

1971 No. 1398

THERAPEUTIC SUBSTANCES

**The Therapeutic Substances (Supply of Zinc Bacitracin
for Agricultural Purposes) Regulations 1971**

<i>Made</i> - - - -	23rd August 1971
<i>Laid before Parliament</i>	31st August 1971
<i>Coming into Operation</i>	1st September 1971

The Secretary of State for Social Services, the Secretary of State for Wales, the Secretary of State for Scotland and the Minister of Health and Social Services for Northern Ireland, jointly, in exercise of their powers under section 9 of the Therapeutic Substances Act 1956(a), as amended by the Transfer of Functions (Wales) Order 1969(b), and as having effect subject to the provisions of the Ministries (Transfer of Functions) (No. 2) Order (Northern Ireland) 1964(c) and of the Ministries (Transfer of Functions) (Northern Ireland) Order 1965(d), 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 Zinc Bacitracin for Agricultural Purposes) Regulations 1971, and shall come into operation on 1st September 1971.

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,

(a) 1956 c. 25.

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

(c) S.R. & O. (N.I.) 1964 No. 205.

(d) S.R. & O. (N.I.) 1965 No. 13.

- (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;

“calf” means the young of a domestic bovine animal up to six months of age;

“lamb” means the young of a sheep up to six months of age;

“feeding stuffs containing zinc bacitracin” means calf, lamb, pig or poultry food to which zinc bacitracin supplement has been added;

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

“zinc bacitracin” means the zinc complex of bacitracin;

“zinc bacitracin supplement” means a dilute preparation of zinc bacitracin prepared by an approved method and with the use of an approved diluent.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Sale or supply without prescription

3. Section 9(1) of the Therapeutic Substances Act 1956 (which controls the 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 zinc bacitracin or to zinc bacitracin supplement when sold or supplied in accordance with the conditions set out in the succeeding provisions of these regulations.

4.—(1) The amount of zinc bacitracin contained in each ton of feeding stuffs shall not exceed the equivalent of 5,250,000 international units of bacitracin when sold or supplied for feeding to calves, lambs, pigs or poultry.

(2) The amount of zinc bacitracin contained in any one pound weight of zinc bacitracin supplement shall not exceed the equivalent of 2,100,000 international units of bacitracin.

5. When a concentrated animal feeding stuff containing zinc bacitracin is mixed with another animal feeding stuff before being fed the concentrated animal feeding stuff shall not contain a greater number of international units of bacitracin in each ton of 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 5,250,000 international units, provided that $\frac{f}{c} + 1$ in the foregoing formula shall not exceed 20.

6. Any feeding stuff containing zinc bacitracin shall have printed on the container or have affixed thereto, or inserted therein, or the container shall be 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 zinc bacitracin,
- (b) the number of international units of bacitracin to which the zinc bacitracin 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,
- (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.

7.—(1) Zinc bacitracin supplement shall be 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.

(2) Any zinc bacitracin supplement shall have printed on the container or have affixed thereto or inserted therein, or the container shall be 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 the following information—

- (a) a statement that the supplement contains zinc bacitracin,
- (b) the weight of the contents, and the number of international units of bacitracin to which the quantity of zinc bacitracin 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.

Revocation of the Therapeutic Substances (Supply of Zinc Bacitracin for Agricultural Purposes) Regulations 1970

8. The Therapeutic Substances (Supply of Zinc Bacitracin for Agricultural Purposes) Regulations 1970(a) are hereby revoked.

(a) S.I. 1970/475 (1970 I, p. 1579).

Signed by authority of the Secretary of State for Social Services.

Paul Dean,
Parliamentary Under Secretary of State.

12th August 1971.

Peter Thomas,
Secretary of State for Wales.

18th August 1971.

Gordon Campbell,
Secretary of State for Scotland.

23rd August 1971.

W. K. Fitzsimmons,
Minister of Health and Social Services
for Northern Ireland.

16th August 1971.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations made under section 9(1) of the Therapeutic Substances Act 1956 legalise the sale or supply without prescription of feeding stuffs for young calves, young lambs, pigs and poultry, containing zinc bacitracin or of zinc bacitracin supplement in accordance with conditions laid down. They revoke and replace regulations previously in force.