

1973 No. 640

**THERAPEUTIC SUBSTANCES****The Therapeutic Substances (Supply of Bacitracin Methylene Disalicylate for Agricultural Purposes) Regulations 1973**

<i>Made - - - -</i>	<i>29th March 1973</i>
<i>Laid before Parliament</i>	<i>9th April 1973</i>
<i>Coming into Operation</i>	<i>1st May 1973</i>

The Secretary of State for Social Services, the Secretary of State for Wales, the Secretary of State for Scotland and the Secretary of State for Northern Ireland, acting jointly, in exercise of their powers under section 9 of the Therapeutic Substances Act 1956(a), as amended by Article 2(2) of, and Schedule 1 to, the Transfer of Functions (Wales) Order 1969(b) and as having effect subject to the provisions of section 1(1)(a) of the Northern Ireland (Temporary Provisions) Act 1972(c) and of all other powers enabling them in that behalf, after consultation with the Medical Research Council and the Agricultural Research Council, hereby make the following regulations:—

*Title and commencement*

1. These regulations may be cited as the Therapeutic Substances (Supply of Bacitracin Methylene Disalicylate for Agricultural Purposes) Regulations 1973, and shall come into operation on 1st May 1973.

*Interpretation*

2.—(1) In these regulations, unless the context otherwise requires—

“the appropriate Minister” means—

- (a) as respects preparations sold or supplied in England and Wales, the Minister of Agriculture, Fisheries and Food,
- (b) as respects preparations sold or supplied in Scotland, the Secretary of State for Scotland,
- (c) as respects preparations sold or supplied in Northern Ireland, the Minister of Agriculture for Northern Ireland;

“approved” means—

- (a) as respects preparations manufactured in England, or sold or supplied in England after importation into the United Kingdom, approved by the Secretary of State for Social Services,

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(a) 1956 c. 25.  
(c) 1972 c. 22.

(b) S.I. 1969/388 (1969 I, p. 1070).

- (b) as respects preparations manufactured in Wales, or sold or supplied in Wales after importation into the United Kingdom, approved by the Secretary of State for Wales,
- (c) as respects preparations manufactured in Scotland, or sold or supplied in Scotland after importation into the United Kingdom, approved by the Secretary of State for Scotland,
- (d) as respects preparations manufactured in Northern Ireland, or sold or supplied in Northern Ireland after importation into the United Kingdom, approved by the Minister of Health and Social Services for Northern Ireland;

“bacitracin methylene disalicylate supplement” means a dilute preparation of bacitracin methylene disalicylate prepared by an approved method and with the use of an approved diluent;

“feeding stuff containing bacitracin methylene disalicylate” means pig food or poultry food to which bacitracin methylene disalicylate supplement has been added;

“poultry” means domestic fowls, turkeys, geese, ducks, guinea-fowls, pigeons, pheasants and partridges.

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(a) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

*Sale or supply without prescription*

3.—(1) Section 9(1) of the Therapeutic Substances Act 1956 (control of sale and supply of substances to which Part II of the Act applies) shall not apply to the sale or supply of animal feeding stuffs containing bacitracin methylene disalicylate or to the sale or supply of bacitracin methylene disalicylate supplement if the conditions specified in paragraph (2) of this regulation are satisfied.

(2) The conditions referred to in the preceding paragraph are that—

- (i) the amount of bacitracin methylene disalicylate contained in each ton of feeding stuffs does not exceed the equivalent of 2,100,000 international units of bacitracin when sold or supplied for feeding to pigs or poultry, provided that in the case of feeding stuffs sold or supplied only for the feeding of pigs from weaning to twelve weeks of age the amount of bacitracin methylene disalicylate contained in each ton does not exceed the equivalent of 4,200,000 international units of bacitracin;
- (ii) the amount of bacitracin methylene disalicylate contained in any one pound weight of bacitracin methylene disalicylate supplement does not exceed the equivalent of 8,400,000 international units of bacitracin;
- (iii) a concentrated animal feeding stuff containing bacitracin methylene disalicylate, when sold or supplied for the purpose of being mixed with another animal feeding stuff before being fed, does not contain a greater number of international units of bacitracin in each ton of concentrated animal feeding stuff than that found by the formula  $n\left(\frac{f}{c}+1\right)$  where c represents the number of units of weight of a concentrated feeding stuff, f represents the number of units of weight

of the other feeding stuff and  $n$  represents 2,100,000 international units, provided that  $\frac{f}{c} + 1$  in the foregoing formula shall not exceed 20;

- (iv) any feeding stuff containing bacitracin methylene disalicylate has printed on the container or has affixed thereto, or inserted therein, or the container is accompanied by a label showing in such manner as the appropriate Minister may require, such particulars as the appropriate Minister may require with respect to—
- (a) a statement that the feeding stuff contains bacitracin methylene disalicylate,
  - (b) the number of international units of bacitracin to which the bacitracin methylene disalicylate contained in a given weight of the feeding stuff is equivalent,
  - (c) whether or not the feeding stuff is in concentrated form,
  - (d) conditions of storage and use of the feeding stuff,
  - (e) considerations of safety,
  - (f) the gross or net weight of the feeding stuff, and
  - (g) the amount of concentrated feeding stuff to be added to other feeding stuffs for different purposes:

Provided that when the feeding stuff is supplied unpackaged in bulk the supplier shall furnish the purchaser, on delivery, with a statement in writing containing the particulars mentioned in items (a) to (g) of this paragraph.

- (v) bacitracin methylene disalicylate supplement is packed in containers suitable for preserving the potency of the contents up to the date at which the contents may be expected to retain such potency;
- (vi) any bacitracin methylene disalicylate supplement has printed on the container or has affixed thereto or inserted therein, or the container is accompanied by a label showing in such manner as the appropriate Minister may require, such particulars as the appropriate Minister may require with respect to—
- (a) a statement that the supplement contains bacitracin methylene disalicylate,
  - (b) the weight of the contents and the number of international units of bacitracin to which the quantity of bacitracin methylene disalicylate contained in any one pound of the contents is equivalent,
  - (c) the date up to which the contents may be expected to retain potency,
  - (d) the nature of the diluent,
  - (e) conditions of storage and use of the supplement,
  - (f) considerations of safety, and
  - (g) the amount of bacitracin methylene disalicylate supplement to be added to feeding stuffs for different purposes.

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23rd March 1973. *Keith Joseph,*  
Secretary of State for Social Services.

27th March 1973. *Peter Thomas,*  
Secretary of State for Wales.

28th March 1973. *Gordon Campbell,*  
Secretary of State for Scotland.

29th March 1973. *W. S. I. Whitelaw,*  
Secretary of State for Northern Ireland.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations made under section 9(1) of the Therapeutic Substances Act 1956 permit the sale or supply, without prescription, of feeding stuffs containing bacitracin methylene disalicylate for pigs and poultry and of bacitracin methylene disalicylate supplement in accordance with conditions laid down.

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