



Jersey

**MEDICINES (FOOD AND COSMETICS
EXEMPTIONS) (JERSEY) ORDER 1997**

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MEDICINES (FOOD AND COSMETICS EXEMPTIONS) (JERSEY) ORDER 1997

Arrangement

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THE HEALTH AND SOCIAL SERVICES COMMITTEE in pursuance of Articles 16 and 110 of the Medicines (Jersey) Law 1995,¹ 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 –

“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;

“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;²

“vitamin” means a vitamin of any one or more of the following kinds, namely vitamins A, B1, B2, B6, C, D and E, biotin, nicotinamide,

nicotinic acid, pantothenic acid and its salts, biflavonoids, inositol, choline, para-aminobenzoic acid, cyanocobalamin and folic acid;

“vitamin preparation” means any medicinal product of which the active ingredients consist only of –

- (a) vitamins; or
 - (b) vitamins and mineral salts.
- (2) Without prejudice to Article 10 of the Interpretation (Jersey) Law 1954,³ every provision in the Medicines (Jersey) Law 1995⁴ 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 Exemption

- (1) The restrictions in Articles 8 and 9 of the Law shall not apply to anything done in relation to a medicinal product that –
- (a) is wholly or mainly for use by being administered to one or more human beings;
 - (b) is for sale or supply either for oral administration as a food or for external use as a cosmetic; and
 - (c) is not a medicinal product described in paragraph (2).
- (2) The exemption conferred by paragraph (1) does not apply to any of the following medicinal products –
- (a) a medicinal product that is to be sold or supplied with or accompanied by any particulars in writing specifying –
 - (i) its curative or remedial function in relation to a specified disease, or
 - (ii) the use of the medicinal product for such curative or remedial purposes;
 - (b) a medicinal product, for oral administration as a food, that is either a vitamin preparation or a medicinal product to which vitamins have been added, and is a medicinal product in relation to which (in either case) there are written particulars or directions as to dosage that specify a recommended daily intake in excess of –
 - (i) the equivalent of 2500 units of vitamin A activity,
 - (ii) the equivalent of 250 units of antirachitic activity,
 - (iii) 25 micrograms of folic acid, or
 - (iv) 5 micrograms of cyanocobalamin;
 - (c) a medicinal product that is a vitamin preparation in relation to which there are no written particulars or directions as to dosage; or
 - (d) a medicinal product, for external use as a cosmetic, that contains –
 - (i) any antibiotic,
 - (ii) any hormone in a proportion in excess of 0.004% by weight,
 - (iii) hexachlorophane,
 - (iv) resorcinol in a proportion in excess of 1.0% by weight, or

(v) minoxidil.

3 Citation

This Order may be cited as the Medicines (Food and Cosmetics Exemptions) (Jersey) Order 1997.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Medicines (Food and Cosmetics Exemptions) (Jersey) Order 1997	R&O.9133	1 January 1998

Table of Endnote References

¹	<i>chapter 20.625</i>
²	<i>chapter 20.625</i>
³	<i>chapter 15.360</i>
⁴	<i>chapter 20.625</i>