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STATUTORY INSTRUMENTS

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**1992 No. 2684**

**MEDICINES**

**The Medicines (Prohibition of Non-medicinal Antimicrobial Substances) (Amendment) Order 1992**

*Made* - - - - - *29th October 1992*  
*Laid before Parliament* *10th November 1992*  
*Coming into force* - - - *1st December 1992*

The Secretary of State concerned with health in England, the Secretaries of State respectively concerned with health and with agriculture in Scotland and in Wales, the Minister of Agriculture, Fisheries and Food, the Department of Health and Social Services for Northern Ireland and the Department of Agriculture for Northern Ireland, acting jointly, in exercise of powers conferred by section 62 of the Medicines Act 1968(1) as read with the Medicines (Extension to Antimicrobial Substances) Order 1973(2) and now vested in them(3), and of all other powers enabling them in that behalf, after consulting such organisations as appear to them to be representative of interests likely to be substantially affected by the following Order in accordance with section 129(6) of that Act, and after consulting and taking into account the advice of the appropriate committee in accordance with section 62(3) of that Act, in this instance being the Veterinary Products Committee, hereby make the following Order:

**Title and commencement**

1. This Order may be cited as the Medicines (Prohibition of Non-medicinal Antimicrobial Substances) (Amendment) Order 1992 and shall come into force on 1st December 1992.

**Amendment**

2.—(1) The Medicines (Prohibition of Non-medicinal Antimicrobial Substances) Order 1977(4) shall be amended in accordance with the provisions of this article.

(2) In Schedule 2—

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(1) 1968 c. 67; “the appropriate Ministers” referred to in section 62 is defined in section 1(2) (see also footnote (c) below).  
(2) S.I. 1973/367.  
(3) In the case of the Secretaries of State concerned with health in England and in Wales by virtue of S.I. 1969/388, in the case of the Secretary of State concerned with agriculture in Wales by virtue of S.I. 1978/272 and in the case of the Northern Ireland Departments by virtue of the Northern Ireland Constitution Act 1973 (c. 36), section 40 and Schedule 5, and the Northern Ireland Act 1974 (c. 28), section 1(3) and Schedule 1, paragraph 2(1)(b).  
(4) S.I. 1977/2131.

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(a) in column 2 (purpose) in relation to the entry “3. Streptomycins” there shall be added, at the end, the following subparagraph—

“(3) When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.”;

(b) at the end there shall be added the following paragraphs—

“Column 1 Substance	Column 2 Purpose	Column 3 Circumstances
4. Amphotericins	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.	
5. Gentamicins	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.	
6. Kanamycins	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.	
7. Lincomycins	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.	
8. Nystatin	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.	
9. Penicillins	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.	
10. Spectinomycin	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.	
11. Tylosin	When used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals.”	

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Signed by authority of the Secretary of State for Health

27th October 1992

*Brian Mawhinney*  
Minister,  
Department of Health

22nd October 1992

*Hector Monro*  
Parliamentary Under Secretary of State, Scottish  
Office

21st October 1992

*David Hunt*  
Secretary of State for Wales

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

23rd October 1992

*John Selwyn Gummer*  
Minister of Agriculture, Fisheries and Food

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland this

L.S.

26th day of October 1992.

*F. E. Elliott*  
Permanent Secretary

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland this

L.S.

29th day of October 1992.

*W. J. Hodges*  
Permanent Secretary

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Medicines (Prohibition of Non-medicinal Antimicrobial Substances) Order 1977. That Order permits the sale or supply of specified antimicrobial substances contained in medicinal products or animal feedingstuffs for specified purposes and in specified circumstances. The Order gives effect to Annex C paragraph 2 in both Council Directive 88/407 (OJNo. L194, 22.7.88, p. 10) and 90/429 (OJ No. L224, 18.8.90, p. 62) laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of, respectively, the bovine and porcine species. The Order adds another purpose for the permitted use of the substance streptomycin, namely when that substance is used, sold or supplied for use as a preservative in a product used in the artificial breeding of animals. Eight more substances are added to Schedule 2 to the 1977 Order with a permitted use for that same purpose.