

FOOD AND DRUGS (AMENDMENT) DECREE 1999



Decree No. 21

[23rd March 1999] Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby
decrees as follows:-

1. The Food and Drugs Act (in this Decree referred to as "the principal Act") is hereby amended as set out in this Decree. Amendment of
Cap 150 LFN.

2. Section 1 of the principal Act is amended by inserting immediately after the word "sell" wherever it occurs, the words ",import, manufacture or store". Amendment of
section 1.

3. Section 12 of the principal Act is amended in paragraph (c) by inserting immediately before the word "article", the words "HOLD LABEL tag or". Amendment of
section 12.

4. Section 15 of the principal Act is amended by substituting for subsection (1), the following new subsection - Amendment of
section 15.

"(1) The Minister may make regulations for carrying out the purpose and provisions of this Act and with respect to any other matter connected with this Decree."

5. Section 17 of the principal Act is amended by - Amendment of
section 17.

(a) by substituting subsection (1) the following new subsection, that is -

"(1) Any person who contravenes any of the provisions of this Act or the regulations made under it or fails to comply with any requirement imposed on him by a notice under subsection (1) of section...

4 of this Act shall be guilty of an offence and liable on conviction to a fine of not less than fifty thousand naira or imprisonment for a term not exceeding two years or to both such fine and imprisonment.";

(b) deleting subsection (3) thereof.

Amendment of
section 19.

6. Section 19 of the principal Act is amended by -

(a) deleting subsection (3) thereof; and

(b) re-numbering subsections (4) and (5) as subsections (3) and (4), respectively.

Amendment of
section 20.

7. Section 20 of the principal Act is amended by -

(a) inserting in the proper alphabetical sequence, the following new definition -

"'food" includes any article manufactured, processed, packaged, sold or advertised for use as food or drink for human consumption, chewing gum and any ingredient which may be mixed with food for any purpose whatsoever and excludes -

(a) live animals, birds or fish;

(b) articles or substances used as drugs;"

(b) substituting for the definition of the word "inspecting officer", the following new definition -

"'inspecting officer" means any person designated as a food and drug inspecting officer under section 9 of this Decree by the National Agency for Food and Drug Administration and Control;"

(c) substituting for the definition of the word "package", the following new definition -

"package" includes anything in which any food, water, drug, cosmetic or device is wholly or partly contained, wrapped, placed or packed;"

8. The First Schedule to the principal Act is amended by inserting immediately before the word "Alcoholism" the words "Acquired Immune Deficiency Syndrome".

Amendment of
First Schedule.

9. This Decree may be cited as the Food and Drugs (Amendment) Decree 1999.

Citation.

MADE at Abuja this 23rd day of March 1999.

GENERAL ABDULSALAMI ALHAJI ABUBAKAR,
*Head of State, Commander-in-Chief
of the Armed Forces,
Federal Republic of Nigeria.*

EXPLANATORY NOTE

(This note does not form part of the above Decree but is intended to explain its purport)

The Decree amends the Food and Drugs Act to provide, among other things, for the prohibition of sale or advertisement of food, etc. as treatment, etc. for certain diseases, including Acquired Immune Deficiency Syndrome.