

No. 6 of 1876.

An Ordinance to regulate the sale of Poisons in Ceylon.

Preamble.

WHEREAS it is expedient for the safety of the public that due provision should be made to regulate the sale of poisons in this island: It is hereby enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited for all purposes as "The Sale of Poisons Regulation Ordinance, 1876," and shall come into operation on such day as the Governor, acting with the advice of the Executive Council, shall by Proclamation to be published in the *Government Gazette* appoint.

What are to be deemed poisons under this Ordinance.

2 The several articles mentioned in the schedule A to this Ordinance annexed shall be deemed to be poisons within the meaning of this Ordinance; and the Governor may, from time to time, with the advice of the Executive Council, by Proclamation in the *Government Gazette*, declare that any article other than those mentioned in the said schedule shall be deemed a poison within the meaning of this Ordinance, and on the expiration of fourteen days from the date of the publication of such Proclamation the article therein named shall be deemed to be a poison within the meaning of this Ordinance.

No person to sell poison without a license.

To whom such license may be granted.

3 It shall be unlawful for any person to sell any poison either by wholesale or retail in any province of this island without a license from the government agent of the province. Such license shall be granted to such persons only as the said government agent shall, after inquiry, be satisfied are persons of respectability; and the right of selling thereunder shall be made subject to such restrictions as the government agent shall deem expedient, having regard to the safety of the public. Such restrictions shall be inserted in and form part of the license.

License to be operative for one year from date thereof.
Form of, and stamp on.

4 Every such license shall be in force for one year from the date thereof, shall set out the name and place of abode of the licensee, the house or shop in which the poisons may be sold, and the name of the poisons to be sold; and shall bear a stamp of five rupees.

Sale of Poisons.

5 It shall be unlawful to sell any poison either by wholesale or retail, unless it be contained in some box, bottle, vessel, wrapper, or cover, or other receptacle, distinctly labelled—Poison—in the English, Sinhalese, and Tamil languages, and also labelled in one of those languages at least with the name of the article and the name and address of the seller; and it shall be unlawful to sell any of the poisons which are named in the first part of the schedule A hereto annexed, or which may hereafter be added thereto under section 2 of this Ordinance, to any person unknown to the seller, unless such person is introduced by some person known to the seller. Any person introducing a purchaser under this clause without *bonâ fide* knowing the name and place of abode of the person so introduced shall be guilty of an offence, and liable to a fine not exceeding fifty rupees. And in the event of any person being prosecuted under this clause the burden of proof shall be thrown upon the person so introducing a purchaser as aforesaid, to establish that he *bonâ fide* knew the person so introduced.

Receptacle of poison to be labelled.

Poison in first part of schedule not to be sold to persons unknown.

6 On every sale of any poison the seller shall before delivery make or cause to be made an entry in a book to be kept for that purpose, stating in the form set forth in the schedule B hereto annexed the date of the sale, the name and quantity of the article sold, and the purpose for which it is stated by the purchaser to be required; to which the signature of the purchaser and of the person (if any) who introduced him shall be affixed.

Sale to be entered in book.

7 Any person selling poison without a license or contrary to the terms of his license, or in any manner otherwise than is by this Ordinance provided, shall be guilty of an offence, and shall be liable to forfeiture of his license and to a fine not exceeding fifty rupees for the first offence, and to a like forfeiture and fine, or to imprisonment, with or without hard labour, for a term not exceeding three months, or to both, for the second or any subsequent offence. For the purposes of this Ordinance the person on whose behalf any sale of poison is made by any shopman or servant in his employ, as well as such shopman or servant, shall be deemed a seller of such poison.

Penalty for selling poison contrary to the provisions of this Ordinance.

8 Nothing contained in this Ordinance shall apply to any articles to be exported from Ceylon by wholesale dealers, nor to sales by wholesale to retail dealers in the ordinary course of wholesale dealing, nor to any medicine supplied by or on the written prescription of any person who has been duly qualified by any university, college, or body having legal authority in this behalf, in any part of the United Kingdom or any colony or dependency thereof, to practise as a physician, surgeon, medical practitioner, or veterinary surgeon, or who has received a certificate of competency from the Principal Civil Medical Officer or any colonial surgeon of this island authorized by the Principal Civil Medical Officer to grant such certificates; provided such medicine be distinctly labelled with the name and address of the seller,

Poison sold on medical prescription exempted from the Ordinance.

Sale of Poisons.

and the ingredients thereof be entered, with the name of the person to whom it is sold or delivered, in a book to be kept by the seller for that purpose.

Medicines
supplied by
hospitals
exempted.

9 Nothing in this Ordinance contained shall apply to any medicine dispensed or supplied in or by any Government or military hospital or dispensary, or any dispensary established in pursuance of the Ordinance No. 14 of 1872, intituled "An Ordinance to provide for the Medical Wants of the Coffee Districts," or licensed by Government for the sale of medicines.

Limitation of
prosecution.

10 No prosecution shall be entertained for any offence under this Ordinance unless instituted within two months from the date of the commission of the offence.

SCHEDULE A.

Part I.

Arsenic and its preparations ; prussic acid ; cyanides of potassium and all metallic cyanides ; strychnine and all poisonous vegetable alkaloids and their salts ; aconite and its preparations ; emetic tartar ; corrosive sublimate ; cantharides ; savin and its oil ; ergot of rye and its preparations.

Part II.

Oxalic acid ; chloroform ; belladonna and its preparations ; essential oil of almonds, unless deprived of its prussic acid ; laudanum ; preparations of corrosive sublimate ; preparations of morphine ; red oxide of mercury (commonly known as red precipitate of mercury) ; ammoniated mercury (commonly known as white precipitate of mercury) ; every compound containing any of the poisons mentioned in this schedule, when prepared or sold for the destruction of vermin ; the tincture and all vesicating liquid preparations of cantharides.

SCHEDULE B.

Date.	Name of purchaser.	Name and quantity of poison sold.	Purpose for which it is required.	Signature of purchaser.	Signature of person introducing purchaser.

20th November, 1876.