U.S.
51	Mutabón A y D	Pills	Schering U.S.
52	Nardil	Pills	Wander
53	Navane	Tablets	Pfizer
54	Neuleptil	Tablets, drops, capsules	Specia
55	Niamid	Tablets	Pfizer
56	Noctec	Capsules, syrup	Squibb
57	Norpramin	Capsules	Bioquimico
58	Noveril	Pills	Wander
59	Nobrium	Capsules	Roche
60	Nubarene	Tablets	Warner Ch.
61	Oblivon	Elixir	Indufarma
62	Oblivon-C	Pills	Indufarma
63	Orap	Tablets	Janssen
64	Pasidor Plus	Syrup	Lauzier
65	Paxate	Tablets	Mead Johnson
66	Pentrium	Tablets	Roche
67	Pertofrán	Ampoules, tablets	Ciba Geigy
68	Pertranquil	Tablets	Lepetit
69	Prolixin	Ampoules	Squibb
70	Plegisil	Tablets, ampoules, syrup	Ciba Geigy
71	Qualude	Tablets	Rorer
72	Quitaxon	Pills, ampoules	Boehringer Ingelheim
73	Radepur	Pills	Farinter
74	Randolectil	Tablets	Bayer
75	Rylax	Tablets	Luinza
76	Rivotril	Tablets	Roche
77	Sandomigran	Pills	Sandoz
78	Serepax	Tablets	Wyeth

No.	PRODUCT	FORM IN WHICH PUT UP	LABORATORY
79	Sevinol (D)	Tablets	Undra
80	Sinquance	Capsules	Pfizer
81	Sinogan	Drops, capsules, ampoules	Specia
82	Siquil	Ampoules, drops	Squibb
83	Stelazine	Ampoules, pills, drops	Fixalia
84	Stemetil	Tablets, ampoules, drops	Specia
85	Surmontil	Drops, tablets, ampoules	Specia
86	Tacitin	Pills, ampoules, syrup	Ciba Geigy
87	Tonoquil	Pills	Boehringer Mannheim
88	Tofranil	Pills	Ciba Geigy
89	Triperidol	Ampoules, drops	Enza
90	Trilafon	Tablets, pills, ampoules	Undra
91	Tryptanol	Tablets, ampoules	M.S.D.
92	Talamonal	Ampoules	Pharmetique
93	Valium	Tablets	Roche

.....1/

Article 2. The inclusion of drugs or medicaments in the list of pharmaceutical products subject to special control, or their omission from it, shall be subject to prior consultation of the Advisory Committee on Medicaments referred to in article 33 of Decree No. 121 of 1976.

IMPORTS AND MANUFACTURE

Article 3. Drugs and medicaments subject to special control may be imported only by or through the Narcotic Drugs Revolving Fund of the Ministry of Health.

Article 4. In manufacturing preparations subject to special control, pharmaceutical laboratories shall observe the following procedure:

- (a) they shall acquire the raw material from the Narcotic Drugs Revolving Fund of the Ministry of Health, and for this purpose they shall submit their request on stamped paper, with a copy, signed by the manager or owner and by the technical director, during the first 10 days of each month.
- (b) they shall notify the Narcotic Drugs Revolving Fund in writing not less than 15 days beforehand of the date on which the raw material is to be processed and the hour. If the Narcotic Drugs Revolving Fund so decides, this processing shall take place in the presence of one of its officials or of his representative. In all cases a record shall be made in the form shown in annex 1 to this Decision.
- (c) they shall deliver the finished product to the Narcotic Drugs Revolving Fund, without prejudice to the provisions of article 5 of this Decision.

Article 5. Medicaments subject to special control shall be distributed by the Narcotic Drugs Revolving Fund of the Ministry of Health to the Branch Revolving Funds, and they in turn shall distribute them to the establishments under their jurisdiction.

The Board of the Narcotic Drugs Revolving Fund of the Ministry of Health may determine which medicaments subject to special control may be distributed direct by the laboratories producing them.

Paragraph 1. In the case of those Branch Health Offices which have not as yet set up a Narcotic Drugs Revolving Fund the following territorial arrangements shall be made:

- (a) the Revolving Fund of the Bogotá Branch Office shall cover the Meta, Vichada, Guainía, Vaupés, Amazonas and Cundinamarca territories;
- (b) the Revolving Fund of the Magdalena Branch Service shall cover the Cesar and Guajira territories;
- (c) the Revolving Fund of the Bolívar Branch Service shall cover the Córdoba, Sucre and San Andrés Islands territories;
- (d) the Revolving Fund of the Public Health Secretariat of Medellín shall cover the Antioquia and Chocó territories;
- (e) the Revolving Fund of the Nariño Branch Service shall cover Putumayo;
- (f) the Revolving Fund of the Boyacá Branch Service shall cover Casanare;
- (g) the Revolving Fund of the Huila Branch Service shall cover Caquetá;
- (h) the Revolving Fund of the Santander Branch Service shall cover Arauca;
- (i) the Branch Funds of Risaralda, Quindío, Caldas, Valle, Tolima, Cauca, Atlántico and North Santander shall continue to cover the territories under their jurisdiction.

Paragraph 2. As each Branch Health Service organizes its own Narcotic Drugs Revolving Fund the provisions of the preceding paragraph will be altered.

Paragraph 3. Within the first five days of each month, pharmaceutical laboratories authorized to distribute products subject to special control must send a report in triplicate to the Narcotics Drugs Revolving Fund of the Ministry of Health, listing the sales made in each "departamento" and by each establishment, in accordance with annex 2 to this Decision.

After this report has been examined, it shall be sent to the Branch Health Office concerned, so that the necessary control can be carried out.

Article 6. Laboratories manufacturing products subject to special control are required to keep the following books:

- (a) a book recording movements of raw materials;
- (b) a book recording movements of finished products.

The pages of these books must be numbered and the books registered by the Narcotic Drugs Revolving Fund of the Ministry of Health.

Article 7. The retail sale as between "departamentos", "comisaría" or "intendencias" of products subject to special control is prohibited.

Article 8. Within the first five days of each month drug stockists or wholesale distributors handling products subject to special control shall send to the Branch Health Service concerned a statement in duplicate of their sales of products subject to special control to pharmacies and drug stores, in the form shown in annex 3 to this Decision.

The Branch Health Service concerned shall be responsible for cross-checking the reports and shall make a list for each "departamento" (annex 4) of the sales made to the places outside its jurisdiction.

Article 9. A drug warehouse, pharmacy or drug store wishing to handle pharmaceutical products subject to special control must comply with the following requirements:

- (a) it must be legally registered and must be headed by a pharmaceutical chemist, a chief pharmacist, a licensed pharmacist, a drug store manager or a drug dispenser legally entitled to exercise his profession under the legislation in force;
- (b) neither the owner nor the responsible pharmacist shall have been convicted of any offence.

Article 10. Within the first five days of each month, pharmacies and drug stores shall send a report in duplicate, on the form in annex 5 to this Decision, to the competent Branch Health Office, recording movements in products subject to special control, and produce the original prescription in support of each sale.

Article 11. Every drug warehouse, pharmacy or drug store handling pharmaceutical products subject to special control must store such products separately and under proper conditions of security.

Article 12. Every drug warehouse, pharmacy or drug store must keep a book, the pages of which must be numbered and the book registered by the competent Branch Health Office, in which they shall record the movements of products subject to special control.

Article 13. The profits made by the Branch Revolving Fund shall be entered in a special account of the Branch Health Office and they may be used only to improve the equipment and operation of the Fund or of the sectional Medicaments Control Office concerned.

CONSUMPTION

Article 14. The sale to the public of products under special control is subject to the following rules:

- (a) pharmacies and drug stores may issue no more than the following *maximum* quantities per prescription and per patient:
 - 1. in the case of ampoules, tablets, pills, capsules and suppositories, a three-day supply of the daily therapeutic dose prescribed by the physician, except in the case of phenobarbital tablets, which may be issued for 30 daily doses;
 - 2. non-injectable liquids taken by the spoonful: 120 ml;
 - 3. non-injectable liquids taken in the form of drops: 30 ml;
- (b) prescriptions exceeding the above limits may be dispensed provided that they bear the authorization of the sectional Medicaments Control Office of the Branch Health Office concerned;
- (c) in the case of prescriptions for quantities greater than therapeutic doses (article 33 of Decree No. 1188 of 1974), the attending physician must complete Form No. 6 in the annex to this Decision, so that the product may be issued to him direct by the Branch Revolving Fund; in such cases its dispensing by pharmacies and drug stores is prohibited. The total dose prescribed on the form in question may not exceed that required for 30 days.

The Branch Revolving Fund will issue the product in small quantities covering periods not exceeding 10 days.

Paragraph. If the patient should die or the treatment should be changed, and any of the drug should be left, the patient or the persons responsible for withdrawing the drug or medicament shall return it to the Branch Revolving Fund, which will reimburse its value.

Article 15. In the case of pharmaceutical products subject to special control, the medical prescription shall contain the following information:

- (a) name, address and telephone number of the physician;
- (b) date;
- (c) name and address of the patient and number of his identity document;
- (d) name of the medicament, total quantity and daily dose;
- (e) the signature of the attending physician, the number of his licence and his registration number at the Branch Health Office.

Paragraph. These products may be dispensed only against the original prescription which shall be retained by the pharmaceutical establishment. The establishment shall itself provide the patient with a copy of the prescription. The date of dispensing shall be noted on both.

Article 16. When medicaments subject to special control are required by drug warehouses, pharmacies, drug stores, clinics, hospitals and social security institutions, an application in duplicate signed by the manager or owner of the establishment and by its responsible pharmacist must be submitted to the Branch Health Office concerned.

Paragraph. Where application for such medicaments is made by a private individual or private body, the original of the application must be on stamped paper.

Article 17. In checking reports from pharmacies and drug stores, the Branch Health Offices shall ensure that the signatures on prescriptions correspond to those registered for the physicians concerned.

Article 18. Oxytocic drugs and medicaments shall be exempt from the provisions of article 3 and article 4 (a) and (c) of this Decision.

Article 19. When pharmaceutical laboratories make use of raw materials distributed by the Narcotic Drugs Revolving Fund of the Ministry of Health for the manufacture of products not subject to special control, they may distribute such products direct without having to provide the reports required by article 8; but they shall in all cases maintain a book recording movements of raw materials, as provided in article 6 of this Decision.

Article 20. The National Drugs Revolving Fund of the Ministry of Health and the Branch Revolving Funds are required to keep a register of the signatures of the persons, entities and establishments authorized to purchase drugs and medicaments subject to special control.

Article 21. Within the first five days of each month the Branch Revolving Funds shall send a report in duplicate, in the form laid down in annex 7 to this Decision, to the Revolving Fund of the Ministry of Health, on the movement within their jurisdiction of the drugs and medicaments subject to special control.

Article 22. When, owing to special circumstances, a drug or medicament subject to special control is not available in the establishments within the jurisdiction of a Branch Health Office, steps may be taken to obtain it from a different territory, provided that the prescription bears the authorization of the Sectional Health Office from which it comes.

PENALTIES

Article 23. Any act contravening the provisions of this Decision shall be treated as a misuse of products subject to special control and the appropriate legal penalties shall be applicable.

Article 24. Pharmaceutical laboratories guilty of the misuse of products under special control shall be liable to the following penalties in addition to those prescribed in Decrees Nos. 1950 of 1964 and 1188 of 1974:

- (a) cancellation of the registration of the product concerned;
- (b) a fine of from 10,000 to 100,000 pesos;
- (c) confiscation of the drug or medicaments under special control.

Article 25. Drug warehouses, pharmacies, drug stores, hospitals and clinics guilty of the misuse of products under special control shall be liable, in addition to the penalties prescribed in Decrees Nos. 1950 of 1964 and 1188 of 1974 and any amendments thereto, to the following:

- (a) cancellation of their licence to operate or of their permit to handle products under special control;
- (b) a fine of from 5,000 to 50,000 pesos;
- (c) confiscation of the drugs or medicaments under special control.

Article 26. This Decision shall come into force on the date of its publication and repeals any provisions which may be contrary to it.

TO BE COMMUNICATED, PUBLISHED AND IMPLEMENTED

Done at Bogotá on 10 June 1976

(Signed) HAROLDO CALVO NUÑEZ
Minister of Health

ANNEX 1

MINISTRY OF HEALTH

DEPARTMENT OF VIGILANCE AND CONTROL

NARCOTIC DRUGS REVOLVING FUND

RECORD OF THE PROCESSING OF RAW MATERIAL SUBJECT TO SPECIAL CONTROL

No. _____

At _____ on the _____ day of _____ 19..

the undersigned official _____

_____ of _____

was present at the _____ laboratory

(address) _____

in order to witness the processing of _____ of _____

_____ for the manufacture of _____ of _____

Previous balance _____

Purchases _____

Quantity processed _____

Balance this day _____

Remarks _____

Technical Director

Official

ANNEX 2

MINISTRY OF HEALTH

NARCOTIC DRUGS REVOLVING FUND

MONTHLY REPORT OF SALES OF DRUGS SUBJECT TO SPECIAL CONTROL

Consignments sent by _____ of (name of town) _____ address _____

Telephone No. _____

to (name of "departamento") _____ during the month of _____ 19..

Name of product	Name of pharmaceutical preparation	Quantity	Date	Invoice	Name of addressee	Address	Town

ANNEX 3

BRANCH HEALTH OFFICE - SECTIONAL MEDICAMENTS CONTROL OFFICE

MONTHLY REPORT OF SALES OF DRUGS UNDER SPECIAL CONTROL

Name of drug stockist _____ of (name of town) _____ address _____ Telephone No. _____

Report for the month of _____ 19..

Name of product	Name of pharmaceutical preparation	Stock in hand on 31st day of preceding month	Name of establishment	Date	Invoice	Quantity	Balance

ANNEX 4

MINISTRY OF HEALTH

Branch Health Office at _____

Report of inter-departamento sales of products subject to special control
Quantities sent from (name of "departamento") _____

to (name of "departamento") _____

During the month of _____ 19..

Consignment sent by	Name of product	Name of pharmaceutical preparation	Quantity	Invoice	Date	Sent to	Name of town

BRANCH HEALTH OFFICE

MEDICAMENTS CONTROL SECTION

MONTHLY BALANCE OF DRUGS UNDER SPECIAL CONTROL

Name of establishment _____ (name of town) _____

Report for the month of 19..

Name of drug	Unit	Stock in hand	Quantity received	Quantity sold	Balance

Name of proprietor
or manager

Name of responsible pharmacist

Approved by Medicaments
Control Section

The balance must be submitted in duplicate, together with the medical prescriptions during the first five days of each month.

ANNEX 6

BRANCH HEALTH OFFICE AT _____

NARCOTIC DRUGS REVOLVING FUND

Register of patients requiring narcotic drugs in excess of the therapeutic dose
(Decree No. 1188 of 25 June 1975)

Article 33 - Doctors treating patients who need drugs in quantities greater than therapeutic doses are required to inform the Medicaments Control Section of the Branch Health Office. They shall also arrange for patients to receive treatment certificates so that the corresponding authorization can be issued to them in accordance with the legislation in force.

NOTIFICATION

Relatives or persons authorized to apply to Narcotic Drugs Revolving Funds for products subject to special control are required to give early notice to this office when the patient dies or ceases to use the narcotic drugs for which authority has been given and must return any products still remaining.

CERTIFICATE

Full name of the patient _____

Age _____ Marital status _____

Address (street, avenue and number) _____ Telephone No. _____

Identity card No. _____ Card No. _____

Diagnosis _____

Name of product _____

Total quantity _____ for _____ days _____

Daily dose to be taken by the patient _____

Name of attending physician _____ Telephone No. _____

Address _____

Medical licence number _____ Registration No. at the _____
Health Office

Date and name of town _____

PHYSICIAN'S SIGNATURE _____

Note: When the physician considers it necessary to change the drug or the dose he must complete another similar form.

ANNEX 7

MINISTRY OF HEALTH

NARCOTIC DRUGS REVOLVING FUND

REPORT OF DRUG MOVEMENTS WITHIN THE BRANCH REVOLVING FUND OFFICES

Branch Health Office at _____ Date _____

Report for the month of _____ 19..

Name of product	Unit	Balance previous month	Receipts	Issues	Balance

Head of Branch Health
Office

Head of Sectional Medical
Control Office

Approved, Narcotic
Drugs Revolving Fund
of the Ministry of
Health