



Jersey

# **MEDICINES (KAVA-KAVA) (PROHIBITION) (JERSEY) ORDER 2003**

## **Official Consolidated Version**

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Jersey

## MEDICINES (KAVA-KAVA) (PROHIBITION) (JERSEY) ORDER 2003

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Jersey

## MEDICINES (KAVA-KAVA) (PROHIBITION) (JERSEY) ORDER 2003

**THE HEALTH AND SOCIAL SERVICES COMMITTEE**, in pursuance of Articles 61 and 110 of the [Medicines \(Jersey\) Law 1995](#), and after consultation with the Medicines Advisory Council and having otherwise complied with Article 110 of that Law, orders as follows –

Commencement [[see endnotes](#)]

### 1 Interpretation

(1) In this Order –

“external use” means application to the skin, hair, teeth, mucosa of the mouth, throat, nose, ear, eye, vagina or anal canal when a local action only is intended and extensive systemic absorption is unlikely to occur, and references to medicinal products being “for external use” shall be read accordingly - except that such references shall not include throat sprays, throat pastilles, throat lozenges, throat tablets, nasal drops, nasal sprays, nasal inhalations or teething preparations;

“Law” means the [Medicines \(Jersey\) Law 1995](#); and

“medicinal product” does not include a medicinal product that is a veterinary drug.

(2) Unless the context otherwise requires, a reference in this Order to an enactment, or to an Act or subordinate legislation of the United Kingdom, is a reference to that enactment, Act or subordinate legislation as amended from time to time, and includes a reference to that enactment, Act or subordinate legislation as extended or applied under another enactment, including another provision of this Order.

### 2 Prohibition of sale, supply and importation of any medicinal product consisting of or containing *piper methysticum* (known as Kava-kava)

Subject to Article 3, the sale, supply or importation of any medicinal product consisting of or containing –

- (a) a plant belonging to the species *piper methysticum* (known as Kava-kava); or
- (b) an extract from such a plant,

is prohibited.

### **3 Exceptions to the prohibition imposed by Article 2**

- (1) The prohibition imposed by Article 2 shall not apply where the medicinal product is –
- (a) for external use only; or
  - (b) sold or supplied to, or is imported by or on behalf of –
    - (i) the Official Analyst,
    - (ii) an authorized officer as defined in Article 1(1) of the [Food Safety \(Jersey\) Law 1966](#), or
    - (iii) a person duly authorized by the Minister for Health and Social Services<sup>1</sup> under Articles 96 and 97 of the Law,
- or to its importation by or on behalf of any such person.
- (2) A prohibition imposed by Article 2 shall not apply to the sale, supply or importation of a medicinal product that is the subject of –
- (a) a product licence issued for the purposes of Article 8 of the Law;
  - (b) a product licence issued for the purposes of section 7 of the Medicines Act 1968 of the United Kingdom;
  - (c) a marketing authorization within the meaning of regulation 1(4)(a) of the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994 of the United Kingdom; or
  - (d) a certificate of registration within the meaning of regulation 1(2) of the Medicines (Homeopathic Medicinal Products for Human Use) Regulations 1994 of the United Kingdom.

### **4 Citation**

This Order may be cited as the Medicines (Kava-kava) (Prohibition) (Jersey) Order 2003.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Medicines (Kava-kava) (Prohibition) (Jersey) Order 2003	<a href="#">R&amp;O.39/2003</a>	14 May 2003

### Table of Renumbered Provisions

Original	Current
1(2)	spent, omitted from this revised edition
1(3)	1(2)
2(1)	2
3	3(1)

### Table of Endnote References

<sup>1</sup>

*The functions of the Health and Social Services Committee were transferred to the Minister for Health and Social Services by the States of Jersey (Transfer of Functions from Committees to Ministers) (Jersey) Regulations 2005 chapter 16.800.30*