

STATUTORY INSTRUMENTS

2008 No. 548

The Medicines for Human Use (Prohibition) (Senecio and Miscellaneous Amendments) Order 2008

Exceptions to the prohibition imposed by article 2

3. The prohibition imposed by article 2 shall not apply where the medicinal product is—
- (a) (i) for external use only; and
 - (ii) not a teething preparation, throat spray, throat pastille, throat lozenge, throat tablet, nasal spray or nasal inhalation or nasal drops;
 - (b) sold or supplied to, or imported by or on behalf of, any of the following persons—
 - (i) an authorised officer within the meaning of section 5(6) of the Food Safety Act 1990 ^{M1} or Article 2(2) of the Food Safety (Northern Ireland) Order 1991 ^{M2},
 - (ii) a food analyst or food examiner within the meaning of section 30 of the Food Safety Act 1990 ^{M3} or Article 30 or 31 of the Food Safety (Northern Ireland) Order 1991 ^{M4},
 - (iii) a person duly authorised by an enforcement authority under sections 111 ^{M5} and 112 of the Act, or
 - (iv) a sampling officer within the meaning of paragraph 1(1) of Schedule 3 to the Act ^{M6};
 - [^{F1}(c) is imported from an approved country for import, and is being, or is to be, exported to a country other than the United Kingdom; or]
 - (d) the subject [^{F2}of a [^{F3}UK marketing authorisation, certificate of registration or traditional herbal registration] within the meaning of the Human Medicines Regulations 2012.]

Textual Amendments

- F1** Art. 3(c) substituted (31.12.2020) by [The Human Medicines \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/775\)](#), reg. 1, **Sch. 8 para. 10(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in art. 3(d) substituted (14.8.2012) by [The Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), reg. 1(2), **Sch. 34 para. 94** (with Sch. 32)
- F3** Words in art. 3(d) substituted (31.12.2020) by [The Human Medicines \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/775\)](#), reg. 1, **Sch. 8 para. 10(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** 1990 c.16; section 5(6) was amended by paragraphs 7 and 8 of Schedule 5 to, the [Food Standards Act 1999 \(c.28\)](#).
- M2** S.I. 1999/672 (N.I.7); article 2(2) was amended by articles 3(1) and 7(1) of the [Food Safety \(Amendment\) \(Northern Ireland\) Order 1996 \(S.I. 1996/6133 \(N.I.12\)\)](#), **paragraphs 26** and 29 of Schedule 5 to, and Schedule 6 to, the [Food Standards Act 1999](#) and article 3 of the [Food Safety \(Northern Ireland\) Order 1991 \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. \(NI\) 2004 No 482\)](#).
- M3** Section 30 was amended by paragraphs 7 and 8 of Schedule 5 to the [Food Standards Act 1999](#).
- M4** Article 31 was amended by paragraphs 26 and 35 of Schedule 5 to the [Food Standards Act 1999](#).

Changes to legislation: *There are currently no known outstanding effects for the The Medicines for Human Use (Prohibition) (Senecio and Miscellaneous Amendments) Order 2008, Section 3. (See end of Document for details)*

M5 Section 111 was amended by [S.I. 2005/2789](#).

M6 Schedule 3 was amended by paragraph 12 of Schedule 3 to the Food Safety Act 1990.

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There are currently no known outstanding effects for the The Medicines for Human Use (Prohibition) (Senecio and Miscellaneous Amendments) Order 2008, Section 3.