

1967 No. 526

POISONS

The Poisons (Amendment) Rules 1967

<i>Made</i> - - - - -	30th March 1967
<i>Laid before Parliament</i>	10th April 1967
<i>Coming into Operation</i>	17th April 1967

In pursuance of section 23 of the Pharmacy and Poisons Act 1933(a), on the recommendation of the Poisons Board I hereby make the following Rules:—

1. In Rule 16 of the principal Rules (which requires certain poisons to be coloured in certain cases), after the words “or other substance which” there shall be inserted the words “, in the case of a poison included in the said Schedule 16 as a poison in solution, renders it of a distinctive colour or, in the case of any other poison,”.

2. After Rule 16 of the principal Rules there shall be inserted the following Rule:—

“Restriction of sales of Part I poisons to shopkeepers

16A. It shall not be lawful to sell by way of wholesale dealing any poison included in Part I of the Poisons List to a person carrying on a business of shopkeeping unless the seller—

- (a) has reasonable grounds for believing that the purchaser is an authorised seller of poisons; or
- (b) has received a statement signed by the purchaser or by a person authorised by him on his behalf to the effect that the purchaser does not intend to sell the poison on any premises used for or in connection with his retail business.”

3. In Rule 17 of the principal Rules—

(a) in paragraph (4) (which restricts the sale and supply of lysergide and its salts and psilocybin), after the word “salts”, in both places where it occurs, there shall be inserted the words “, mescaline or its salts”;

(b) after paragraph (5) there shall be inserted the following paragraph:—

“(5A) It shall not be lawful to sell or supply fluanisone:

Provided that this paragraph shall not apply to the sale of fluanisone—

- (a) by way of wholesale dealing; or
- (b) to be exported to purchasers outside the United Kingdom; or
- (c) to a person or institution concerned with scientific education or research or chemical analysis, for the purposes of that education or research or analysis; or
- (d) to a registered veterinary surgeon or registered veterinary practitioner for the purpose of his profession as such.”

4. Schedules 1, 3, 4, 5, 7, 8 and 16 to the principal Rules shall have effect subject to the amendments specified in the Schedule to these Rules.

5. In these Rules the expression "the principal Rules" means the Poisons Rules 1966(a).

6. These Rules may be cited as the Poisons (Amendment) Rules 1967 and shall come into operation on 17th April 1967.

Roy Jenkins,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.

30th March 1967.

SCHEDULE

Rule 4

MISCELLANEOUS AMENDMENTS TO SCHEDULES 1, 3, 4, 5, 7, 8 AND 16 TO THE PRINCIPAL RULES

1. In Schedule 1 (which sets out in alphabetical order a list of poisons to which special restrictions apply)—

- (a) there shall be inserted, at the appropriate points in the list, the following items:—
 - "Alcuronium chloride"
 - "Fluanisone"
 - "Mescaline; its salts";
- (b) under the heading beginning with the word "Alkaloids", in the item beginning with the word "Cocaine" for the word "substitutes" there shall be substituted the word "substances";
- (c) under the heading beginning with the words "Phosphorus compounds", after the item "Azinphos-methyl" there shall be inserted the item "Chlorfenvinphos".

2. In Schedule 3 in the part headed "Group II" (in which are specified in the first column the poisons which are exempted from the provisions of Part II of the Pharmacy and Poisons Act 1933 and the Rules made under Part III of that Act in so far as they are contained in the substance or article specified opposite thereto in the second column)—

- (a) in the second column, for the entry opposite to the item "Hydrocyanic acid" there shall be substituted the entry "Preparations of wild cherry";
- (b) in the first column, after the item "Mercury, nitrates of" there shall be inserted the item "Mescaline; its salts", and in the second column opposite thereto there shall be inserted the entry "Living plants";
- (c) in the second column, in the entry opposite to the item "Oxalic acid; metallic oxalates" after the word "powders" there shall be inserted the words "or scouring products,";

(d) in the first column, for the items under the heading beginning with the words "Phosphorus compounds", and in the second column, for the entries opposite to those items, there shall be substituted the following items and entries respectively, that is to say:—

"Amiton Azinphos-ethyl Azinphos-methyl Chlorfenvinphos Demeton-O Demeton-S	} Substances other than preparations for use in agriculture or horticulture
Dichlorvos	} Substances other than preparations for use in agriculture or horticulture, not being preparations in— (a) impregnated materials containing not more than twenty per cent., weight in weight, of dichlorvos in a resinous or plastic base, or (b) aerosols containing not more than 0.4 per cent., weight in weight, of dichlorvos
Diethyl 4-methyl-7-coumarinyl phosphorothionate Diethyl <i>p</i> -nitrophenyl phosphate Dimefox	} Substances other than preparations for use in agriculture or horticulture
Disulfoton	} Substances other than preparations, not being granular preparations, for use in agriculture or horticulture
Ethion Ethyl <i>p</i> -nitrophenyl phenylphosphonothionate Mazidox Mecarbam Mevinphos Mipafox	} Substances other than preparations for use in agriculture or horticulture
Oxydemeton-methyl	} Substances other than preparations for use in agriculture or, except in aerosol canisters containing not more than 0.25 per cent., weight in weight, of oxydemeton-methyl, for use in horticulture
Parathion	} Substances other than preparations, not being granular preparations for use in agriculture or horticulture
Phenkapton	} Substances other than preparations for use in agriculture or horticulture
Phorate	} Substances other than preparations, not being granular preparations, for use in agriculture or horticulture
Phosphamidon Schradan Sulfotep TEPP (HETP) Thionazin Triphosphoric pentadimethylamide Vamidothion	} Substances other than preparations for use in agriculture or horticulture":

(e) at the end there shall be inserted the following definition:—

'In Group II in this Schedule the expression "granular preparation" in relation to a poison means a preparation—

- (a) which consists of absorbent mineral or synthetic solid particles impregnated with the poison, the size of the particles being such that not more than four per cent., weight in weight, of the preparation is capable of passing a sieve with a mesh of 250 microns, and not more than one per cent. a sieve with a mesh of 150 microns;
- (b) which has an apparent density of not less than 0.4 grammes per millilitre if compacted without pressure; and
- (c) not more than 12 per cent. of which, weight in weight, consists of the poison'.

3. In Schedule 4 (which sets out a list of poisons which may be sold by retail only upon a prescription)—

- (a) in Part A, at the beginning there shall be inserted the item "Alcuronium chloride";
- (b) in Part B, there shall be inserted, at the appropriate points in the list therein set out in alphabetical order, the following items, that is to say:—
 - "Corticotrophins, natural and synthetic"
 - "Ethacrynic acid; its salts"
 - "Glymidine"
 - "Pentazocine; its salts"
 - "Procarbazine; its salts"
 - "Prothionamide"
 - "Tybamate";
- (c) in Part B, for the item "Chlorthalidone" there shall be substituted the words "Chlorthalidone and other derivatives of *o*-chlorobenzene sulphonamide".

4. In Schedule 5—

- (a) in Part A (which sets out the form to which the substances specified are restricted when sold by listed sellers of Part II poisons) in the first column, under the heading beginning with the words "Phosphorus compounds" after the item "Azinphos-methyl" there shall be inserted the item "Chlorfenvinphos";
- (b) in Part B (which specifies the poisons which may be sold by listed sellers of Part II poisons only to persons engaged in the trade or business of agriculture or horticulture and for the purposes of that trade or business) under the heading beginning with the words "Phosphorus compounds" after the item beginning with the words "Azinphos-methyl" there shall be inserted the item "Chlorfenvinphos".

5. In Schedule 7 (which sets out the labelling required in the case of certain poisons) in paragraph 6 (which requires the label "*Caution. This substance is poisonous. The inhalation of its vapour, mist, spray or dust may have harmful consequences. It may also be dangerous to let it come into contact with the skin or clothing.*") under the heading beginning with the words "Phosphorus compounds", after the item "Azinphos-methyl" there shall be inserted the item "Chlorfenvinphos".

6. In Schedule 8 (which specifies poisons required to be specially labelled for transport) under the heading beginning with the words "Phosphorus compounds", after the item "Azinphos-methyl" there shall be inserted the item "Chlorfenvinphos".

7. In Schedule 16 (which specifies poisons required to be coloured in certain cases) under the heading beginning with the words "Phosphorus compounds", there shall be inserted, at the appropriate points in the list therein set out in alphabetical order, the following items, that is to say:—

- "Chlorfenvinphos"
- "Disulfoton in solution"
- "Phorate in solution".

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Poisons Rules 1966 so as to impose appropriate requirements and restrictions on the sale of substances now added to the Poisons List by the Poisons List Order 1967 (S.I. 1967/525) and also make certain other amendments of which the principal are the following. Certain restrictions are placed on the sale by wholesale of poisons included in Part I of the Poisons List (Rule 2). Provision is made for prohibiting the sale or supply by retail of mescaline except to medical practitioners, and of fluanisone except to registered veterinary surgeons and practitioners, and except in each case to certain other persons and institutions (Rule 3). The substances in which hydrocyanic acid, oxalic acid and metallic oxalates are exempted from the Pharmacy and Poisons Act 1933 and the Rules of 1966 are extended so as to include, in the case of hydrocyanic acid, all preparations of wild cherry and, in the case of the other substances, all scouring products (paragraph 2(a) and (c) of the Schedule). The substances in which disulfoton, parathion and phorate are so exempted are extended so as to include granular preparations for use in agriculture or horticulture (paragraph 2(d) and (e) of the Schedule). Certain phosphorus compounds are added to the list of substances required to be coloured in certain cases (Rule 1 and paragraph 7 of the Schedule).