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STATUTORY INSTRUMENTS

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**1979 No. 382**

**The Medicines (Chloroform Prohibition) Order 1979**

**Exceptions**

3.—(1) The prohibition imposed by Article 2 shall be subject to the exception that the sale or supply of any medicinal product described in that Article shall not by virtue of that Article be prohibited where such sale or supply is—

- (a) by a doctor or dentist to a patient of his and the medicinal product has been specially prepared by that doctor or dentist for administration to that particular patient, or
- (b) by a doctor or dentist who has specially prepared the medicinal product at the request of another doctor or dentist for administration to a particular patient of that other doctor or dentist, or
- (c) from a registered pharmacy or a hospital or by a doctor or dentist and the medicinal product has been specially prepared, in accordance with a prescription given by a doctor or dentist for a particular patient of his—
  - (i) in a registered pharmacy, or
  - (ii) in a hospital, or
  - (iii) by a doctor or dentist, or
  - (iv) by a person to whom there applies an exemption from the restrictions imposed by section 8(2) of the Act (restrictions as to manufacture or assembly) by virtue of Article 3 of the Medicines (Exemption from Licences) (Special and Transitional Cases) Order 1971.

(2) The prohibition imposed by Article 2 shall be subject to the additional exception that the sale or supply of any such medicinal product shall not be prohibited by virtue of that Article where such sale or supply is—

- (a) to a hospital or to a doctor or to a dentist for either or both of the following purposes, namely—
  - (i) solely for use by administration to human beings for the purpose of inducing anaesthesia, or
  - (ii) solely for use as an ingredient in the preparation of a substance or article to be administered to human beings for the purpose of inducing anaesthesia, or
- (b) to a person who buys or obtains it for the purpose of selling or supplying it to a hospital or to a doctor or to a dentist for either or both of the purposes described in sub-paragraph (a).

(3) The prohibition imposed by Article 2 shall be subject to the additional exceptions that the sale or supply of any such medicinal product shall not by virtue of that Article be prohibited in any one or more of the following circumstances, namely—

- (a) where such product contains chloroform in a proportion of not more than 0.5 per cent calculated in terms of weight in weight (w/w) or volume in volume (v/v) as appropriate, or
- (b) where such product is solely for use in dental surgery, or

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- (c) without prejudice to sub-paragraph (b) where such product is for sale or supply solely for use by being applied to the external surface of the body.
- (4) The prohibition imposed by Article 2 shall be subject to the additional exception that the sale or supply of any such medicinal product shall not by virtue of that Article be prohibited where the said sale or supply involves, or is for the purpose of, exporting the said medicinal product.
- (5) The prohibition imposed by Article 2 shall be subject to the additional exception that the sale or supply of any such medicinal product shall not by virtue of that Article be prohibited where the medicinal product is for use as an ingredient in the preparation of any substance or article—
  - (a) in a registered pharmacy, or
  - (b) in a hospital, or
  - (c) by a doctor, or
  - (d) by a dentist.
- (6) For the purposes of this Article the external surface of the body shall not include the mouth or any part of the mouth (including teeth) or the mucous membranes.