



Jersey

**MEDICINES (PHARMACY AND
GENERAL SALE EXEMPTIONS)
(JERSEY) ORDER 1997**

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Jersey

MEDICINES (PHARMACY AND GENERAL SALE EXEMPTIONS) (JERSEY) ORDER 1997

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Jersey

MEDICINES (PHARMACY AND GENERAL SALE EXEMPTIONS) (JERSEY) ORDER 1997

THE HEALTH AND SOCIAL SERVICES COMMITTEE in pursuance of Articles 54, 56 and 110 of the [Medicines \(Jersey\) Law 1995](#), after consultation with the Medicines Advisory Council and having otherwise complied with Article 110 of the Law, orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

- (1) In this Order, unless the context otherwise requires –

“controlled drug” has the same meaning as it has in Article 3 of the [Misuse of Drugs \(Jersey\) Law 1978](#);

“cosmetic” means any substance or preparation –

- (a) that is intended to be applied to any one or more of the various surfaces of the human body, including the skin, pilary system and hair, nails, lips and external genital organs, and the teeth and buccal mucosa; and
- (b) is so intended wholly or mainly for the purpose of perfuming them, cleansing them, protecting them, caring for them or keeping them in condition, modifying their appearance (whether for aesthetic purposes or otherwise) or combating body odours or normal body perspiration;

“enrolled dental hygienist” means a person who is enrolled as a dental hygienist under the Ancillary Dental Workers (Jersey) Regulations 1974;

“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; but does not mean application by means of a throat spray, throat pastille, throat lozenge, throat tablet, nasal drop, nasal spray, nasal inhalation or teething preparation;

“food” includes –

- (a) beverages and confectionery;
- (b) substances and articles used as ingredients in the preparation of food; and
- (c) any manufactured substance to which there has been added any vitamin and which is advertised as being available and for sale to the general public as a dietary supplement;

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

“master” has the same meaning as it has in the Merchant Shipping Act 1894 of the United Kingdom;

“medicinal product” does not include a veterinary drug;

“occupational health scheme” means a scheme in which a person in the course of a business carried on by the person provides facilities, for the person’s employees, for the treatment or prevention of disease;

“operator”, in relation to an aircraft, means the person for the time being having the management of the aircraft;

“parenteral administration” means administration by breach of the skin or mucous membrane;

“pharmacy medicine” means a medicinal product that is not –

- (a) a prescription only medicine; or
- (b) a medicinal product on a general sale list;

“pre-school dental scheme” means a scheme supervised by a doctor or dentist in which medicinal products are supplied to parents or guardians of children under 5, for use for the purpose of preventing dental caries in such children;

“prescription only medicine” has the same meaning as it has in Article 1(1) of the [Medicines \(Prescription Only\) \(Jersey\) Order 1997](#);

“registered chiropodist” means a person who is registered as a chiropodist under the [Health Care \(Registration\) \(Jersey\) Law 1995](#);

“registered optometrist” has the same meaning as it has in Article 1(1) of the [Opticians \(Registration\) \(Jersey\) Law 1962](#);

“sale” includes an offer for sale and exposure for sale;

“school dental scheme” means a scheme supervised by a doctor or dentist in which medicinal products are supplied at a school, to pupils of that school, for the purpose of preventing dental caries;

“supply” means supply in circumstances corresponding to retail sale;

“unit preparation” means a preparation (including a mother tincture) that is prepared by a process of solution, extraction or trituration, with a view to being diluted tenfold or one hundredfold (either once or repeatedly) in an inert diluent and then used either in that diluted form or (where applicable) by impregnating tablets, granules, powders or other inert substances for the purpose of being administered to human beings.¹

- (2) Without prejudice to Article 10 of the [Interpretation \(Jersey\) Law 1954](#), every provision in the [Medicines \(Jersey\) Law 1995](#) that relates in any

other way to its interpretation shall also apply in the same way to this Order, unless the context otherwise requires.

2 Transitional exemption for sale and supply of products not on general sale list

- (1) The restrictions in Article 51 of the Law shall not apply, in any case described in paragraph (2) of this Article, during the period specified in paragraph (3) of this Article.
- (2) Paragraph (1) of this Article refers to the sale or supply of any medicinal product –
 - (a) that is for use by being administered to human beings; and
 - (b) in respect of which a product licence is in effect, containing a provision that, where the conditions in Article 52(2), (3) and (4) of the Law are fulfilled, the product may be sold or supplied otherwise than by or under the supervision of a pharmacist.
- (3) The period to which paragraph (1) refers is –
 - (a) where the product licence has been granted with the provision described in paragraph (2)(b), the period of 2 years following the grant of the licence; and
 - (b) where the licence has been varied, after its grant, to include the provision, the period of one year following the variation.

3 Exemption for certified midwives

For the purposes of Article 54(2) of the Law the following classes of medicinal product are specified in relation to certified midwives as classes to which the exemption applies –

- (a) medicinal products that are not prescription only medicines; and
- (b) prescription only medicines that, by virtue of an exemption conferred by an Order made under Article 57(4) of the Law, may be sold or supplied by a certified midwife otherwise than in accordance with a prescription given by a person who is an appropriate practitioner for the purposes of that Article.

4 Exemptions for other categories of persons

- (1) The restrictions in Article 51 of the Law shall not apply –
 - (a) to the sale or supply, by any person specified in column 1 of Part 1 of Schedule 1 to this Order; or
 - (b) to the supply by any person specified in column 1 of Part 2 of that Schedule,

of the prescription only medicines and the pharmacy medicines specified in the corresponding paragraph in column 2 of such Part in relation to that

person, where the conditions specified in the corresponding paragraph in column 3 of such Part are fulfilled.

- (2) The restrictions in Article 52 of the Law shall not apply to the sale or supply, by any person specified in column 1 of Part 1 or 2 of Schedule 1 to this Order, of any medicinal product on a general sale list specified in the corresponding paragraph in column 2 of such Part in relation to that person, where the conditions in the corresponding paragraph in column 3 of such Part are fulfilled.

5 Exemptions for highly diluted medicinal products

- (1) The restrictions in Articles 51 and 52 of the Law shall not apply to the sale or supply of a medicinal product that is not for parenteral administration and is not a controlled drug, and consists solely of one or more unit preparations –

- (a) of any substance, where each unit preparation has been diluted to at least one part in a million (6x);
- (b) of any substance specified in Part 1 of Schedule 2 to this Order, where each unit preparation has been diluted to at least one part in a thousand (3x); or
- (c) of any substance –
 - (i) specified in column 1 of Table A of Schedule 2 to the [Medicines \(General Sale List\) \(Jersey\) Order 1997](#) or in Part 3 of Schedule 2 to this Order, or
 - (ii) specified (if the medicinal product in question is for external use only) in column 1 of Table B of Schedule 2 to that Order or in Part 4 of Schedule 2 to this Order,

if (in either case) each unit preparation has been diluted to at least one part in ten (1x),

where the person selling or supplying the medicinal product has been requested by or on behalf of a particular person and in that person's presence to use his or her own judgment as to the treatment required.

- (2) The restrictions in Article 51 of the Law shall not apply to the sale or supply of a medicinal product that is not for parenteral administration and is not a controlled drug, and consists solely of one or more unit preparations –
 - (a) of any substance, where each unit preparation has been diluted to at least one part in a million million (6c);
 - (b) of any substance specified in Part 2 of Schedule 2 to this Order, where each unit preparation has been diluted to at least one part in a million (6x); or
 - (c) of any substance –
 - (i) specified in column 1 of Table A of Schedule 2 to the [Medicines \(General Sale List\) \(Jersey\) Order 1997](#) or in Part 3 of Schedule 2 to this Order, or

- (ii) specified (if the medicinal product in question is for external use only) in column 1 of Table B of Schedule 2 to that Order or in Part 4 of Schedule 2 to this Order,

if (in either case) each unit preparation has been diluted to at least one part in ten (1x),

where the conditions in Article 52(2), (3) and (4) of the Law are fulfilled.

6 Exemption for foods and cosmetics

For the purposes of the sale or supply of any medicinal product on a general sale list that is for sale either for oral administration as a food or for external use as a cosmetic, Article 52 of the Law shall have effect as if paragraph (2) of that Article had not been enacted.

7 Citation

This Order may be cited as the Medicines (Pharmacy and General Sale Exemptions) (Jersey) Order 1997.

SCHEDULE 1

(Article 4(1) and (2))

EXEMPTIONS FROM ARTICLES 51 AND 52 OF THE LAW**PART 1²**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Persons exempted	Medicinal products to which the exemption applies	Conditions
1. Registered chiropodists.	1.(1) Medicinal products on a general sale list that are for external use and are not veterinary drugs.	1.(1) The sale or supply shall be only in the course of the chiropodist's professional practice.
	(2) The following pharmacy medicines for external use –	(2) The medicinal product shall have been made up for sale or supply in a container elsewhere than at the place at which it is sold or supplied.
	(a) Potassium permanganate crystals or solution;	
	(b) ointment of Heparinoid and Hyaluronidase; and	
	(c) products containing, as their only active ingredients, any of the following substances at a strength not exceeding that specified in each case –	
	9.0% Borotannic complex	
	10.0% Buclosamide	
	3.0% Chlorquinaldol	
	1.0% Clotrimazole	
	10.0% Crotamiton	
	5.0% Diamthazole hydrochloride	
	1.0% Econazole nitrate	
	1.0% Fenticlor	
	10.0% Glutaraldehyde	
	0.4% Hydrargaphen	
	2.0% Mepyramine maleate	
	2.0% Miconazole nitrate	
	2.0% Phenoxypropan-2-ol	
	20.0% Podophyllum resin	
	10.0% Polynoxylin	
	70.0% Pyrogallol	
	70.0% Salicylic acid	
	0.1% Thiomersal.	
2. Registered optometrists.	2.(1) All medicinal products on a general sale list.	2.(1) The sale or supply shall be only in the course of

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Persons exempted	Medicinal products to which the exemption applies	Conditions
		the optician's professional practice.
	(2) All pharmacy medicines.	(2) The sale or supply shall be only in an emergency.
	(3) Prescription only medicines (not being for parenteral administration) that are of any of the following descriptions –	
	(a) eye drops that are prescription only medicines by reason only that they contain not more than –	
	(i) 30.0% Sulphacetamide sodium; or	
	(ii) 0.5% Chloramphenicol; or	
	(b) eye ointments that are prescription only medicines by reason only that they contain not more than –	
	(i) 30.0% Sulphacetamide sodium; or	
	(ii) 1.0% Chloramphenicol; or	
	(c) medicinal products that are prescription only medicines by reason only that they contain any of the following substances –	
	Atropine sulphate	
	Bethanecol chloride	
	Carbachol	
	Cyclopentolate hydrochloride	
	Homatropine hydrobromide	
	Hyoscine hydrobromide	
	Naphazoline hydrochloride	
	Naphazoline nitrate	
	Neostigmine methylsulphate	
	Physostigmine salicylate	
	Physostigmine sulphate	
	Pilocarpine hydrochloride	
	Pilocarpine nitrate	
	Tropicamide.	

PART 2

(Article 4(1) and (2))

Column 1	Column 2	Column 3
Persons exempted	Medicinal products to which the exemption applies	Conditions
1.(1) The Royal National Lifeboat Institution. (2) Certificated first aiders of the Institution.	1. All medicinal products.	1. The supply shall be only so far as is necessary for the treatment of sick or injured persons.
2.(1) The St. John Ambulance Association and Brigade. (2) Certificated first aid and certificated nursing members of the Association and Brigade.	2.(1) All medicinal products on a general sale list. (2) All pharmacy medicines.	2. The supply shall be only so far as is necessary for the treatment of sick or injured persons.
3. The owner or the master of a ship that does not carry a doctor on board as part of the ship's complement.	3. All medicinal products.	3. The supply shall be only so far as is necessary for the treatment of persons on the ship.
4. The operator or commander of an aircraft.	4.(1) All medicinal products on a general sale list. (2) All pharmacy medicines. (3) Prescription only medicines that are not for parenteral administration and have been sold or supplied to the operator or commander of the aircraft in response to an order in writing signed by a doctor.	4.(1) The supply shall be only so far as is necessary for the immediate treatment of sick or injured persons on the aircraft. (2) In the case of a prescription only medicine, the supply shall be in accordance with the written instructions of a doctor as to the circumstances in which prescription only medicines of the description in question are to be used on the aircraft.
5. Persons operating an occupational health scheme.	5.(1) All medicinal products on a general sale list. (2) All pharmacy medicines. (3) Such prescription only medicines as are sold or supplied to a person operating an occupational	5.(1) The supply shall be in the course of an occupational health scheme. (2) The person supplying the medicinal product shall be – (a) a doctor; or (b) a registered nurse. (3) Where the person supplying the medicinal product is a

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Persons exempted	Medicinal products to which the exemption applies	Conditions
	health scheme in response to an order in writing signed by a doctor or a registered nurse.	registered nurse and it is a prescription only medicine, the nurse shall be acting in accordance with the written instructions of a doctor as to the circumstances in which prescription only medicines of the description in question are to be used in the course of the scheme.
6. Persons carrying on the business of a school providing full-time education.	6. Pharmacy medicines that are for use in the prevention of dental caries and consist of or contain sodium fluoride.	6. The supply shall be – (a) in the course of a school dental scheme; and (b) if to a child under 16, only where the parent or guardian of that child has consented to such supply.
7. The Health and Social Services Department, and any other department of the States that provides a pre-school dental scheme.	7. Pharmacy medicines that are for use in the prevention of dental caries and consist of or contain sodium fluoride.	7. The supply shall be – (a) in the course of a pre-school dental scheme, in which the person supplying the medicinal product is a registered nurse or an enrolled dental hygienist; or (b) in the course of a school dental scheme and, if to a child under 16, only where the parent or guardian of that child has consented to such supply.

SCHEDULE 2**EXEMPTIONS FOR HIGHLY DILUTED MEDICINAL PRODUCTS****PART 1**

(Article 5(1)(b))

UNIT PREPARATIONS DILUTED TO AT LEAST ONE PART IN A THOUSAND (3X)

Agaricus muscarius

Ailanthus glandulosa

Apocynum cannabinum

Aurum iodatum

Belladonna

Bismuth subgallate

Bryonia alba dioica

Calcium fluoride

Cantharis

Cerium oxalicum

Chelidonium majus

Chenopodium oil

Cina

Colocynthis

Convallaria majalis

Gelsemium sempervirens

Hyoscyamus niger

Lycopodium

Manganese acetate

Ranunculus bulbosus

Terebinthinae oleum

Agaricus muscarius

Ailanthus glandulosa

Apocynum cannabinum

Aurum iodatum

Belladonna

Bismuth subgallate
Bryonia alba dioica
Calcium fluoride
Cantharis
Cerium oxalicum
Chelidonium majus
Chenopodium oil
Cina
Colocynthis
Convallaria majalis
Gelsemium sempervirens
Hyoscyamus niger
Lycopodium
Manganese acetate
Ranunculus bulbosus
Terebinthinae oleum

PART 2

(Article 5(2)(b))

UNIT PREPARATIONS DILUTED TO AT LEAST ONE PART IN A MILLION (6X)

Adonis vernalis
Agaricus bulbosus
Agaricus muscarius
Agnus castus
Ailanthus glandulosa
Alum
Amethyst
Ammonium iodide
Amygdalae amarae
Apatite
Apocynum androsaemifolium
Apocynum cannabinum
Argentite
Argentum chloride
Argentum iodide
Arnica
Artemisia cina
Aspidium anthelmintica
Aspidium filix-mas
Aurum sulphide
Balsamum copaivae
Balsamum peruvianum
Barium citrate
Barium sulphate
Bismuth metal
Bismuth subgallate
Bismuth subnitrate
Boletus laricis
Bovista
Cade oil

Calcium fluoride
Cantharis
Carduus marianus
Cedar wood oil
Cerium oxalicum
Chalcocite
Chalcopyrite
Chelidonium majus
Chenopodium oil
Colocynthis
Convallaria majalis
Copper silicate, nat.
Crotalus horridus
Cucumis melo
Cucurbita
Datura stramonium
Derris
Diamond
Ephedra vulgaris
Ferric acetate
Ferrous iodide
Ferrous oxalate
Ferrous sulphide
Formic acid
Gall
Gelsemium sempervirens
Gneiss
Granatum (Pomegranate bark)
Hamamelis virginiana
Hepar sulfuris
Hyoscyamus niger
Iris florentine
Jaborandi
Juniperus sabina
Kaolinite
Lachmanthus tinctoria

Lapis albus
Lycopodium
Magnesium
Magnesium acetate
Magnesium chloride
Magnetite
Manganese acetate
Nicotiana tabacum
Nicotiana tabacum oil
Oleander
Opuntia vulgaris
Oxalic acid
Petroleum
Phellandrum aquaticum
Pix liquida
Platinum
Platinum chloride
Potassium hydroxide
Potassium silicate
Pyrethrum
Pyrolusite
Ranunculus acris
Ranunculus bulbosus
Ranunculus flammula
Ranunculus repens
Ranunculus sceleratus
Rhodium oxynitrate
Rhododendron chrysanthemum
Rhus toxicodendron
Salicylic acid
Scrophularia aquatica
Sodium aluminium chloride
Sodium auro-chloride
Sodium hypochlorite
Sodium nitrate
Squill

Stannum metal

Staphisagria

Sulphur iodide

Tamus communis

Tannic acid

Terebinthinae oleum

Theridion

Thuja occidentalis

Topaz

Uric acid

Zinc hypophosphite

Zinc isovalerate

PART 3

(Article 5(1)(c)(i) and (2)(c)(i))

UNIT PREPARATIONS DILUTED TO AT LEAST ONE PART IN TEN (1X)*Abies excelsa**Abies nigra**Abies nobilis**Acalypha indica**Agate**Alisma plantago aq.**Alstonia scholaris**Aluminium**Amber (Succinum)**Ambra grisea**Ammonium phosphate**Angostura vera**Anthoxanthum**Apis mellifera**Aqua marina**Aqua mellis**Aralia racemosa**Aranea diadema**Arum maculatum**Arum triphyllum**Asarum**Asperula odorata**Astacus fluviatilis**Auric chloride**Badiaga**Beech (Fagus sylvestris)**Bellis perennis**Berberis aquifolium**Borago officinalis**Butyric acid*

Calcium chloride
Calcium metal
Calcium oxide
Calcium sulphate
Castoreum
Ceanothus americanus
Cedron
Cerato (Ceratostigma willmottiana)
Cherry plum (Prunus cerasifera)
Chestnut, red and sweet
Cholesterinum
Chrysolite
Cistus Canadensis
Clematis erecta
Conchae vera
Conchiolinum
Corallium rubrum
Crab apple
Crocus sativus
Erbium
Erigeron canadense
Fuligo
Genista tinctoria
Geum urbanum
Glycogen
Gnaphalium leontopodium
Gold
Gorse (Ulex europocus)
Graphites
Gratiola officinalis
Gymnocladus (American coffee tree)
Haematoxylon campechianum
Hecla lava (ash from Mount Hecla)
Hedeoma pulegioides
Hedera helix
Heliotrope

Heracleum spondylium
Herniaria
Hornbeam (*Carpinus betulus*)
Iberis amara
Impatiens
Iris germanica
Iris pseudacorus
Jacaranda procera
Jatropha curcas
Juncus communis
Justicia adhatoda
Lamium album
Laurocerasus
Laurus nobilis oil
Ledum palustre
Lilium tigrinum
Lonicera caprifolium
Lysimachia vulgaris
Magnesite
Magnesium phosphate
Magnolia
Marum verum
Melilotus officinalis
Menispermum canadense
Mephitis putorius
Mercurialis perennis
Mimulus (*Mimullis guttatus*)
Moschus
Myrica gale
Myrtus communis
Ocimum basilicum
Olive
Oxalis acetosella
Pangamic acid
Paullinia cupana
Penthorum sedoides

Pollen (mixed)
Polygonatum multiflorum
Polygonum aviculare
Polypodium vulgare
Primula vulgaris
Prunella vulgaris
Ptelea trifoliata
Ratanhia
Robinia pseudoacacia
Rubia tinctorum
Rumex acetosella
Sal marina
Sarcosolactic acid
Sarracenia purpurea
Scleranthus (Scleranthus annuus)
Silica
Silphium laciniatum
Sodium benzoate
Spongia marina
Star of Bethlehem (Ornithogalum umbellatum)
Ulmus campestris
Vine
Walnut (juglans regia)
Water violet (Hottonia palustris)
Wild oat
Wild rose

PART 4

(Article 5(1)(c)(ii) and (2)(c)(ii))

**UNIT PREPARATIONS DILUTED TO AT LEAST ONE PART IN TEN (1X) FOR
EXTERNAL USE**

Adonis vernalis
Agaricus bulbosus
Agaricus muscarius
Agnus castus
Ailanthus glandulosa
Alum
Amethyst
Ammonium iodide
Amygdalae amarae
Apatite
Apocynum androsaemifolium
Apocynum cannabinum
Argentite
Argentum chloride
Argentum iodide
Artemisia cina
Aspidium anthelmintica
Aspidium filix-mas
Aurum Sulphide
Balsamum copaivae
Balsamum peruvianum
Barium citrate
Barium sulphate
Bismuth metal
Bismuth subgallate
Bismuth subnitrate
Boletus laricis
Bovista
Cade oil

Calcium fluoride
Carduus marianus
Cedar wood oil
Cerium oxalicum
Chalcocite
Chalcopyrite
Chelidonium majus
Chenopodium oil
Colocynthis
Convallaria majalis
Copper silicate, nat
Crotalus horridus
Cucumis melo
Cucurbita
Datura stramonium
Derris
Diamond
Ephedra vulgaris
Ferric acetate
Ferrous iodide
Ferrous oxalate
Ferrous sulphide
Formic acid
Gall
Gelsemium sempervirens
Gneiss
Hamamelis virginiana
Hepar sulfuris
Hyoscyamus niger
Iris Florentine
Jaborandi
Juniperus Sabina
Kaolinite
Lachmanthus tinctoria
Lapis albus
Lycopodium

Magnesium
Magnesium acetate
Magnesium chloride
Magnesium chloride
Magnetite
Magnetite
Manganese acetate
Manganese acetate
Nicotiana tabacum
Nicotiana tabacum oil
Oleander
Opuntia vulgaris
Oxalic acid
Petroleum
Phellandrium aquaticum
Pix liquida
Platinum
Platinum chloride
Potassium hydroxide
Potassium silicate
Pyrethrum
Pyrolusite
Ranunculus acris
Ranunculus bulbosus
Ranunculus flammula
Ranunculus repens
Ranunculus sceleratus
Rhodium oxynitrate
Rhododendron chrysanthemum
Rhus toxicodendron
Salicylic acid
Scrophularia aquatica
Sodium aluminium chloride
Sodium auro-chloride
Sodium hypochlorite
Sodium nitrate

Squill
Stannum metal
Sulphur iodide
Tannic acid
Terebinthinae oleum
Topaz
Uric acid
Zinc hypophosphite
Zinc isovalerate

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Medicines (Pharmacy and General Sale Exemptions) (Jersey) Order 1997	R&O.9135	1 January 1998
Opticians (Registration) (Amendment No.2) (Jersey) Law 2017	L.13/2017	19 May 2017

Table of Renumbered Provisions

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FIRST SCHEDULE	SCHEDULE 1
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Table of Endnote References

¹ Article 1(1)

amended by L.13/2017

² Schedule 1

Part 1 amended by L.13/2017