



Jersey

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

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

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Jersey

MEDICINES (ARISTOLOCHIA, MU TONG AND FANGJI) (PROHIBITION) (JERSEY) ORDER 2002¹

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](#)]

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 Health and Social Services Minister 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 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	R&O.92/2002	16 December 2002
States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005	R&O.45/2005	9 December 2005

Table of Endnote References

¹

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