



Jersey

**MEDICINES (ARISTOLOCHIA, MU TONG  
AND FANGJI) (PROHIBITION) (JERSEY)  
ORDER 2002**

**Official Consolidated Version**

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Jersey

## MEDICINES (ARISTOLOCHIA, MU TONG AND FANGJI) (PROHIBITION) (JERSEY) ORDER 2002

### Contents

#### Article

1	Interpretation .....	3
2	Prohibition of sale, supply and importation of medicinal products consisting of or containing certain plants .....	3
3	Prohibition of sale, supply and importation of medicinal products presented as consisting of or containing <i>Mu Tong</i> or <i>Fangji</i> .....	4
4	Exceptions to the prohibitions imposed by Articles 2 and 3 .....	4
5	Citation .....	5

#### ENDNOTES 6

Table of Legislation History .....	6
Table of Endnote References .....	6



Jersey

## **MEDICINES (ARISTOLOCHIA, MU TONG AND FANGJI) (PROHIBITION) (JERSEY) ORDER 2002<sup>1</sup>**

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

Commencement [[see endnotes](#)]

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### **1 Interpretation**

(1) In this Order –

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

“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 medicinal products consisting of or containing certain plants**

(1) The sale, supply or importation of a medicinal product is prohibited where the product consists of or contains a plant –

(a) belonging to a species of the genus *Aristolochia*; or

(b) belonging to any of the species –

*Akebia quinata*,

*Akebia trifoliata*,

*Clematis armandii*,

*Clematis montana*,

Cocculus laurifolius,  
Cocculus orbiculatus,  
Cocculus trilobus, and  
Stephania tetrandra,

or it consists of or contains an extract from such a plant.

- (2) This Article is subject to Article 4.

### **3 Prohibition of sale, supply and importation of medicinal products presented as consisting of or containing *Mu Tong* or *Fangji***

The sale, supply or importation of a medicinal product is prohibited where the label on the product's container or package, or any document accompanying the product, indicates in any language –

- (a) that the product consists of or contains *Mu Tong* or *Fangji*, or any term derived from either of those terms; or
- (b) that the product consists of or contains a plant specified in Article 2(1)(b) or an extract from such a plant.

### **4 Exceptions to the prohibitions imposed by Articles 2 and 3**

- (1) A prohibition imposed by Article 2 or 3 does not apply to the sale or supply of a medicinal product to –
  - (a) the Official Analyst;
  - (b) an authorized officer as defined in Article 1(1) of the [Food Safety \(Jersey\) Law 1966](#); or
  - (c) a person duly authorized by the Minister for Health and Social Services under Articles 96 and 97 of the Law,or to its importation by or on behalf of any such person.<sup>2</sup>
- (2) A prohibition imposed by Article 2 or 3 does 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.

**5 Citation**

This Order may be cited as the Medicines (Aristolochia, Mu Tong and Fangji) (Prohibition) (Jersey) Order 2002.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Medicines (Aristolochia, Mu Tong and Fangji) (Prohibition) (Jersey) Order 2002	<a href="#">R&amp;O.92/2002</a>	16 December 2002
States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005	<a href="#">R&amp;O.45/2005</a>	9 December 2005

### Table of Endnote References

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- <sup>1</sup> *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- <sup>2</sup> *Article 4(1) editorial change in sub-paragraph (c), “Health and Social Services Minister” deleted, “Minister for Health and Social Services” inserted instead*