

## FOOD AND DRUGS DECREE 1974



## ARRANGEMENT OF SECTIONS

*Section**Food, Drugs, Cosmetics and Devices*

1. Prohibition of sale of certain food, drugs, cosmetics and devices.
2. Prohibition of sale or advertisement of food, etc. as treatment, etc. for certain diseases.
3. Prohibition of importation, exportation, distribution, etc. of specified drugs.
4. Power of Commissioner to obtain particulars in respect of certain substances.
5. Prohibition of various misleading practices.
6. Manufacture, etc. of food, etc. under insanitary conditions.
7. Commissioner's certificate for manufacture, etc. of drugs specified in Schedule 4 or 5.
8. Declaration by manufacturer.
9. Designation of inspecting officer and analysts.
10. Powers of inspecting officers.
11. False statement.
12. Obstruction of inspecting officers.
13. Power of inspecting officers on importation of food, etc.

*Forfeiture*

14. Forfeiture.

*Advisory Council*

15. Food and Drugs Advisory Council.

*Regulations*

16. Regulations.

*Penalties and Legal Proceedings*

17. Penalties.
18. Defence in proceedings for sale of food, etc.
19. Certificates and presumptions.

*General*

20. Interpretation.
21. Citation, commencement and repeal.

## SCHEDULES

- Schedule 1—Diseases, etc. referred to in section 2.
- Schedule 2—Drugs referred to in section 3.
- Schedule 3—Publications referred to in section 5.
- Schedule 4—Drugs referred to in section 7 (1).
- Schedule 5—Drugs referred to in section 7 (2).
- Schedule 6—Enactments repealed.

## Decree No. 35

[See section 21 (2)]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

*Food, Drugs, Cosmetics and Devices*

- 1.—(1) No person shall sell any article of food which—
- (a) has in it or upon it any poisonous or harmful substance not being a food additive or contaminant of a type, and within the level, permitted by regulations made under this Decree;
  - (b) is unfit for human consumption ; or
  - (c) consists in whole or in part of any filthy, disgusting, rotten or diseased substance.
- (2) No person shall sell any article of food or any drug which is adulterated.
- (3) No person shall sell any article of food or any drug or cosmetic which was manufactured, prepared, preserved, packaged, or stored under insanitary conditions.
- (4) No person shall sell any cosmetic which—
- (a) has in it or upon it any substance which may cause injury to the health of the user thereof when the cosmetic is used—
    - (i) according to the directions on the label or otherwise accompanying the cosmetic ; or
    - (ii) for such purposes and by such methods of use as are customary or usual therefor ; or
  - (b) consists wholly or in part of any filthy or decomposed substance or of any foreign matter.
- (5) No person shall sell any device which, when used according to the directions on the label or otherwise accompanying the device, or under such conditions as are customary or usual therefor, may cause injury to the user thereof.

Prohibition  
of sale of  
certain food,  
drugs,  
cosmetics  
and devices.

## 2. Save as otherwise provided by the regulations no person shall—

- (a) advertise to the general public any food, drug, cosmetic or device as a treatment, preventative or cure for any of the diseases, disorders or abnormal physical states specified in Schedule 1 to this Decree ; or
- (b) sell any food, drug, cosmetic or device that is represented on the label or is advertised to the general public as a treatment, preventative or cure for any of the diseases, disorders or abnormal physical states specified in the said Schedule 1.

Prohibition  
of sale or  
advertise-  
ment of food,  
etc. as treat-  
ment, etc.  
for certain  
diseases.

3. Except as authorised by the regulations no person shall import into Nigeria or export therefrom, manufacture, sell, distribute or cause to be distributed (whether as samples or otherwise) any of the drugs specified in Schedule 2 to this Decree.

Prohibition  
of importa-  
tion, expor-  
tation, distri-  
bution, etc.  
of specified  
drugs.

Power of Commissioner to obtain particulars in respect of certain substances.

4.—(1) Where any person carries on any business in the course of which any substance—

(a) is used in the preparation of any food, drug or cosmetic ; or

(b) is imported, produced or sold for use in the preparation of any food, drug or cosmetic,

the Commissioner or any person authorised by the Commissioner in that behalf may serve on that person a notice requiring him to furnish to the Commissioner within such time as may be specified in the notice such particulars as may be so specified in respect of every substance which, being a substance or a substance of a class specified in the notice, is in the course of that business used as mentioned in paragraph (a) above or imported, produced or sold for use as mentioned in paragraph (b) above.

(2) Without prejudice to the generality of subsection (1) of this section, a notice under that subsection may in particular require the furnishing of the following particulars of any substance to which it applies, that is to say—

(a) particulars of the composition of the substance and the chemical formula of every ingredient thereof ;

(b) particulars of the manner in which the substance is used or intended to be used in the preparation of any food, drug or cosmetic ;

(c) particulars of—

(i) any investigations (and over what period of time) carried out by or on behalf and to the knowledge of the person carrying on the business for the purpose of determining whether or not the substance or any product produced when the substance is used as mentioned in paragraph (b) above is injurious to or otherwise affects health, and the results of any such investigations ;

(ii) any investigations or inquiries (and over what period or time) carried out by or on behalf and to the knowledge of the person carrying on the business for the purpose of determining the cumulative effect on the health of any person consuming in ordinary quantities that substance or any product produced when the substance is used as mentioned in paragraph (b) above.

(3) No person shall disclose any information supplied to the Commissioner in pursuance of a notice under subsection (1) of this section except—

(a) with the written consent of the person who supplied the information ; or

(b) in accordance with the directions of the Commissioner ; or

(c) for the purposes of any proceedings under this Decree.

5. No person shall—

(a) label, package, treat, process, sell or advertise any food, drug, cosmetic or device in a manner that is false or misleading or is likely to create a wrong impression as to its quality, character, value, composition, merit or safety ;

(b) where a standard has been prescribed for any food, drug, cosmetic or device ; label, package, sell or advertise any substance or article in such a manner that the substance or article is likely to be mistaken for that food, drug, cosmetic or device unless the substance or article complies with the prescribed standard ;

Prohibition of various misleading practices.

(c) where a standard for a drug is contained in any of the publications specified in Schedule 3 to this Decree, label, package, sell or advertise any substance which is not of the published standard in a manner likely to cause it to be mistaken for a drug of the published standard ;

(d) in the case of a drug for which no standard has been prescribed under the regulations or in any of the publications specified in Schedule 3 to this Decree—

(i) sell that drug in any manner which is likely to deceive or mislead a purchaser into thinking that the drug conforms to a standard prescribed as aforesaid ; or

(ii) sell that drug as complying with some other standard unless the drug complies with the professed standard under which it is sold.

6. No person shall under insanitary conditions manufacture, prepare, preserve, package or store for the purpose of selling any food, drug or cosmetic.

Manufacture, etc. of food, etc. under insanitary conditions.

7.—(1) No person shall manufacture for sale any drug specified in Schedule 4 to this Decree without first obtaining in accordance with the regulations a certificate of the Commissioner to the effect that premises in which the drug is intended to be manufactured and the process and conditions by and under which the manufacture is to be carried on are in the opinion of the Commissioner suitable for ensuring that the drug will be safe for use.

Commissioner's certificate for manufacture, etc. of drugs specified in Schedule 4 or 5.

(2) No person shall sell any drug specified in Schedule 5 to this Decree without first obtaining in accordance with the regulations a certificate of the Commissioner that the batch from which the drug was taken is safe for use.

(3) Save as provided in the regulations no person shall distribute or cause to be distributed as samples any of the drugs listed in Schedule 4 or 5 to this Decree.

8.—(1) The Commissioner or any person authorised by him in that behalf may order the manufacturer of any article of food, drug, cosmetic or device to furnish a declaration in the prescribed form that the article in question was manufactured in accordance with the provisions of this Decree and the regulations, and it shall be the duty of the manufacturer to comply with the requirements of the order.

Declaration by manufacturer.

(2) Save as provided by the regulations, no article of food, drug, cosmetic or device shall be imported or otherwise brought into Nigeria unless—

(a) it is accompanied by a certificate from the manufacturer to the effect that it was manufactured in accordance with any existing standard or code of practice pertaining to such product or, where such standard or code of practice does not exist for the particular product, in accordance with any international standard laid down, in the case of food, under the directive of the Codex Alimentarius Commission ; and

(b) a certificate issued by or on behalf of the Government of the country where it was manufactured to the effect that its sale in that country would not constitute a contravention of the law of that country.

(3) Notwithstanding anything contained in the foregoing provisions of this section, the Commissioner may by regulations provide that any such article as is mentioned in subsection (2) above shall not be imported into Nigeria unless it was manufactured in accordance with any standards that may be specified in the regulations.

Designation  
of inspecting  
officers and  
analysts.

9.—(1) The Commissioner may, on the recommendation of the Food and Drugs Advisory Council, and subject to the provisions of this section, designate—

- (a) as a food and drug analyst, or
- (b) as a drug analyst, or
- (c) as a food and drug inspecting officer,

any person (whether or not a member of the public service of the Federation) who possesses such qualifications and fulfils such other requirements, if any, as are prescribed under this section and shall furnish to every person so designated a certificate of designation.

(2) A person shall not be designated a food and drug analyst unless he is a graduate in chemistry and—

(a) has at his disposal such laboratory facilities as are, in the opinion of the Commissioner, adequate to enable him to discharge his functions properly under this Decree,

(b) produces evidence of post-graduate training or qualification in the analysis of food and drugs, and

(c) has had not less than five years continuous post-graduate relevant experience in the analysis of food and drugs in an approved laboratory.

(3) A person shall not be designated a drug analyst unless he holds a professional qualification in pharmacy acceptable to the Commissioner and—

(a) has at his disposal such laboratory facilities as are, in the opinion of the Commissioner, adequate to enable him to discharge his functions properly under this Decree,

(b) produces evidence of post-qualification training or experience in the analysis of drugs, and

(c) has had not less than five years continuous post-qualification experience in the analysis of drugs in an approved laboratory.

Powers of  
inspecting  
officers.

10.—(1) An inspecting officer may, in the course of his duty, at any reasonable time and on production of his certificate of designation if so required—

(a) enter (if need be by force) any premises in which he reasonably believes that any article to which this Decree or the regulations apply is manufactured, prepared, preserved, packaged, stored or sold ;

(b) examine any article in the premises which appears to him to be an article to which this Decree or the regulations apply or anything in the premises which he reasonably believes is used or is capable of being used for the manufacture, preparation, preservation, packaging, storage or sale of any such article ;

(c) take a sample or specimen of any article to which this Decree or the regulations apply or which he has power to examine under paragraph (b) above ;

(d) open and examine, while on the premises, any container or package which he reasonably believes may contain anything to which this Decree or the regulations apply or which may help him in his investigation ;

(e) examine any books, documents or other records found on the premises which he reasonably believes may contain any information relevant to the enforcement of this Decree or the regulations and make copies thereof or extracts therefrom ; and

(f) seize and detain for such time as may be necessary for the purposes of this Decree any article by means of or in relation to which he reasonably believes any provision of this Decree or the regulations has been contravened.

(2) In the foregoing subsection the expression "article to which this Decree or the regulations apply" means—

(a) any food, drug, cosmetic or device ;

(b) anything used for the manufacture, preparation, preservation, packaging or storing of any food, drug, cosmetic or device ; and

(c) any labelling or advertising material relating to or for use in connection with any food, drug, cosmetic or device,

but does not include live animals.

(3) The owner or person in charge of any premises entered by an inspecting officer pursuant to this section, and every person found thereon, shall give all reasonable assistance in their power to the inspecting officer and shall make available to the inspecting officer all such information as the officer may reasonably require for the purposes of this Decree.

(4) Any article seized under this Decree shall be kept or stored in such a place as the inspecting officer may direct and shall be returned to the owner or the person from whom it was seized if the article upon analysis or examination is found to conform with the requirements of this Decree and the regulations.

(5) Any article seized by an inspecting officer pursuant to this Decree or the regulations may be submitted to an analyst for analysis or examination, and the analyst upon making such analysis or examination shall issue a certificate or report in the prescribed form setting forth the result of such analysis or examination and, without prejudice to the generality of section 19 (2) of this Decree, the inspecting officer shall on demand deliver a copy of such certificate or report to the owner of the article if the article is to be the subject of proceedings under this Decree.

(6) In this section "animals" includes birds and fishes.

11. No person shall wilfully make or insert any false statement in any certificate or other document required by this Decree or the regulations to be issued, made or furnished.

False  
statement.

12. No person shall—

(a) obstruct or resist an inspecting officer in the execution of his duty under this Decree or the regulations ; or

(b) make in any manner whatsoever to an inspecting officer acting in the course of his duties any statement which that person knows or has reasonable cause to believe to be false or misleading ; or

(c) without the authority of an inspecting officer remove, alter or interfere in any way with any article seized under this Decree.

Obstruction  
of inspecting  
officers.

Power of inspecting officers on importation of food, etc.

13.—(1) An inspecting officer shall have the right to examine any customs entries of any food, drug or cosmetic imported for use in Nigeria and for the purposes of analysis or examination thereof to take samples of any such food, drug, or cosmetic while still in any customs shed or government warehouse in Nigeria.

(2) Where samples are taken by an inspecting officer pursuant to subsection (1) of this section, the food, drug or cosmetic from which they are taken shall not be released to the importer except on production of an analyst's certificate or report to the effect that the food, drug or cosmetic complies with the requirements of this Decree and the regulations.

(3) Where in the course of his duties under this Decree or the regulations an inspecting officer takes a sample of any food, drug or cosmetic for the purposes of analysis, he shall in the presence of the owner or importer or any person in apparent control of the food, drug or cosmetic, seal the article in triplicate, one copy of which shall be sent to the analyst, the second retained by him and the third delivered to the owner, importer, or person in apparent control, as the case may be.

#### *Forfeiture*

Forfeiture.

14.—(1) Where the owner of an article seized under this Decree consents to the forfeiture thereof the article shall thereupon be forfeited to the Commissioner.

(2) Where a person has been convicted of an offence under this Decree or the regulations the court may order that the article by means of or in respect of which the offence was committed, and anything of a similar nature belonging to or in the possession of the person convicted or found with that article, be forfeited to the Commissioner.

(3) Without prejudice to the provisions of subsection (1) of this section, where any article has been seized under this Decree, a judge of a High Court of a State or a magistrate may, upon application by an inspecting officer and after the giving of notice to such persons as the judge or magistrate may direct, order that the article and anything of a similar nature found therewith be forfeited to the Commissioner, if after hearing all the parties concerned he is of the opinion that the article is one by means of or in relation to which any of the provisions of this Decree or the regulations is being or has been contravened.

(4) Where, whether in pursuance of an order under this section or otherwise, any article or thing is forfeited to the Commissioner under this section it shall vest in the Commissioner free from encumbrances, and the Commissioner may retain it or cause it to be destroyed or otherwise disposed of as the Commissioner thinks fit.

#### *Advisory Council*

15.—(1) The Commissioner may set up a Council, to be known as the Food and Drugs Advisory Council, to assist and advise him in the preparation and review of regulations for carrying out the purposes and provisions of this Decree and with respect to any other matters connected with this Decree.

(2) The said Council shall consist of such persons as the Commissioner may appoint being persons who appear to the Commissioner to be suitable for appointment—

Food and Drugs Advisory Council.

- (a) by reasons of their knowledge or experience of the matters to which this Decree relates ; or
- (b) as representing the interests of producers or distributors of food, drugs, cosmetics or devices ; or
- (c) as representing the interests of consumers or users thereof.

### Regulations

16. The Commissioner may make regulations for carrying out the purposes and provisions of this Decree, and without prejudice to the generality of the foregoing, may in particular make regulations—

Regulations

(a) for determining what constitutes the adulteration of any food or drug or class of food or drug and for determining what constitutes foreign matter in relation to any cosmetic or class of cosmetics ;

(b) prescribing the type and level of food additive or contaminant that may be present in any food offered for sale ;

(c) with respect to—

(i) the labelling and packaging and the offering or exposing in any manner for sale of any food, drug, cosmetic or device ;

(ii) the specifications and fill of packages of food, drugs, cosmetics and devices ; and

(iii) the sale of any food, drug, cosmetic or device ;

(d) with respect to the use of any substance as an ingredient in any food, drug, cosmetic or device, for the purpose of preventing consumers or purchasers thereof from being misled or deceived as to the quantity, character, value, composition, merit or safety of that substance when so used or of preventing injury to the health of consumers or users thereof ;

(e) prescribing standards of composition, potency, purity or quality, or of any other property, for any article of food, drug, cosmetic or device ;

(f) with respect to the importation of any food, drug, cosmetic or device, for the purpose of ensuring compliance with the provisions of this Decree and the regulations ;

(g) with respect to the method of preparing, manufacturing, preserving, packing, storing, or testing of any food, drug, cosmetic or device, in the interests of, or for the prevention of injury to the health of, consumers or users thereof ;

(h) requiring persons who sell food, drugs, cosmetics or devices to maintain and keep such books or records as may be prescribed ;

(i) with respect to the form of certificate to be issued by the Commissioner for the purposes of section 7 (1) of this Decree, and the manner of application therefor including the fees payable therefor, and with respect to the premises or processes or conditions of manufacture, including the qualifications of technical staff, which are or are not to be deemed to be suitable for the purposes of that subsection ;

(j) for requiring manufacturers of any drugs specified in Schedule 4 to this Decree to submit test portions of any batch of any such drug and with respect to the form of certificate to be issued by the Commissioner for the purposes of section 7 (2) of this Decree including the fees payable therefor ;

(k) with respect to the manner of taking samples and the reporting of results of analysis or examination of samples ;

(l) exempting any food, drug, cosmetic or device from all or any of the provisions of this Decree or of the regulations, whether unconditionally or subject to prescribed conditions ;

(m) prescribing forms for the purposes of this Decree and the regulations ;

(n) providing for the analysis of food, drugs or cosmetics otherwise than for the purpose of this Decree and prescribing a tariff of fees to be paid for such analysis ;

(o) with respect to the distribution of samples of any drug ;

(p) with respect to any advertisement of drugs and cosmetics ;

(q) amending Schedules 1 to 5 to this Decree in the interests of, or for the prevention of injury to the health of, consumers or users ;

(r) prescribing anything authorised or required by this Decree to be prescribed.

#### *Penalties and Legal Proceedings*

#### **Penalties.**

17.—(1) Any person who contravenes any provision of this Decree or the regulations or fails to comply with any requirement imposed on him by a notice under section 4 (1) of this Decree shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand *naira* or to imprisonment for a term not exceeding two years, or to both.

(2) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(3) Proceedings for an offence under this section shall not be commenced except within six months of the commission thereof.

18.—(1) Subject to subsection (2) of this section it shall be a defence in any proceedings for an offence consisting of the sale of any article in contravention of this Decree or the regulations to prove—

(a) that the accused sold the article in the same package and in the same condition as it was in when he bought it ; and

(b) that the accused could not with reasonable diligence have ascertained that the sale of the article would be in contravention of this Decree or the regulations.

(2) A person charged with an offence under this Decree shall not be entitled to avail himself of the provisions of subsection (1) of this section unless he has given notice of his intention to do so at least ten days before the date of the trial and has at the same time disclosed to the prosecution the name of the person from whom he bought the article in question and the date of the purchase thereof.

Defence in proceedings for sale of food, etc.

19.—(1) In any proceedings under this Decree or the regulations the production of a certificate purporting to be signed by an analyst shall be prima facie evidence of the matters stated therein; but the party against whom the certificate is produced may require the attendance of the analyst for the purpose of cross-examination.

Certificates and pre-  
assumptions.

(2) A certificate such as is mentioned in subsection (1) above shall not be received in evidence unless the party producing it has not less than three days before the trial supplied a copy thereof to the party against whom it is intended to be produced and has notified him in writing of the intention to produce it.

(3) In any proceedings under this Decree proof that a package containing an article to which this Decree or the regulations apply bears a name or address purporting to be the name or address of the person by whom the article was manufactured or packaged shall be prima facie evidence that the article was manufactured or packaged, as the case may be, by the person whose name or address is borne on the package.

(4) Where any employee or agent commits an offence under this Decree his employer or principal shall be deemed to have committed the offence and be liable to be proceeded against and punished accordingly, whether or not the employee or agent has been prosecuted for the same offence; and for the purposes of this subsection any person selling or ostensibly employed to sell on behalf of another person shall be presumed to be employed by him.

(5) Where, in any proceedings against any person for manufacturing any adulterated food or drug contrary to the provisions of this Decree or the regulations, it is established that the food or drug is one which, under the regulations, becomes adulterated if any prescribed substance is added thereto, and that that substance was found in his possession or on his premises, it shall be presumed, unless the contrary is proved, that the food or drug manufactured by him is adulterated.

### General

20. In this Decree, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

Interpreta-  
tion.

“analyst” means any person designated as a food and drug analyst or as a drug analyst under section 9 of this Decree;

“cosmetic” means any substance or mixture of substances manufactured, sold or advertised for use in cleansing, improving or altering the complexion, skin, hair, or teeth, and includes deodorants;

“the Commissioner” means the Federal Commissioner for Health;

“device” means any instrument, apparatus or contrivance (including components, parts and accessories thereof) manufactured, sold or advertised for use in the diagnosis, treatment, mitigation or prevention of any disease, disorder, abnormal physical state or the symptoms thereof, in man or in animals;

“drug” includes any substance or mixture of substances manufactured, sold or advertised for use in—

(i) the diagnosis, treatment, mitigation or prevention of any disease disorder, abnormal physical state, or the symptoms thereof, in man or in animals;

(ii) restoring, correcting or modifying organic functions in man or in animals ;

(iii) disinfection, or the control of vermin, insects or pests ; or

(iv) contraception ;

“food” includes any article manufactured, sold or advertised for use as food or drink for man, chewing gum, and any ingredient that may be mixed with food for any purpose whatever, but does not include—

(i) water, or live animals, birds or fish,

(ii) fodder or feeding stuffs for animals, birds or fish other than supplements produced for addition to animal and poultry foodstuffs, or

(iii) articles or substances used only as drugs ;

“insanitary conditions” means such conditions or circumstances as might contaminate any food, drug or cosmetic with dirt or filth or render it injurious to health ;

“inspecting officer” means any person designated as a food and drug inspecting officer under section 9 of this Decree ;

“label” in relation to any food, drug, cosmetic, device or package includes any legend, word or mark attached to, included in, belonging to or accompanying that food, drug, cosmetic, device or package ;

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

“prescribed” means prescribed by the regulations ;

“the regulations” means any regulations made under this Decree ;

“selling” includes offering for sale, exposing for sale and having in possession for sale or distribution.

21.—(1) This Decree may be cited as the Food and Drugs Decree 1974.

(2) This Decree shall come into operation on such day as the Commissioner may by order published in the *Gazette* appoint, and thereupon the enactments set out in Schedule 6 to this Decree shall cease to have effect and shall accordingly stand repealed.

## SCHEDULES

## SCHEDULE 1

## Section 2

## DISEASES, ETC. REFERRED TO IN SECTION 2

Alcoholism  
Appendicitis  
Arteriosclerosis  
Asthma  
Blood disorders  
Cancer  
Cataract  
Diabetes  
Cholera  
Diphtheria  
Disorders of menstrual flow  
Disorders of prostate gland  
Dysentery  
Encephalitis  
Enteric fever  
Epilepsy  
Erysipelas  
Filariasis  
Gallstones, kidney stones, and bladder stones  
Gangrene  
Any genital or urinary diseases not mentioned elsewhere in this Schedule  
Glaucoma  
Goitre  
Hay Fever  
Heart disease  
Hernia  
High blood pressure  
Infective hepatitis  
Influenza  
Jaundice  
Kidney disease  
Leprosy  
Locomotor ataxis  
Loss of youth  
Measles  
Meningitis  
Mental conditions  
Mumps  
Nervousness  
Nutritional disorders

## SCHEDULE 1—continued

Obesity  
 Onchocerciasis  
 Paralysis  
 Plague  
 Pleurisy  
 Pneumonia  
 Poliomyelitis  
 Rabies  
 Rheumatic fever  
 Schistosomiasis  
 Sexual impotence, loss of virility or sterility  
 Sleeping sickness  
 Smallpox  
 Snake bite  
 Syphilis  
 Tetanus  
 Trachoma  
 Tuberculosis  
 Tumours  
 Typhoid fever  
 Undulant fever  
 Ulcers of the gastro-intestinal tract  
 Venereal diseases  
 Yaws  
 Yellow fever.

## SCHEDULE 2

## Section 3

## DRUGS REFERRED TO IN SECTION 3

## Part A

DET	..	..	..	(N, N-diethyltryptamine)
DMHP	..	..	..	(3-(1,2-dimethylheptyl)-1-hydroxy-7, 8, 9, 10 tetrahydro-6, 6, 9-trimethyl-6H-dibenzo (b,9) pyran)
DMT	..	..	..	(N, N-dimethyltryptamine)
LYSERGIDE/LSD, LSD-25			..	(+)-N, N-diethyllysergamide (d-lysergic acid diethylamide)
Mescaline	..	..	..	(3, 4, 5-trimethoxyphenethylamine)
parahexyl	..	..	..	(3-hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo (b,d) pyran)
psilocine, psilocin			..	(3-(2-dimethylaminoethyl)-4-hydroxyindole)
PSILOCYBINE	..	..	..	(3-(2-dimethylaminoethyl)indol-4-yl dihydrogen phosphate)

STP, DOM	.. ..	(2-amino-1-(2, 5-dimethoxy-4-methyl) phenyl-propane)
tetrahydrocannabinols, all isomers		1-hydroxy-3-pentyl-6a, 7, 10, 10a-tetrahydro-6, 6, 9-trimethyl-6-H <sub>2</sub> -dibenzo (b,d) pyran
AMPHETAMINE	.. ..	(+)-2-amino-1-phenylpropane)
DEXAMPHETAMINE	.. ..	(+)-2-amino-1-phenylpropane)
METHAMPHETAMINE	.. ..	(+)-2-methylamino-1-phenylpropane
METHYLPHENIDATE	.. ..	(2-phenyl-2-(2-piperidyl) acetic acid, methyl ester)
PHENMETRAZINE	.. ..	(3-methyl-2-phenylmorpholine)
PHENCYCLIDINE	.. ..	(1-(1-phenylcyclohexyl) piperidine)

Any synthetic compound or salt (however structurally derived) of Amphetamine or of any substance of the like nature as Amphetamine.

#### Part B

AMOBARBITAL	.. ..	(5-ethyl-5-(3-methylbutyl) barbituric acid)
CYCLOBARBITAL	.. ..	(5-(1-cyclohexen-1-yl)-5-ethylbarbituric acid)
GLUTETHIMIDE	.. ..	(2-ethyl-2-methylamino-1-phenyl-propane)
PENTOBARBITAL	.. ..	(5-ethyl-5-(1-methylbutyl)
SECOBARBITAL	.. ..	(5-allyl-5-(1 methylbutyl) barbituric acid)
AMFEPRAMONE	.. ..	(2-(diethylamine) propiophenone)
BARBITAL	.. ..	(5, 5-diethylbarbituric acid)
ethchlorvynol	.. ..	ethyl-2-chlorovinylethinyl-carbinol
ETHINAMATE	.. ..	1-ethynylcyclohexanolcarbamate
MEPROBAMATE	.. ..	2-methyl-2-propyl-1, 3-propanediol dicarbamate
METHAQUALONE	.. ..	2-methyl-3-o-tolyl-4 (3H)- quinazolinone
METHYLPHENOBARBITAL	.. ..	5-ethyl-1-methyl-5-phenyl-barbituric acid
METHYPRYLON	.. ..	3, 3-diethyl-5-methyl-2, 4-piperidione-
PHENOBARBITAL	.. ..	5-ethyl-5-phenylbarbituric acid
PIPRADROL	.. ..	1, 1-diphenyl-1-1-(2-piperidyl) methanol
SPA	.. ..	(-)-1-dimethylamine-1, 2-diphenylethane

#### COBALT PREPARATIONS

CYCLIZINE

SULPHAMETHOXYDIAZINE

SULPHADIMETHOXINE

AMINOPYRINE AND DIPYRONE

ACECARBROMAL

CARBROMAL

BROMISOVAL

METALLIC TIN AND ITS COMPOUNDS

HEXACHLOROPHANE

*Part B—continued*

ELIPTEN (2-(p-laminophenyl)-ethylglytarimide)

MECLOZINE

BITHIONOL 2. 2-thiobis (4, 6-dichlorophenol)

IMIPRAMINE

EFOCAINE

NEONOVUM

XENAZOIC ACID OR XENALAMINE

DITHLAZANINE IODIDE

CHLORPENTERMINE

CYCLAMATES, CYCLOHEXYLEMINE AND THEIR DERIVATIVES

COMPHEAMINES

CHLORAMPHENICOL AND ITS PREPARATIONS

CAFFEINE

EPHEDRIN AND ITS SALT

## SCHEDULE 3

Section 5

## PUBLICATIONS REFERRED TO IN SECTION 5

Pharmacopoeia Internationalis

Any other pharmacopoeia published under the authority of a recognised medical or pharmaceutical council of any country.

## SCHEDULE 4

Section 7

## DRUGS REFERRED TO IN SECTION 7 (1)

Liver extract in all forms

Insulin in all forms

Anterior pituitary extracts

Radioactive isotopes

Living vaccines for oral or parenteral use

Drugs prepared from micro-organisms or viruses, for parenteral use

Sera and drugs analogous thereto, for parenteral use

Antibiotics for parenteral use.

## SCHEDULE 5

Section 7

## DRUGS REFERRED TO IN SECTION 7 (2)

Arsphenamine

Dichlorophenarsine hydrochloride

Neoarsphenamine

Oxophenarsine hydrochloride

Sensitivity discs and tablets

Sulpharsphenamine

## SCHEDULE 6

## Section 21

## ENACTMENTS REPEALED

## PART A—MAIN ENACTMENTS

1965 No. IX .. ..	Food and Drugs (Lagos) Act 1965.
WRL. Cap. 115 .. ..	Sale of Food Law.
ERL. Cap. 117 .. ..	Sale of Food Law.
NRL. Cap. 121 .. ..	Sale of Food Law.
1968 No. 5 ... ..	Amphetamine and other Drugs (Control) Decree 1968.

## PART B—SUBSIDIARY INSTRUMENT

L.N. 3 of 1967 ; Page F 7 of 1967 Annual Volume of the Laws of the Federal Republic of Nigeria.	Food and Drugs (Lagos) Act 1965 (Commencement) Order 1967.
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MADE at Lagos this 28th day of October 1974:

GENERAL Y. GOWON,  
*Head of the Federal Military Government,  
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 purpose)*

The Decree makes provisions for the regulation of the manufacture, sale and advertisement of food, drugs, cosmetics and devices and repeals the existing State laws on those matters.

**CURRENCY CONVERSION (FORFEITURE OF PROCEEDS OF  
CERTAIN ILLEGAL TRANSACTIONS) DECREE 1974**



**Decree No. 36**

- [28th October 1974]

Commence-  
ment.

WHEREAS the Federal Military Government is satisfied that the sum of ₦29,890 in old Nigerian currency notes, now amounting to ₦59,780, which was confiscated from one Georges Even (hereinafter in this Decree referred to as "the person concerned") on or about 23rd January 1968 was part of the proceeds of illegal transactions in respect of some old Nigerian currency notes which were imported into Nigeria contrary to the provisions of the Customs and Excise (Management) Act 1958 and the Exchange Control Act 1962 :

AND WHEREAS it is in the public interest that the proceeds of the said illegal transactions which were paid into the Consolidated Revenue Fund of the Federation be now disbursed as public monies :

NOW, THEREFORE, THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The sum of ₦59,780 being the present value of the amount which was confiscated from the person concerned on or about 23rd January 1968 and was subsequently paid into the Consolidated Revenue Fund as aforesaid, is hereby forfeited to the Federal Military Government.

Forfeiture  
of certain  
assets to  
Federal  
Government.

2.—(1) Any bank official or public officer who was connected with the confiscation of the said sum or who has otherwise subsequently dealt with it since the said confiscation shall stand indemnified in respect thereof and no suit, prosecution or other legal proceedings shall lie at the instance of any person for anything done by any such bank official or public officer in respect of the confiscation.

Indemnity,  
etc.

(2) In this section—

"bank official" means any employee of any bank constituted in accordance with the provisions of the Banking Decree 1969 or any law which that Decree replaced ;

1969 No. 1.

"public officer" means a member of the public service of the Federation as defined in the Constitution of the Federation.

1963 No. 20.

Citation.

3. This Decree may be cited as the Currency Conversion (Forfeiture of Proceeds of Certain Illegal Transactions) Decree 1974.

MADE at Lagos this 28th day of October 1974.

GENERAL Y. GOWON,  
*Head of the Federal Military Government,  
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 purpose)*

The Decree forfeits the sum of ₦59,780 representing the proceeds of certain illegal transactions in respect of some old Nigerian currency notes to the Federal Military Government.

## LEGAL EDUCATION (AMENDMENT) DECREE 1974



## Decree No. 37

[5th June 1974]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1. The Legal Education Act 1962 is hereby amended as follows:—

Amendment  
of 1962  
No. 12.

(a) in section 5 (3) immediately after the words "by Parliament" there shall be inserted the words "and fees collected by the Council from students of the Nigerian Law School,"; and

(b) immediately after section 5 there shall be inserted the following new section:—

5A. All fees collected by the Council from the students of the Nigerian Law School shall be paid into the Treasury of the Government of the Federation and shall form part of the Consolidated Revenue Fund of the Federation."

"Disposal  
of fees  
collected  
by the  
Council.

2.—(1) This Decree may be cited as the Legal Education (Amendment) Decree 1974.

Citation.

(2) This Decree shall be deemed to have come into force on 5th June 1974.

MADE at Lagos this 28th day of October 1974.

GENERAL Y. GOWON,  
*Head of the Federal Military Government,  
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 the purport)*

The Decree provides for the payment of fees collected from the students of the Nigerian Law School into the Treasury as Revenue.