

GUERNSEY STATUTORY INSTRUMENT

1977 - No 37

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PH. m.

The Health Service (Pharmaceutical) (General) (Amendment) (Guernsey) Regulations, 1977

Made	...	...	...	...	...	...	...
Laid before the States	...	...	...	...	...	...	...
Coming into Operation	...	...	...	...	...	1st November, 1977	

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by subsection (3) of section twenty-three and subsection (1) of section twenty-eight of the Health Service (Pharmaceutical) (Guernsey) Law, 1972, as modified by the Health Service (Pharmaceutical) (Prescribed Appliances) (Guernsey) Ordinance, 1977, and of all other powers enabling it in that behalf, hereby orders:-

Amendment of regulation ten of the principal regulation

1. Sub-paragraph (c) and sub-paragraph (d) of paragraph (2) of regulation ten of the Health Service (Pharmaceutical) (General) (Guernsey) Regulations, 1972, as amended (hereafter in these regulations referred to as "the principal regulations"), are hereby repealed and the following sub-paragraphs are hereby respectively substituted therefor -

"(c) the expression "toilet preparation" includes any substance specified in paragraph 1 of Part II of the Second Schedule to these regulations except in relation to any case to which the provisions of the next following regulation apply;

(d) the expression "anti-smoking preparation" includes any substance specified in paragraph 2 of Part II of that Schedule. "

Amendment of the Second Schedule to the principal regulations

2. Parts I, II and III of the Second Schedule to the principal regulations are hereby repealed and Parts I, II and III set out in the Schedule to these regulations are hereby respectively substituted therefor.

Savings

3.(1) Notwithstanding the foregoing provisions of these regulations, a substance which has been ordered on a medical prescription issued before the day of the coming into operation of these regulations shall -

- (a) if it would, but for these regulations, have fallen to be included within the definition of the expression "drug" and the expression "medicine" under and for the purposes of the Health Service (Pharmaceutical) (Guernsey) Law, 1972, and any regulations made under that Law, continue to be treated for those purposes as falling to be included within that definition;
- (b) if it would, but for these regulations, have fallen to be excluded from that definition, continue to be treated for those purposes as falling to be excluded from that definition.

(2) In this regulation the expression "medical prescription" has the meaning assigned to it by paragraph (1) of regulation two of the principal regulations, and includes a copy of a medical prescription issued in pursuance of those regulations.

Citation, collective title and commencement

4.(1) These regulations may be cited as the Health Service (Pharmaceutical) (General) (Amendment) (Guernsey) Regulations, 1977.

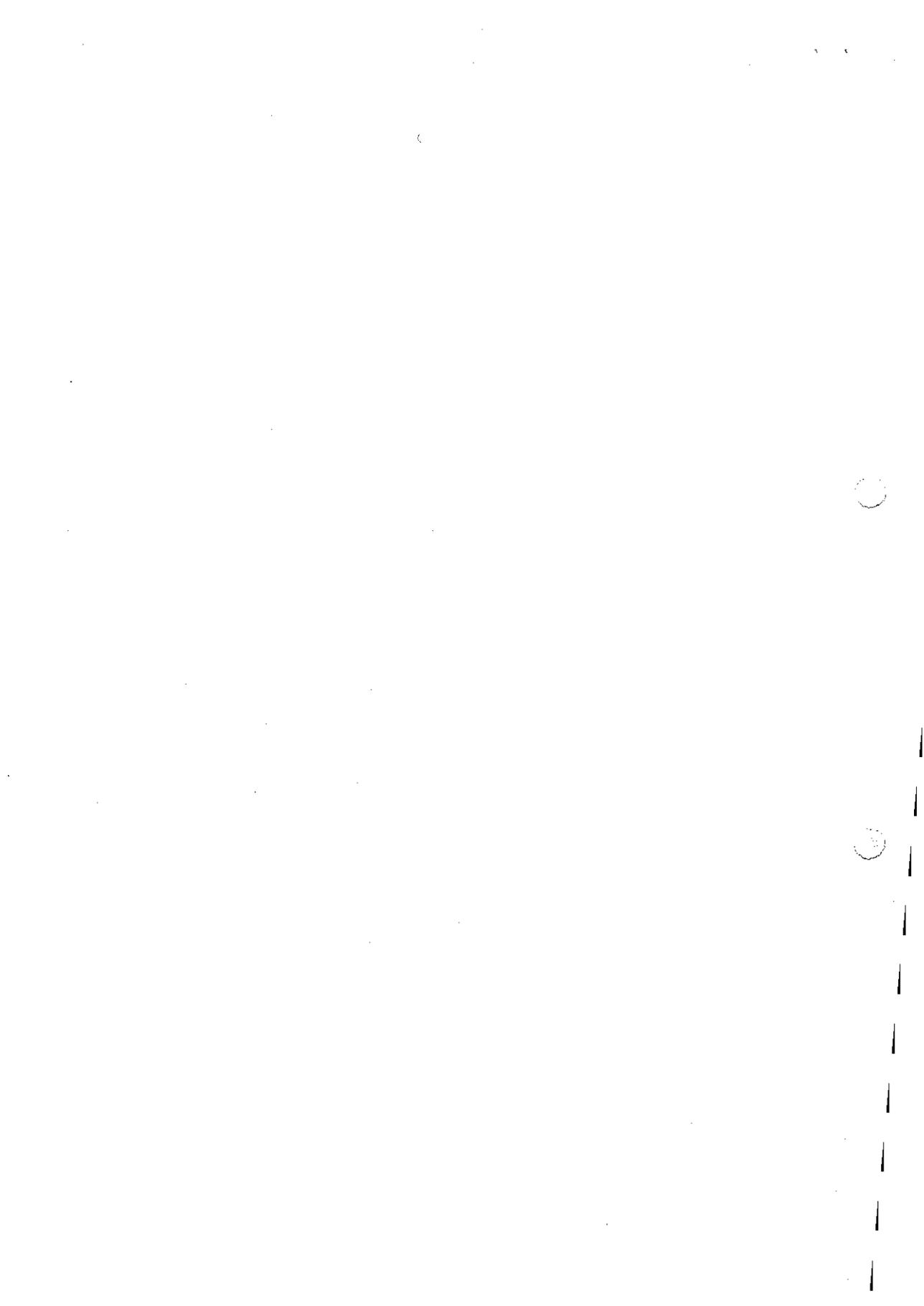
(2) These regulations and the Health Service (Pharmaceutical) (General) (Guernsey) Regulations, 1972 to 1975 may be cited together as the Health Service (Pharmaceutical) (General) (Guernsey) Regulations, 1972 to 1977.

(3) These regulations shall come into operation on the first day of November, nineteen hundred and seventy seven.

Dated this *twenty-eighth* day of *October*, nineteen hundred and seventy seven.

E. H. Bodman

E. H. BODMAN
President of the States Insurance Authority
for and on behalf of that Authority.



SCHEDULE

Regulation two

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SECOND SCHEDULE

Regulations nine and ten

SUBSTANCES EXCLUDED FROM, OR INCLUDED IN, DEFINITION OF "DRUG" AND "MEDICINE"
IN THE LAW

PART I

Particular foods excluded from definition of "drug" and "medicine"

Albumaid Complete
 Albumaid Metabolic Mineral Mixture
 Albumaid X Methionine
 Albumaid X P and Albumaid X P Concentrate
 Alembicol D
 Allergilac
 Amin-Ex Biscuits
 Aminogran
 Aminutrin
 Apple Juices
 Arrowroot
 Azeta Products
 Pastry, Sticklets, Wafers

Benger's Food
 Blackcurrant Juice
 Blackcurrant Pastilles
 Bournvita
 Bovril
 Brands Essence

Calnutrin
 Caloreen
 Calves Foot Jelly
 CantafLOUR
 Casilan
 Comminuted Chicken Meat
 Complax
 Corn Oil
 Corolac
 Cow & Gate Foods:-
 Baby Cereals
 Baby Milks
 Baby Meals
 Carobel
 HF (2)
 Himaizol
 Humanised Milk Food
 L.P.L.S. (1)
 L.P.T. (1)
 L.P.T.M. (2)
 Prepared Feeds
 Trufood
 Follow-On-Trufood
 Cymogran

Dextrose
 Dextrosol
 Diabetic Cordials and Squashes

Edosol
 Eledon
 Emergen and other Diabetic Preparations

Farex Baby Cereal
 Farex Fingers
 Farlene
 Flexical
 Forceval Protein
 Fructose
 Fruit Squashes
 Full Cream Condensed Milk

Galactomin Formula 17
 Galactomin Formula 18
 Galactomin Formula 19
 Gastro-Caloreen
 Glucodin
 Glucose
 Glucose Barley Sugar
 Glucosol

Gluten-Free Products:-

 Aproten Products - Anellini, Crispbread, Ditalini, Flour,
 Rigatini, Spaghetti, Tagliatelle:

 Bi-Aglut Biscuits:

 Farley's Biscuits:

 Glutenex (Liga):

 Juvela Gluten-Free Mix

 Rite-Diet Flour, Bread Mix, Sweet (without Chocolate) and
 Savoury biscuits,

 Gluten-Free/Protein-Free Bread, canned rich fruit cake,
 half-coated milk chocolate biscuits.

 Verkade Dutch Food Biscuits

Granogen

Homogenised Foods
 Hycal

Iodised Table Salt

Kellogg's All Bran

Lactose
 Laevoral
 Lemco
 Lemon Barley Water
 Liga Infant Food
 Linoleic Acid
 Locasol
 Lofenalac
 Lucozade

Malt Extract
 Malt Extract with Cod Liver Oil
 Malt Extract with Halibut Liver Oil
 Malted Milk and Malted Milk Tablets
 Marmite
 M.C.T. (1) Powder

Medium Chain Triglyceride Oil
 Metabolic Mineral Mixture
 Milo
 Minafen
 Mineral and Spa Waters
 Contrexeville
 Soda Water
 Vichy Spa Waters and Similar Preparations
 M.S.U.D. Aid

Nefranutrin
 Nutramigen
 Nutregen High Fibre Crispbread

Optimax Powder
 Ostermilk
 Ovaltine
 Oxo

PK Aid 1
 P.L.J. Natural Fruit Juices
 Portagen
 Pregastimil
 Prosobee
 Prosol
 Prosparol

Protein-Free Products
 Aglutella Gentili - Anellini, Rigatoni, Tagliatelle,
 Spaghetti, Stelline:
 Aproten Products - Anellini, Crispbread, Ditalini, Flour,
 Rigatini, Spaghettoni, Tagliatelle.
 Juvela Protein-Free Mix
 Nutregen Wheat Starch
 Rite-Diet Flour, Gluten Free/Protein-Free Bread

Radio Malt
 Ribena
 Robinson's Barley
 Robinson's Groats
 Roboleine
 Rose Hip Syrup

Saccharin Tablets
 Sanatogen
 Saxin
 Sister Laura's Food
 S.M.A. Powder and Liquid
 S.M.A. Gold Cap Powder and Ready to Feed
 Sobee
 Sorbitol
 Strained Foods
 Sunflower and Safflower Seed Oils
 Sweetex

Torbet Lactic Oats
 Triosorbon

Velactin
 Virol
 Vitaminised Chocolate
 Vitamin Malt Extracts
 Vivonex

Wate-On

1.
PART II

Particular toilet preparations and anti-smoking preparations excluded from definition of "drug" and medicine"

1. Particular Toilet Preparations

Acne Aid Bar
Alphosyl
Amplex Clinical Deodorant Tablets
Amplexol
Ardena Covering Cream
Atomocol Aerosol
Atmoderm
Atrixo
Aveeno Bar
Aveeno Bar Oilated

Balspray (Balsam and Glycerine Spray)
Betadine
Boots Covering Cream
Butler's Buffered Gel

Capitol
Ceanel Concentrate
Cetavlon P.C.
Chironair Odour Control Liquid
(Formerly Chiron Deodorising Cleanser)
Chiron Barrier Cream
Chiron Deodoriser Drops
Chiron Medical Skin Adhesive
Chiron Ostomy Seal Protective Paste
Cidal
Covermark

Derbac Soap
Dispray
Dor
Downs Medical Adhesive Remover
Downs Medical Adhesive - Type B

Forest Breeze Ileostomy Deodorant

Ganophen
Genatosan Skin Cleanser
Genisol
Genito Urinary Skin Adhesive

Hollister Adhesive Remover
Hollister Medical Adhesive

Ipsel Hygenic Baby Salve

Karaya Gel
Karaya Gum
Karaya Paste
Karaya Powder
Kerodex Double Seven Barrier Cream
Keromask

Lactocalamine

Neko
 Neutragena
 Nilodor
 Nivea
 No-Roma Deodorant

Oilatum Bar
 Oranesive
 Ostobon
 Ostomy Plus One and Two
 Ostomy Plus Three
 Ostosan

Polytar Emollient
 Polytar Liquid
 Prodermide Solid

Rubber Medical Adhesives

Saltair Lotion
 Saltair Plaster Remover
 Salts Adhesive Solution
 Salts Ostomy Spirit of Soap
 Sebaveen
 Sebbix
 Simpla Sasco Gel
 Simpla Sasco Tex
 Simple Soap
 Spectraban
 Sterzac Bath Concentrate
 Stomobar Anti-Bacterial Barrier Cream
 Stomogel Deodorising Gel
 Stomosol Concentrate Deodorant Antiseptic

Tetmosol
 Thackray Aerosol Plaster Remover

Uvistat

Warnes Skin Adhesive
 Woodward's Baby Cream

2. Anti-Smoking Preparations

Bantron

Lobidan

Nicobrevin

Respaton

PART III

Particular substances included in Part I and Part II of this schedule which are to be deemed to be drugs and medicines when used in the treatment of certain diseases.

(1) Substances	(2) Diseases
1. <u>Substances included in Part I of this Schedule</u>	
Albumaid Complete	Malabsorption states where there is failure to hydrolyse and/or absorb protein.
Albumaid Metabolic Mineral Mixture	Carbohydrate and amino acid disorders.
Albumaid X Methionine	Homocystinuria.
Albumaid X P and Albumaid X P Concentrate	Phenylketonuria.
Alembicol D	Steatorrhoea associated with cystic fibrosis of the pancreas, intestinal lymphangiectasis, steatorrhoea associated with surgery of the intestine, chronic liver disease and other proven malabsorption syndromes.
Amin-Ex Biscuits	Phenylketonuria, similar amino acid abnormalities; liver cirrhosis, renal failure and proven lactose with sucrose intolerance.
Aminogran	Phenylketonuria.
Aminutrin	Malabsorption states where there is failure to hydrolyse and/or absorb protein.
Azeta Products Pastry, Sticklets, Wafers	Phenylketonuria, renal failure, liver cirrhosis and other conditions requiring a low protein, high energy diet.
Calonutrin	Disaccharide intolerance (without isomaltose intolerance), amino acid and other similar disorders and/or whole protein intolerance, liver cirrhosis and in proven hypoglycaemia where there is no need to limit sodium and potassium intake, and other proven malabsorption states.
Caloreen	Chronic renal failure, liver cirrhosis or other conditions requiring a high energy, low fluid, low electrolyte diet and disorders of amino acid metabolism.

(1) Substances	(2) Diseases
Casilan	Biochemically proven hypoproteinaemia.
Comminuted Chicken Meat	Carbohydrate intolerance in association with possible or proven intolerance of milk.
Corn Oil	Familial hypercholesterolaemia.
Cymogran	Phenylketomuria.
Edosol	Conditions requiring a minimal sodium intake.
Flexical	Short bowel syndrome, intractable malabsorption, pre-operative preparation of patients who are undernourished and treatment following total gastrectomy.
Forceval Protein	Biochemically proven hypoproteinaemia.
Fructose	Proven glucose/galactose intolerance.
Galactomin Formula 17 and Galactomin Formula 18	Lactose intolerance and proven galactosaemia or galactokinase deficiency.
Galactomin Formula 19	Glucose plus galatose intolerance.
Gastro-Caloreen	Disaccharide intolerance (without isomaltose intolerance), amino acid (and other similar) disorders and/or whole protein intolerance, liver cirrhosis, proven hypoglycaemia where there is no need to limit sodium and potassium intake, and other proven malabsorption states.
Glucose	Glycogen Storage Disease
Gluten-Free Products: Aproten products - Anellini, Crispbread, Ditalini, Flour, Rigatini, Spaghetini, Tagliatelle Bi-Aglut Biscuits Farley's Biscuits Glutenex (Liga) Juvela Gluten-Free Mix Rite-Diet Flour, Bread Mix, Sweet (without chocolate) and Savoury Biscuits, Gluten Free/Protein Free Bread. Verkade Dutch Food Biscuits.	Gluten sensitive enteropathies including steatorrhoea due to gluten-sensitivity, coeliac disease and dermatitis herpetiformis
H.F.2.	Histidinaemia

(1) Substances	(2) Diseases
Hycal	Renal failure, liver cirrhosis or other conditions requiring a high energy, low fluid, low electrolyte diet.
Locasol	Intolerance to calcium
Lofenalac	Phenylketonuria
L.P.L.S. (1)	Liver cirrhosis and conditions where both a low protein and low sodium diet is essential.
L.P.T. (1)	Tyrosinosis
L.P.T.M. (2)	Tyrosinosis and Methioninaemia.
M.C.T. (1) Powder	Steatorrhoea associated with cystic fibrosis of the pancreas, intestinal lymphangiectasis, chronic liver disease and surgery of the intestine in infants.
Medium Chain Triglyceride Oil	Steatorrhoea associated with cystic fibrosis of the pancreas, intestinal lymphangiectasis, steatorrhoea associated with surgery of the intestine, chronic liver disease, liver cirrhosis, other proven malabsorption syndromes, and in a ketogenic diet in the management of epilep
Metabolic Mineral Mixture	Carbohydrate and amino acid disorders.
Minafen	Phenylketonuria.
M.S.U.D. Aid	Maple Syrup Urine Disease.
Neframutrin	Renal failure.
Nutramigen	Sensitivity to whole protein, galactosaemia and lactose intolerance without sucrose intolerance.
P.K. Aid 1	Phenylketonuria.
Portagen	Lactose intolerance without sucrose intolerance but requiring medium chain triglycerides, steatorrhoea associated with cystic fibrosis of the pancreas, intestinal lymphangiectasis, steatorrhoea associated with surgery of the intestine, chronic liver disease, liver cirrhosis and other proven malabsorption syndromes.

(1) Substances	(2) Diseases
Pregestimil	Sucrose and/or lactose intolerance in association with whole protein intolerance or where amino acid and peptides are indicated in conjunction with medium chain triglycerides. Steatorrhoea associated with cystic fibrosis, intestinal lymphangiectasis, steatorrhoea associated with surgery of the intestine and other proven malabsorption syndromes.
Prosobee	Milk intolerance, or liver cirrhosis.
Prosol	Sprue, steatorrhoea and coeliac disease.
Prosparol	Renal failure and other conditions requiring a high energy, low fluid, low electrolyte diet; disorders of amino acid metabolism or carbohydrate absorption.
Protein Free Products: Aglutella Gentili-Anellini, Rigatoni, Tagliatelle, Spaghetti, Stelline Aproten Products-Anellini, Crispbread, Ditalini, Flour, Rigatini, Spaghettoni, Tagliatelle Juvella Protein-Free Mix Nutregen Wheat Starch Rite-Diet Flour, Gluten- Free/Protein-Free Bread	Phenylketonuria, similar amino acid abnormalities, renal failure, liver failure, liver cirrhosis, gluten-sensitive enteropathies including steatorrhoea due to gluten-sensitivity coeliac disease and dermatitis herpetiformis.
Sobee	Milk intolerance.
Velactin	Milk intolerance.
Vivonex	Short bowel syndrome, including gastrectomy and intractable malabsorption.

(1) Substances	(2) Diseases
2. <u>Substances included in Part II of this Schedule</u>	
Alphosyl	Psoriasis and other scaly disorders of the scalp.
Ardena Covering Cream	Post operative scars and other deformities including birthmarks and emotional disturbances due to mutilating skin disease.
Betadine	Seborrhoeic conditions of the scalp associated with excessive dandruff, pruritic scaling, exudation, and erythema of the scalp; pityriasis capitis; infected lesions of the scalp; pyodermas (recurrent furunculosis, infective folliculitis and impetigo).
Boots Covering Cream	Post operative scars and other deformities including birthmarks, and emotional disturbances due to mutilating skin disease.
Capitol	Pityriasis capitis and seborrhoeic dermatitis of the scalp.
Ceanel Concentrate	Psoriasis or seborrhoeic conditions.
Cetavlon P.C.	Seborrhoeic capitis and seborrhoeic dermatitis.
Covermark	Post operative scars and other deformities including birthmarks, and emotional disturbances due to mutilating skin disease.
Genisol	Psoriasis, eczema and seborrhoea of the scalp.
Keromask	Post operative scars and other deformities including birthmarks, and emotional disturbances due to mutilating skin disease.
Polytar Emollient	Psoriasis, eczema, atopic and pruritic dermatoses.
Polytar Liquid	Psoriasis, eczema and seborrhoea of the scalp.
Spectraban	Photodermatoses including ultra-violet radiation.
Sterzac Bath Concentrate	Staphylococcal skin infections.
Tetmosol	Scabies.
Uvistat	Photodermatoses including ultra-violet radiation.

(1) Substances	(2) Diseases
Amplex Clinical Deodorant Tablets	Conditions requiring post operative treatment of surgical stoma.
Amplexol	
Atmocool Aerosol	
Atmoderm	
Balspray (Balsam and Glycerine Spray)	
Butler's Buffered Gel	
Chironair Odour Control Liquid (Formerly Chiron Deodorising Cleanser)	
Chiron Barrier Cream	
Chiron Deodoriser Drops	
Chiron Medical Skin Adhesive	
Chiron Ostomy Seal Protective Paste	
Dispray	
Dor	
Downs Medical Adhesive Remover	
Downs Medical Adhesive - Type B	
Forest Breeze Ileostomy Deodorant	
Genito Urinary Skin Adhesive	
Hollister Adhesive Remover	
Hollister Medical Adhesive	
Karaya Gel	
Karaya Gum	
Karaya Paste	
Karaya Powder	
Kerodex Double Seven Barrier Cream	
Nilodor	
No-Roma Deodorant	
Orashesive	
Ostobon	
Ostomy Plus One and Two	
Ostomy Plus Three	
Ostosan	
Rubber Medical Adhesives	
Saltair Lotion	
Saltair Plaster Remover	
Salts Adhesive Solution	
Salts Ostomy Spirit of Soap	
Simpla Sasco Gel	

(1) Substances	(2) Diseases
Simpla Sasco Tex Stomobar Anti-Bacterial Barrier Cream Stomogel Deodorising Gel Stomosol Concentrate Deodorant Antiseptic Thackray Aerosol Plaster Remover Warnes Skin Adhesive	Conditions requiring post operative treatment of surgical stoma.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport)

Parts I and II of the Second Schedule to the Health Service (Pharmaceutical) (General) (Guernsey) Regulations, 1972, as amended, set out certain substances (commonly called "borderline substances") which are foods, toilet preparations or anti-smoking preparations and generally excluded from the definition of the expressions "drug" and "medicine" for the purposes of the Health Service (Pharmaceutical) (Guernsey) Law, 1972. Part III of that Schedule sets out some of those substances which are foods or toilet preparations generally so excluded, but which are treated as falling within that definition in so far as they are required for the treatment of the diseases specified in that Part of that Schedule opposite the references to those substances.

The purpose of these regulations is to effect several alterations to those Parts of that Schedule, and to include certain substances required for the post-operative treatment of surgical stoma.

These alterations do not have any effect as respects substances ordered on medical prescriptions, or copies of medical prescriptions, issued before the coming into operation of these regulations, that is to say, the 1st November, 1977.