STATUTORY INSTRUMENTS

1983 No. 1732

MEDICINES

The Medicines (Restriction on the Administration of Veterinary Medicinal Products) Regulations 1983

Made - - - -	21*st November* 1983
Laid before Parliament	30*th November* 1983
Coming into Operation	21*st December* 1983

The Secretary of State and the Minister of Agriculture, Fisheries and Food, being Ministers designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to medicinal products, acting jointly, in exercise of the powers conferred on them by the said section 2(2), hereby make the following regulations:—

Title and commencement

1. These regulations may be cited as the Medicines (Restriction on the Administration of Veterinary Medicinal Products) Regulations 1983 and shall come into operation on 21st December 1983.

Interpretation

2. In these regulations—

"veterinary medicinal product" means any medicinal product intended for animals but does not include—

(*a*) vaccines, toxins or serums;

(*b*) veterinary medicinal products based on radio-active isotopes;

(*c*) veterinary medicinal products not prepared in advance and intended for one particular animal or a small number of animals;

(*d*) homoeopathic veterinary medicinal products;

(*e*) additives for feedingstuffs to which the provisions of Council Directive 70/524/EEC(**c**) apply;

(*f*) medicated feedingstuffs.

(**a**) S.I. 1972/1811. (**b**) 1972 c. 68. (**c**) OJ No. L270, 14.12.70, p.1.

Restriction on the administration to animals of veterinary medicinal products

3.—(1) Subject to paragraph (2) below, no person shall administer, or cause or permit to be administered, to an animal any veterinary medical product unless a product licence has been granted under the Medicines Act 1968(**a**) in respect of that product.

(2) Nothing in paragraph (1) above shall prohibit the administration of any veterinary medicinal product to an animal where it is administered for the purpose of—

(*a*) a physico-chemical, biological or microbiological test, or

(*b*) a toxicological and pharmacological test, or

(*c*) a clinical trial.

Offences

4. A person who contravenes any provision of these regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or on conviction on indictment to a fine.

Defence available to person charged with an offence

5. In any proceedings for an offence under these regulations, it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

Supplementary

6.—(1) Where an offence under these regulations which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in such capacity he as well as the body corporate shall be deemed to be guilty of an offence and shall be liable to be proceeded against and punished accordingly.

(2) When the affairs of a body corporate are managed by its members the provisions of paragraph (1) above shall apply in relation to the acts and default of a member in connection with his functions of management as if he were a director of the body corporate.

Norman Fowler,
Secretary of State for Social Services.

21st November 1983.

(**a**) 1968 c. 67.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th October 1983.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

(L.S.)

EXPLANATORY NOTE

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

These Regulations implement in part Council Directive 81/851/EEC (OJ No. L317, 6.11.81, p.1) on the approximation of the laws of the Member States relating to veterinary medicinal products by prohibiting (in Regulation 3(1) and subject to the exceptions in Regulation 3(2)) the administration to an animal of any veterinary medicinal product (as defined in Regulation 2), unless a product licence has been granted under the Medicines Act 1968 in respect of that product.

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