1976 No. 342

POISONS

Poisons (Amendment) Regulations (Northern Ireland) 1976

Made . . . . . 18*th November* 1976

Coming into operation . . . 3*rd January* 1977

The Department of Health and Social Services in exercise of the powers conferred on it by section 32 of the Medicines, Pharmacy and Poisons Act (Northern Ireland) 1945(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Poisons (Amendment) Regulations (Northern Ireland) 1976 and shall come into operation on 3rd January 1977.

(2) In these regulations the "principal regulations" means the Poisons Regulations (Northern Ireland) 1974(**c**).

Amendment of the principal regulations

2. Regulation 7(4) shall be amended as follows:—

(1) in sub-paragraph (*a*), after the word "sale" insert the words "of the poison not being a poison for the time being specified in Schedules 2, 3 or 4 to the Misuse of Drugs (Northern Ireland) Regulations 1974"(**d**) as amended(**e**); and

(2) in sub-paragraph (*b*), for the words "to which the Misuse of Drugs Act 1971 applies" there shall be substituted the words "for the time being specified in Schedules 2, 3 or 4 to the Misuse of Drugs (Northern Ireland) Regulations 1974 as amended".

3. Regulation 14(2) shall be amended as follows:—

(1) in sub-paragraph (*b*) for the words "or horticulture" there shall be substituted the words "horticulture or forestry"; and

(2) there shall be added the following sub-paragraph:—

"(*c*) β-[2-(3, 5-Dimethyl-2-oxocyclohexyl)-2 hydroxyethyl] glutarimide, unless the purchaser thereof is engaged in the trade or business of forestry and requires the poison for the purpose of that trade or business".

4. Regulation 17(3) shall be amended by substituting the words "salts of thallium" for the words "thallium sulphate".

5. Regulation 25(1) shall be amended as follows:—

in sub-paragraph (*b*) for the words "one hundred and twenty fluid ounces" there shall be substituted the words "40 fluid ounces (1136 millilitres)".

(**a**) 1945 c. 9 (N.I.)
(**b**) By S.R. & O. (N.I.) 1973 No. 504 Article 5(*a*) (II, p. 2992) and 1974 c.28 Sch. 1 para. 2(1)(*b*)
(**c**) S.R. 1974 No. 246 (II, p. 1120)
(**d**) S.R. 1974 No. 272 (II, p. 1287)
(**e**) S.R. 1975 No. 140 (I, p. 857) and S.R. 1975 No. 326 (II, p. 1624)

6. Schedule 1 shall be amended as follows:—

(1) after the words "Alphaprodine: its salts" there shall be inserted the words "Aluminium phosphide";

(2) after the item beginning with the word "Chloroform" there shall be inserted the word "Chloropicrin";

(3) after the item beginning with the word "Dimepheptanol" there shall be inserted the item "β-[2-(3, 5-Dimethyl-2-oxocyclohexyl)-2-hydroxyethyl] glutarimide";

(4) after the item beginning with the word "Oxymorphone" there shall be inserted the words "Paraquat, salts of";

(5) in the item beginning with the word "Phosphorus", after the word "Mecarbam" there shall be inserted the word "Methidathion" and after the word "Phosphamidon" there shall be inserted the word "Pirimiphos-ethyl".

7. Group II of Schedule 3 shall be amended as follows:—

(1) in the item beginning with the words "Arsenical poisons", there shall be inserted in the second column after the word "impurities" the words "; in reagent kits or reagent devices, supplied for medical or veterinary purposes, substances containing less than 0.1 per cent, weight in weight, of arsanilic acid";

(2) in the item beginning with the word "Barium", in the second column after the word "chloride" there shall be added the words "; sealed smoke generators containing not more than twenty five per cent, weight in weight, of barium carbonate";

(3) in the item beginning with the word "Phenols", in the second column after the entry beginning with the word "tar" there shall be inserted the following entry:—

"in tar oil distillation fractions containing not more than five per cent of phenols";

(4) in the item beginning with the word "Phosphorus", in the entry beginning with the word "Dichlorvos" there shall be added in the second column after the word "release" the words "; granular preparations";

(5) in the definition of the expression "granular preparation" there shall be substituted in paragraph (*c*) for the words "the poison" the words "one or more poisons in respect of which an exemption is conferred by this Schedule in relation to granular preparations".

8. Part A of Schedule 5 shall be amended as follows:—

(1) after the item beginning with the word "Barium" there shall be inserted the following item:—

"β-[2-(3, 5-Dimethyl-2-oxocyclohexyl) -2-hydroxyethyl] glutarimide	Preparations for use in forestry";

(2) for the words "or horticulture" wherever they appear there shall be substituted the words ", horticulture or forestry";

(3) for the words "and horticultural" wherever they appear there shall be substituted the words "horticultural and forestal";

(4) in the item beginning with the word "Phosphorus", after the word "Mecarbam" there shall be inserted the word "Methidathion" and after the word "Phosphamidon" there shall be inserted the word "Pirimiphos-ethyl".

9. Part B of Schedule 5 shall be amended as follows:—

(1) in the heading, for the words "or horticulture" there shall be substituted the words ", horticulture or forestry";

(2) in the item beginning with the word "Phosphoric", after the word "Mecarbam" there shall be inserted the word "Methidathion" and after the word "Phosphamidon" there shall be inserted the word "Pirimiphos-ethyl".

10. Schedule 7 shall be amended as follows:—

(1)(*a*) in paragraph (6), before the word "Dinitrocesols" there shall be inserted the item "β-[2-(3, 5-Dimethyl-2-oxocyclohexyl)-2-hydroxyethyl] glutarimide";

(*b*) in the item beginning with the word "Phosphorus", after the word "Mecarbam" there shall be inserted the word "Methidathion" and after the word "Phosphamidon" there shall be inserted the word "Pirimiphos-ethyl";

(2) in paragraph 11, below the word "Bromomethane" there shall be inserted the word "Chloropicrin";

(3) after paragraph 11 there shall be inserted the following paragraph:—

"12. To be labelled with the words—

"Caution. This preparation is poisonous and gives off a poisonous vapour on exposure to air. Do not swallow, inhale the vapour or allow contact with the skin":—

Preparations containing aluminium phosphide".

11. Schedule 8 shall be amended as follows:—

(1) after the word "Aldicarb" there shall be inserted the words "Aluminium phosphide";

(2) after the word "Bromomethane" there shall be inserted the word "Chloropicrin" and the item "β-[2-(3, 5-Dimethyl-2-oxocyclohexyl)-2-hydroxyethyl] glutarimide";

(3) in the item beginning with the word "Phosphorus", after the word "Mecarbam" there shall be inserted the word "Methidathion" and after the word "Phosphamidon" there shall be inserted the word "Pirimiphos-ethyl".

12. Schedule 13 shall be amended as follows:—

in Part 1, paragraph 7 —

(1) for the words "thallium sulphate" wherever they appear there shall be substituted the words "salts of thallium";

(2) the following word and sub-paragraphs shall be inserted at the end of sub-paragraph (*c*)

", or

(*d*) other than thallium sulphate, to a person, or body of persons, carrying on a business in the course of which salts of thallium are regularly used in the manufacture of other articles, for the purposes of that business, or

(*e*) other than thallium sulphate, as an ingredient in any article, not being an article intended for internal consumption by any person or animal.";

(3) in Part IV, for the words "thallium sulphate" wherever they appear there shall be substituted the words "salts of thallium".

13. Schedule 15 shall be amended by inserting, in the item beginning with the word "Phosphorus", after the word "Mecarbam" the word "Methidathion" and after the word "Phosphamidon" the word "Pirimiphos-ethyl".

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 18th November 1976.

(L.S.) *G. Buchanan*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These Regulations amend the Poisons Regulations (Northern Ireland) 1974. The principal changes are as follows:—

(*a*) Regulation 2 makes changes consequent upon the making of the Misuse of Drugs (Northern Ireland) Regulations 1974 as amended;

(*b*) Regulation 3 places restrictions on the sale by registered sellers of Part II poisons of β-[2-(3, 5-Dimethyl-2-oxocyclohexyl)-2-hydroxyethyl] glutarimide (commonly known as cycloheximide) which is added to Part II of the Poisons Schedule by the Poisons List (Amendment) Order (Northern Ireland) 1976(f), and regulations 6, 8, 10 and 11 insert references to that substance in Schedules 1, 5, 7 and 8;

(*c*) Regulation 4 extends the prohibition on supply of thallium sulphate to all salts of thallium and, in regulation 12, by amendment of Schedule 13, adds in respect of those salts, other than thallium sulphate, two exceptions to the prohibition;

(*d*) Regulation 5 reduces the size below which a bottle in which poison is sold is required to be fluted;

(*e*) Regulation 6 adds salts of paraquat to the substances to which special restrictions apply and regulations 6, 8, 9, 10, 11 and 13 take account of the additions to the Poisons Schedule made by the Poisons List (Amendment) Order (Northern Ireland) 1976;

(*f*) Regulation 7 provides for exemption, in certain cases, from the poisons legislation;

(*g*) Regulation 8 adds forestry as a trade or business for the purposes of which, and for use in which, Schedule 5 poisons may be sold.

(f) S.R. 1976 No. 341