

ANIMAL REMEDIES (PROHIBITION OF CERTAIN SALES) REGULATIONS 1991

I, MICHAEL O'KENNEDY, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 7 of the Animal Remedies Act, 1956 (No. 41 of 1956), and after consultation with the Animal Remedies Consultative Committee and the Minister for Health, hereby make the following Regulations:

1. (1) These Regulations may be cited as the Animal Remedies (Prohibition of Certain Sales) Regulations, 1991.
- (2) The Animal Remedies (Control of Sale) Regulations, 1985 and 1986, and these Regulations may be cited together as the Animal Remedies (Control of Sale) Regulations, 1985 to 1991.
- (3) These Regulations shall come into operation on the 1st day of December, 1991.

2. In these Regulations "the Act" means the Animal Remedies Act, 1956 (No. 41 of 1956).

3. (1) Subject to paragraph (2) of this Regulation and Regulation 6 of these Regulations, there is hereby prohibited, save under licence of the Minister—

(a) the sale, by mail order or from a travelling shop, vehicle or an automatic vending machine, of any animal remedy, or

(b) the making of visits from house to house for the purpose of soliciting, collecting or obtaining orders for any such remedy.

(2) Paragraph (1) of this Regulation shall not apply for any of the purposes specified in subparagraph (b) of that paragraph where house to house visits are made to persons at their respective places of business and the persons who are so visited are lawfully entitled to sell any such remedy from their respective places of business.

(3) In this Regulation "house" includes land.

4. The sale of an animal remedy otherwise than from a fixed premises is hereby prohibited.

5. In a prosecution for an offence under these Regulations in relation to an animal remedy which is also an additive, premixture or feedingstuff within the meaning, in each case, of the European Communities (Additives in Feedingstuffs) Regulations, 1989 and 1991, it shall be a good defence to show—

(a) that either—

(i) where the animal remedy is such an additive, it is an additive specified in the First or Second Schedule to the European Communities (Additives in Feedingstuffs) Regulations, 1979 (S.I. No. 49 of 1989), as amended by the European Communities (Additives in Feedingstuffs) (Amendment) Regulations, 1991 (S.I. No. 124 of 1991), or it is a medicinal additive manufactured or imported in pursuance

of an additive licence under those Regulations, or
(ii) where the animal remedy is such a premixture or feedingstuff,
it contains an additive that complies with subparagraph (a) of this
paragraph,
and
(b) that the European Communities (Additives in Feedingstuffs)
Regulations, 1989, were complied with in relation to the additive.

6. These Regulations are in addition but without prejudice to the
provisions of—
(a) the Animal Remedies (Registration of Manufacturers, Importers
and Wholesalers) Regulations, 1980 (S.I. No. 115 of 1980);
(b) the Poisons Regulations, 1982 to 1986;
(c) the European Communities (Control of Veterinary Medicinal
Products and Their Residues) Regulations, 1988 to 1991.

7. Regulation 6 of the Animal Remedies (Control of Sale)
Regulations, 1985 (S.I. No. 258 of 1985), is hereby revoked.

GIVEN under my Official Seal this 20th day of September, 1991.
MICHAEL O'KENNEDY,
Minister for Agriculture and Food.