Medicines Act 1968

1968 CHAPTER 67

PART V

CONTAINERS, PACKAGES AND IDENTIFICATION OF MEDICINAL PRODUCTS

[F1]85 Labelling and marking of containers and packages.

. . . . . .

Textual Amendments

F1 S. 86 repealed (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 35** (with Sch. 32)

[F1]86 Leaflets.

. . . . . .

Textual Amendments

F1 S. 86 repealed (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 35** (with Sch. 32)

87 Requirements as to containers.

(1) The [F2]... Ministers may make regulations prohibiting the sale or supply of medicinal products otherwise than in containers which comply with such requirements as **[**[F3]the Ministers**]** consider necessary or expedient for any of the purposes specified in **[**[F4]subsection (3)**]**, or for the purpose of preserving the quality of the products, and in particular, may by the regulations require such containers to be of such strength, to be made of such materials, and to be of such shapes or patterns, as may be prescribed.

(2) No person shall, in the course of a business carried on by him, sell or supply, or have in his possession for the purpose of sale or supply, any medicinal product in such circumstances as to contravene any requirements imposed by regulations under this section which are applicable to that product.

[F5(3) The purposes mentioned in subsection (1) are—

(a) securing that medicinal products are correctly described and readily identifiable;

(b) securing that any appropriate warning or other appropriate instruction or information is given, and that false or misleading information is not given, with respect to medicinal products;

(c) promoting safety in relation to medicinal products.**]**

Textual Amendments

F2 Word in s. 87(1) omitted (1.10.2006) by virtue of The Veterinary Medicines Regulations 2006 (S.I. 2006/2407), reg. 1, **Sch. 8 para. 44(a)** (with regs. 2(4), 3)

F3 Words in s. 87(1) substituted (1.10.2006) by The Veterinary Medicines Regulations 2006 (S.I. 2006/2407), reg. 1, **Sch. 8 para. 44(b)** (with regs. 2(4), 3)

F4 Words in s. 87(1) substituted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 12(a)** (with Sch. 32)

F5 S. 87(3) inserted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 12(b)** (with Sch. 32)

Modifications etc. (not altering text)

C1 Pt. V (ss. 85–91) extended with modifications by S.I. 1985/1403, **art. 3(1)**

C2 Ss. 85–88, 91 extended by S.I. 1984/187, **art. 2**

88 Distinctive colours, shapes and markings of medicinal products.

(1) Regulations made by the F6... Ministers may impose such requirements as, for any of the purposes specified in **[**F7section 87(3)**]** of this Act, **[**F8the Ministers**]** consider necessary or expedient with respect to any one or more of the following matters, that is to say—

(a) the colour of the products;

(b) the shape of the products; and

(c) distinctive marks to be displayed on the products.

(2) Regulations made under this section may provide that medicinal products of any such description, or falling within any such class, as may be specified in the regulations shall not except in such circumstances (if any) as may be so specified, be of any such colour or shape, or display any such mark, as may be so specified.

(3) No person shall, in the course of a business carried on by him, sell or supply, or have in his possession for the purpose of sale or supply, any medicinal product which contravenes any requirements imposed by regulations under this section.

Textual Amendments

F6 Word in s. 88(1) omitted (1.10.2006) by virtue of The Veterinary Medicines Regulations 2006 (S.I. 2006/2407), reg. 1, **Sch. 8 para. 45(a)** (with regs. 2(4), 3)

F7 Words in s. 88(1) substituted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 13** (with Sch. 32)
F8 Words in s. 88(1) substituted (1.10.2006) by The Veterinary Medicines Regulations 2006 (S.I. 2006/2407), reg. 1, **Sch. 8 para. 45(b)** (with regs. 2(4), 3)

Modifications etc. (not altering text)
C3 Pt. V (ss. 85–91) extended with modifications by S.I. 1985/1403, **art. 3(1)**
C4 Ss. 85–88, 91 extended by S.I. 1984/187, **art. 2**

F9 89 Display of information on automatic machines.

. . . . . .

Textual Amendments
F9 S. 89 repealed (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 35** (with Sch. 32)

Modifications etc. (not altering text)
C5 Pt. V (ss. 85–91) extended with modifications by S.I. 1985/1403, **art. 3(1)**

F10 90 Provisions as to medicated animal feeding stuffs.

. . . . . .

Textual Amendments
F10 S. 90 omitted (1.10.2006) by virtue of The Veterinary Medicines Regulations 2006 (S.I. 2006/2407), reg. 1, **Sch. 8 para. 47** (with regs. 2(4), 3)

Modifications etc. (not altering text)
C6 Pt. V (ss. 85–91) extended with modifications by S.I. 1985/1403, **art. 3(1)**

91 Offences under Part V, and supplementary provisions.

F11(1) . . . . . .

(2) Any regulations made under this Part of this Act may provide that any person who contravenes the regulations, or who contravenes the provisions of F12... section 87(2) of this Act F13..., shall be guilty of an offence and—

(a) shall be liable on summary conviction to a fine not exceeding £400 or such lesser sum as may be specified in the regulations, and

(b) if the regulations so provide, shall be liable on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or to both.

(3) Without prejudice to the application of section 129(5) of this Act, any power to make regulations conferred by **[**F14section**]** 87 of this Act may be exercised so as to impose requirements either in relation to medicinal products generally or in relation to medicinal products of a particular description, or falling within a particular class, specified in the regulations F15....

(4) In this Part of this Act "requirements" includes restrictions.

Textual Amendments

F11 S. 91(1) repealed (14.8.2012) by virtue of The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), Sch. 34 para. 14(a), **Sch. 35** (with Sch. 32)

F12 Words in s. 91(2) omitted (14.8.2012) by virtue of The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 14(b)** (with Sch. 32)

F13 Words in s. 91(2) omitted (1.10.2006) by virtue of The Veterinary Medicines Regulations 2006 (S.I. 2006/2407), reg. 1, **Sch. 8 para. 48(b)** (with regs. 2(4), 3)

F14 Word in s. 91(3) substituted (14.8.2012) by The Human Medicines Regulations 2012 (S.I. 2012/1916), reg. 1(2), **Sch. 34 para. 14(c)** (with Sch. 32)

F15 Words in s. 91(3) omitted (1.10.2006) by virtue of The Veterinary Medicines Regulations 2006 (S.I. 2006/2407), reg. 1, **Sch. 8 para. 48(c)** (with regs. 2(4), 3)

Modifications etc. (not altering text)

C7 Pt. V (ss. 85–91) extended with modifications by S.I. 1985/1403, **art. 3(1)**

C8 Ss. 85–88, 91 extended by S.I. 1984/187, **art. 2**

C9 S. 91 applied (with modifications) (3.4.1992) by S.I. 1992/605, reg. 2(1)(2), **Sch.**

C10 Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38** (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.) and Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F**, 289G (increase of fines and substitution of references to levels on the standard scale) apply (S.) and S.I. 1984/703 (N.I. 3), **art. 5** (substitution of references to levels on the standard scale) and art. 6 (increase of fines) apply (N.I.)

Status:
Point in time view as at 01/12/2022.

Changes to legislation:
Medicines Act 1968, Part V is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.