

Food and Drugs Act

CHAPTER F-27

An Act respecting food, drugs, cosmetics and therapeutic devices

SHORT TITLE

1 Short title

1. This Act may be cited as the *Food and Drugs Act*.

R.S., c. F-27, s. 1.

INTERPRETATION

2 Definitions

2. In this Act,

2 “advertisement” «publicité» ou «annonce»

“advertisement” includes any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device;

2 “analyst” «analyste»

“analyst” means any person designated as an analyst under [section 28](#);

2 “contraceptive device” «moyen anticonceptionnel»

“contraceptive device” means any instrument, apparatus, contrivance or substance other than a drug, that is manufactured, sold or represented for use in the prevention of conception;

2 “cosmetic” «cosmétique»

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

2 “Department” «ministère»

“Department” means the Department of National Health and Welfare;

2 “device” «instrument»

“device” means any article, instrument, apparatus or contrivance, including any component, part or accessory thereof, manufactured, sold or represented for use in

(a) the diagnosis, treatment, mitigation or prevention of a disease, disorder or abnormal physical state, or its symptoms, in human beings or animals,

(b) restoring, correcting or modifying a body function or the body structure of human beings or animals,

(c) the diagnosis of pregnancy in human beings or animals, or

(d) the care of human beings or animals during pregnancy and at and after birth of the offspring, including care of the offspring,

and includes a contraceptive device but does not include a drug;

2 “drug” «drogue»

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

(a) the diagnosis, treatment, mitigation or prevention of a disease, disorder or abnormal physical state, or its symptoms, in human beings or animals,

(b) restoring, correcting or modifying organic functions in human beings or animals, or

(c) disinfection in premises in which food is manufactured, prepared or kept;

2 “food” «aliment»

“food” includes any article manufactured, sold or represented for use as food or drink for human beings, chewing gum, and any ingredient that may be mixed with food for any purpose whatever;

2 “inspector” «inspecteur»

“inspector” means any person designated as an inspector for the purpose of the enforcement of this Act under

(a) [subsection 22\(1\)](#) of this Act,

(b) the *Department of Agriculture and Agri-Food Act*, or

the *Department of Industry Act*;

2 “label” «étiquette»

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

2 “Minister” «ministre»

“Minister” means the Minister of National Health and Welfare;

2 “package” «emballage»

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

“prescribed” Version anglaise seulement

“prescribed” means prescribed by the regulations;

2 *“sell” «vente»*

“sell” includes offer for sale, expose for sale, have in possession for sale and distribute, whether or not the distribution is made for consideration;

2 *“unsanitary conditions” «conditions non hygiéniques»*

“unsanitary conditions” means such conditions or circumstances as might contaminate with dirt or filth, or render injurious to health, a food, drug or cosmetic.

R.S., 1985, c. F-27, s. 2; R.S., 1985, c. 27 (1st Supp.), s. 191; 1992, c. 1, s. 145(F); 1993, c. 34, s. 71; 1994, c. 26, s. 32(F), c. 38, s. 18; 1995, c. 1, s. 63.

PART I

FOODS, DRUGS, COSMETICS AND DEVICES

General

3(1) Prohibited advertising

3.(1) No person shall advertise any food, drug, cosmetic or device to the general public as a treatment, preventative or cure for any of the diseases, disorders or abnormal physical states referred to in [Schedule A](#).

3(2) Prohibited label or advertisement where sale made

(2) No person shall sell any food, drug, cosmetic or device

(a) that is represented by label, or

(b) that the person advertises to the general public

as a treatment, preventative or cure for any of the diseases, disorders or abnormal physical states referred to in [Schedule A](#).

3(3) Unauthorized advertising of contraceptive device prohibited

(3) Except as authorized by regulation, no person shall advertise to the general public any contraceptive device or any drug manufactured, sold or represented for use in the prevention of conception.

R.S., 1985, c. F-27, s. 3; 1993, c. 34, s. 72(F).

Food

4 Prohibited sales of food

4. No person shall sell an article of food that

- (a) has in or on it any poisonous or harmful substance;
- (b) is unfit for human consumption;
- (c) consists in whole or in part of any filthy, putrid, disgusting, rotten, decomposed or diseased animal or vegetable substance;
- (d) is adulterated; or
- (e) was manufactured, prepared, preserved, packaged or stored under unsanitary conditions.

R.S., c. F-27, s. 4.

5(1) Deception, etc., regarding food

5. (1) No person shall label, package, treat, process, sell or advertise any food in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.

5(2) Food labelled or packaged in contravention of regulations

(2) An article of food that is not labelled or packaged as required by, or is labelled or packaged contrary to, the regulations shall be deemed to be labelled or packaged contrary to [subsection \(1\)](#).

R.S., c. F-27, s. 5.

6(1) Importation and interprovincial movement of food

6. (1) Where a standard for a food has been prescribed, no person shall

- (a) import into Canada,
- (b) send, convey or receive for conveyance from one province to another, or
- (c) have in possession for the purpose of sending or conveying from one province to another any article that is intended for sale and that is likely to be mistaken for that food unless the article complies with the prescribed standard.

6(2) Not applicable to carriers

(2) [Paragraphs \(1\)\(b\)](#) and [\(c\)](#) do not apply to an operator of a conveyance that is used to carry an article or to a carrier of an article whose sole concern, in respect of the article, is the conveyance of the article unless the operator or carrier could, with reasonable diligence, have ascertained that the conveying or receiving for conveyance of the article or the possession of the article for the purpose of conveyance would be in contravention of [subsection \(1\)](#).

6(3) Labelling, etc., of food that is imported or moved interprovincially

(3) Where a standard for a food has been prescribed, no person shall label, package, sell or advertise any article that

- (a) has been imported into Canada,
- (b) has been sent or conveyed from one province to another, or
- (c) is intended to be sent or conveyed from one province to another

in such a manner that it is likely to be mistaken for that food unless the article complies with the prescribed standard.

R.S., 1985, c. F-27, s. 6; R.S., 1985, c. 27 (3rd Supp.), s. 1.

6.1(1) Governor in Council may identify standard or portion thereof

6.1 (1) The Governor in Council may, by regulation, identify a standard prescribed for a food, or any portion of the standard, as being necessary to prevent injury to the health of the consumer or purchaser of the food.

6.1(2) Where standard or portion thereof is identified

(2) Where a standard or any portion of a standard prescribed for a food is identified by the Governor in Council pursuant to [subsection \(1\)](#), no person shall label, package, sell or advertise any article in such a manner that it is likely to be mistaken for that food unless the article complies with the standard or portion of a standard so identified.

R.S., 1985, c. 27 (3rd Supp.), s. 1.

7 Unsanitary manufacture, etc., of food

7. No person shall manufacture, prepare, preserve, package or store for sale any food under unsanitary conditions.

R.S., c. F-27, s. 7.

Drugs

8 Prohibited sales of drugs

8. No person shall sell any drug that

- (a) was manufactured, prepared, preserved, packaged or stored under unsanitary conditions;
or
- (b) is adulterated.

R.S., c. F-27, s. 8.

9(1) Deception, etc., regarding drugs

9. (1) No person shall label, package, treat, process, sell or advertise any drug in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.

9(2) Drugs labelled or packaged in contravention of regulations

(2) A drug that is not labelled or packaged as required by, or is labelled or packaged contrary to, the regulations shall be deemed to be labelled or packaged contrary to [subsection \(1\)](#).

R.S., c. F-27, s. 9.

10(1) Where standard prescribed for drug

10. (1) Where a standard has been prescribed for a drug, no person shall label, package, sell or advertise any substance in such a manner that it is likely to be mistaken for that drug, unless the substance complies with the prescribed standard.

10(2) Trade standards

(2) Where a standard has not been prescribed for a drug, but a standard for the drug is contained in any publication referred to in [Schedule B](#), no person shall label, package, sell or advertise any substance in such a manner that it is likely to be mistaken for that drug, unless the substance complies with the standard.

10(3) Where no prescribed or trade standard

(3) Where a standard for a drug has not been prescribed and no standard for the drug is contained in any publication referred to in [Schedule B](#), no person shall sell the drug unless

(a) it is in accordance with the professed standard under which it is sold; and

(b) it does not resemble, in a manner likely to deceive, any drug for which a standard has been prescribed or is contained in any publication referred to in [Schedule B](#).

R.S., c. F-27, s. 10.

11 Unsanitary manufacture, etc., of drug

11. No person shall manufacture, prepare, preserve, package or store for sale any drug under unsanitary conditions.

R.S., c. F-27, s. 11.

12 Drugs not to be sold unless safe manufacture indicated

12. No person shall sell any drug described in [Schedule C](#) or [D](#) unless the Minister has, in prescribed form and manner, indicated that the premises in which the drug was manufactured and the process and conditions of manufacture therein are suitable to ensure that the drug will not be unsafe for use.

R.S., c. F-27, s. 12.

13 Drugs not to be sold unless safe batch indicated

13. No person shall sell any drug described in [Schedule E](#) unless the Minister has, in prescribed form and manner, indicated that the batch from which the drug was taken is not unsafe for use.

R.S., c. F-27, s. 13.

14(1) Samples

14. (1) No person shall distribute or cause to be distributed any drug as a sample.

14(2) Exception

(2) [Subsection \(1\)](#) does not apply to the distribution, under prescribed conditions, of samples of drugs to physicians, dentists, veterinary surgeons or pharmacists.

R.S., c. F-27, s. 14.

15 Schedule F drugs not to be sold

15. No person shall sell any drug described in [Schedule F](#).

R.S., c. F-27, s. 15.

Cosmetics

16 Prohibited sales of cosmetics

16. No person shall sell any cosmetic that

(a) has in or on it any substance that may cause injury to the health of the user when the cosmetic is used.

(i) according to the directions on the label or accompanying the cosmetic, or

(ii) for such purposes and by such methods of use as are customary or usual therefor;

(b) consists in whole or in part of any filthy or decomposed substance or of any foreign matter; or

(c) was manufactured, prepared, preserved, packaged or stored under unsanitary conditions.

R.S., c. F-27, s. 16.

17 Where standard prescribed for cosmetic

17. Where a standard has been prescribed for a cosmetic, no person shall label, package, sell or advertise any article in such a manner that it is likely to be mistaken for that cosmetic, unless the article complies with the prescribed standard.

R.S., c. F-27, s. 17.

18 Unsanitary conditions

18. No person shall manufacture, prepare, preserve, package or store for sale any cosmetic under unsanitary conditions.

R.S., c. F-27, s. 18.

Devices

19 Prohibited sales of devices

19. No person shall sell any device that, when used according to directions or under such conditions as are customary or usual, may cause injury to the health of the purchaser or user thereof.

R.S., c. F-27, s. 19.

20(1) Deception, etc., regarding devices

20. (1) No person shall label, package, treat, process, sell or advertise any device in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its design, construction, performance, intended use, quantity, character, value, composition, merit or safety.

20(2) Devices labelled or packaged in contravention of regulations

(2) A device that is not labelled or packaged as required by, or is labelled or packaged contrary to, the regulations shall be deemed to be labelled or packaged contrary to [subsection \(1\)](#).

R.S., c. F-27, s. 20; 1976–77, c. 28, s. 16.

21 Where standard prescribed for device

21. Where a standard has been prescribed for a device, no person shall label, package, sell or advertise any article in such a manner that it is likely to be mistaken for that device, unless the article complies with the prescribed standard.

R.S., c. F-27, s. 21.

PART II ADMINISTRATION AND ENFORCEMENT

Inspection, Seizure and Forfeiture

22(1) Inspectors

22. (1) The Minister may designate any person as an inspector for the purpose of the enforcement of this Act.

22(2) Certificate to be produced

(2) An inspector shall be furnished with a prescribed certificate of his designation as an inspector and on entering any place pursuant to [subsection 23\(1\)](#) an inspector shall, if so required, produce the certificate to the person in charge of that place.

R.S., c. F-27, s. 22; 1980–81–82–83, c. 47, s. 19.

23(1) Powers of inspectors

23. (1) Subject to [subsection \(1.1\)](#), an inspector may at any reasonable time enter any place where the inspector believes on reasonable grounds any article to which this Act or the regulations apply is manufactured, prepared, preserved, packaged or stored, and may

(a) examine any such article and take samples thereof, and examine anything that the inspector believes on reasonable grounds is used or capable of being used for that manufacture, preparation, preservation, packaging or storing;

(a. 1) enter any conveyance that the inspector believes on reasonable grounds is used to carry any article to which [section 6](#) or [6.1](#) applies and examine any such article found therein and take samples thereof;

(b) open and examine any receptacle or package that the inspector believes on reasonable grounds contains any article to which this Act or the regulations apply;

(c) examine and make copies of, or extracts from, any books, documents or other records found in any place referred to in this subsection that the inspector believes on reasonable grounds contain any information relevant to the enforcement of this Act with respect to any article to which this Act or the regulations apply; and

(d) seize and detain for such time as may be necessary any article by means of or in relation to which the inspector believes on reasonable grounds any provision of this Act or the regulations has been contravened.

23(1.1) Warrant required to enter dwelling-house

(1.1) Where any place mentioned in [subsection \(1\)](#) is a dwelling-house, an inspector may not enter that dwelling-house without the consent of the occupant except under the authority of a warrant issued under [subsection \(1.2\)](#).

23(1.2) Authority to issue warrant

(1.2) Where on *ex parte* application a justice of the peace is satisfied by information on oath

(a) that the conditions for entry described in [subsection \(1\)](#) exist in relation to a dwelling-house,

(b) that entry to the dwelling-house is necessary for any purpose relating to the administration or enforcement of this Act, and

(c) that entry to the dwelling-house has been refused or that there are reasonable grounds for believing that entry thereto will be refused,

the justice of the peace may issue a warrant under his hand authorizing the inspector named therein to enter that dwelling-house subject to such conditions as may be specified in the warrant.

23(1.3) Use of force

(1.3) In executing a warrant issued under [subsection \(1.2\)](#), the inspector named therein shall not use force unless the inspector is accompanied by a peace officer and the use of force has been specifically authorized in the warrant.

23(2) Definition of “article to which this Act or the regulations apply”

(2) In [subsection \(1\)](#), “article to which this Act or the regulations apply” includes

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

(b) anything used for the manufacture, preparation, preservation, packaging or storing thereof;
and

(c) any labelling or advertising material.

23(3) Assistance and information to be given inspector

(3) The owner or person in charge of a place entered by an inspector pursuant to [subsection \(1\)](#) and every person found therein shall give the inspector all reasonable assistance and furnish the inspector with any information he may reasonably require.

R.S., 1985, c. F-27, s. 23; R.S., 1985, c. 31 (1st Supp.), s. 11, c. 27 (3rd Supp.), s. 2.

24(1) Obstruction and false statements

24. (1) No person shall obstruct or hinder, or knowingly make any false or misleading statement either orally or in writing to, an inspector while the inspector is engaged in carrying out his duties or functions under this Act or the regulations.

24(2) Interference

(2) Except with the authority of an inspector, no person shall remove, alter or interfere in any way with anything seized under this Part.

R.S., c. F-27, ss. 22, 37.

25 Storage and removal

25. Any article seized under this Part may, at the option of an inspector, be kept or stored in the building or place where it was seized or, at the direction of an inspector, the article may be removed to any other proper place.

R.S., c. F-27, ss. 22, 37.

26 Release of seized articles

26. An inspector who has seized any article under this Part shall release it when he is satisfied that all the provisions of this Act and the regulations with respect thereto have been complied with.

R.S., c. F-27, ss. 23, 37.

27(1) Destruction with consent

27. (1) Where an inspector has seized an article under this Part and its owner or the person in whose possession the article was at the time of seizure consents to its destruction, the article is thereupon forfeited to Her Majesty and may be destroyed or otherwise disposed of as the Minister, the Minister of Agriculture and Agri-Food or the Minister of Industry may direct.

27(2) Forfeiture on conviction

(2) Where a person has been convicted of a contravention of this Act or the regulations, the court or judge may order that any article by means of or in relation to which the offence was committed, and any thing of a similar nature belonging to or in the possession of the accused or found with the article, be forfeited and, on the making of the order, the article and thing are forfeited to Her Majesty and may be disposed of as the Minister, the Minister of Agriculture and Agri-Food or the Minister of Industry may direct.

27(3) Order for forfeiture on application of inspector

(3) Without prejudice to [subsection \(2\)](#), a judge of a superior court of the province in which any article is seized under this Part may, on the application of an inspector and on such notice to such persons as the judge directs, order that the article and any thing of a similar nature found therewith be forfeited to Her Majesty, to be disposed of as the Minister, the Minister of Agriculture and Agri-Food or the Minister of Industry may direct, if the judge finds, after making such inquiry as the judge considers necessary, that the article is one by means of or in relation to which any of the provisions of this Act or the regulations have been contravened.

R.S., 1985, c. F-27, s. 27; 1992, c. 1, s. 145(F); 1994, c. 38, s. 19; 1995, c. 1, s. 62.

Analysis

28 Analysts

28. The Minister may designate any person as an analyst for the purpose of the enforcement of this Act.

1980–81–82–83, c. 47, s. 19.

29(1) Analysis and examination

29. (1) An inspector may submit to an analyst, for analysis or examination, any article seized by the inspector, any sample therefrom or any sample taken by the inspector.

29(2) Certificate or report

(2) An analyst who has made an analysis or examination may issue a certificate or report setting out the results of the analysis or examination.

R.S., c. F-27, s. 24.

Regulations

30(1) Regulations

30. (1) The Governor in Council may make regulations for carrying the purposes and provisions of this Act into effect, and, in particular, but without restricting the generality of the foregoing, may make regulations

(a) declaring that any food or drug or class of food or drugs is adulterated if any prescribed substance or class of substances is present therein or has been added thereto or extracted or omitted therefrom;

(b) respecting

(i) the labelling and packaging and the offering, exposing and advertising for sale of food, drugs, cosmetics and devices,

(ii) the size, dimensions, fill and other specifications of packages of food, drugs, cosmetics and devices,

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

(iv) the use of any substance as an ingredient in any food, drug, cosmetic or device, to prevent the purchaser or consumer thereof from being deceived or misled in respect of the design, construction, performance, intended use, quantity, character, value, composition, merit or safety thereof, or to prevent injury to the health of the purchaser or consumer;

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

(d) respecting the importation of foods, drugs, cosmetics and devices in order to ensure compliance with this Act and the regulations;

(e) respecting the method of manufacture, preparation, preserving, packing, storing and testing of any food, drug, cosmetic or device in the interest of, or for the prevention of injury to, the health of the purchaser or consumer;

(f) requiring persons who sell food, drugs, cosmetics or devices to maintain such books and records as the Governor in Council considers necessary for the proper enforcement and administration of this Act and the regulations;

(g) respecting the form and manner of the Minister's indication under [section 12](#), including the fees payable therefor, and prescribing what premises or what processes or conditions of manufacture, including qualifications of technical staff, shall or shall not be deemed to be suitable for the purposes of that section;

(h) requiring manufacturers of any drugs described in [Schedule E](#) to submit test portions of any batch of those drugs and respecting the form and manner of the Minister's indication under [section 13](#), including the fees payable therefor;

(i) respecting the powers and duties of inspectors and analysts and the taking of samples and the seizure, detention, forfeiture and disposition of articles;

(j) exempting any food, drug, cosmetic or device from all or any of the provisions of this Act and prescribing the conditions of the exemption;

(k) prescribing forms for the purposes of this Act and the regulations;

(l) providing for the analysis of food, drugs or cosmetics other than for the purposes of this Act and prescribing a tariff of fees to be paid for that analysis;

(m) adding anything to any of the schedules, in the interest of, or for the prevention of injury to, the health of the purchaser or consumer, or deleting anything therefrom;

(n) respecting the distribution or the conditions of distribution of samples of any drug;

(o) respecting

(i) the method of manufacture, preparation, preserving, packing, labelling, storing and testing of any new drug, and

(ii) the sale or the conditions of sale of any new drug,

and defining for the purposes of this Act the expression “new drug”; and

(p) authorizing the advertising to the general public of contraceptive devices and drugs manufactured, sold or represented for use in the prevention of conception and prescribing the circumstances and conditions under which, and the persons by whom, those devices and drugs may be so advertised.

30(2) Regulations respecting drugs manufactured outside Canada

(2) Without limiting or restricting the authority conferred by any other provisions of this Act or any Part thereof for carrying into effect the purposes and provisions of this Act or any Part thereof, the Governor in Council may make such regulations governing, regulating or prohibiting

(a) the importation into Canada of any drug or class of drugs manufactured outside Canada, or

(b) the distribution or sale in Canada, or the offering, exposing or having in possession for sale in Canada, of any drug or class of drugs manufactured outside Canada,

as the Governor in Council deems necessary for the protection of the public in relation to the safety and quality of any such drug or class of drugs.

30(3) Regulations re the North American Free Trade Agreement and WTO Agreement

(3) Without limiting or restricting the authority conferred by any other provisions of this Act or any Part thereof for carrying into effect the purposes and provisions of this Act or any Part thereof, the Governor in Council may make such regulations as the Governor in Council deems necessary for the purpose of implementing, in relation to drugs, **Article 1711** of the North American Free Trade Agreement or **paragraph 3 of Article 39** of the Agreement on Trade-related Aspects of Intellectual Property Rights set out in Annex 1C to the WTO Agreement.

30(4) Definitions

(4) In [subsection \(3\)](#),

30(4) “North American Free Trade Agreement” « Accord de libre-échange nord-américain »

“North American Free Trade Agreement” has the meaning given to the word “Agreement” by [subsection 2\(1\)](#) of the *North American Free Trade Agreement Implementation Act*;

30(4) “WTO Agreement” « Accord sur l’OMC »

“WTO Agreement” has the meaning given to the word “Agreement” by [subsection 2\(1\)](#) of the *World Trade Organization Agreement Implementation Act*.

R.S., 1985, c. F-27, s. 30; 1993, c. 44, s. 158; 1994, c. 47, s. 117.

Offences and Punishment

31 Contravention of Act, except Parts III and IV, or regulations

31. Every person who contravenes any of the provisions of this Act, except [Parts III](#) and [IV](#), or of the regulations made under this Part is guilty of an offence and liable

(a) on summary conviction for a first offence to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months or to both and, for a subsequent offence, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both; and

(b) on conviction on indictment to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three years or to both.

R.S., c. F-27, ss. 26, 39, 46.

32 Limitation period

32. A prosecution under [paragraph 31\(a\)](#) may be instituted at any time within but not later than twelve months from the time the subject-matter of the prosecution arose.

R.S., c. F-27, s. 27.

33 Venue

33. A prosecution for a contravention of this Act or the regulations may be instituted, heard, tried or determined in the place in which the offence was committed or the subject-matter of the prosecution arose or in any place in which the accused is apprehended or happens to be.

R.S., c. F-27, s. 28.

34(1) Want of knowledge

34. (1) Subject to [subsection \(2\)](#), in a prosecution for the sale of any article in contravention of this Act, except [Parts III](#) and [IV](#), or of the regulations made under this Part, if the accused proves to the satisfaction of the court or judge that

(a) the accused purchased the article from another person in packaged form and sold it in the same package and in the same condition the article was in at the time it was so purchased, and

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

the accused shall be acquitted.

34(2) Notice of reliance on want of knowledge

(2) [Subsection \(1\)](#) does not apply in any prosecution unless the accused, at least ten days before the day fixed for the trial, has given to the prosecutor notice in writing that the accused intends to avail himself of the provisions of [subsection \(1\)](#) and has disclosed to the prosecutor the name and address of the person from whom the accused purchased the article and the date of purchase.

R.S., c. F-27, ss. 29, 39, 46.

35(1) Certificate of analyst

35. (1) Subject to this section, in any prosecution for an offence under [section 31](#) or an offence referred to in [subsection 41\(1\)](#) or [50\(1\)](#), a certificate purporting to be signed by an analyst and stating that an article, sample or substance has been submitted to, and analyzed or examined by, the analyst and stating the results of the analysis or examination is admissible in evidence and, in the absence of evidence to the contrary, is proof of the statements contained in the certificate without proof of the signature or official character of the person appearing to have signed the certificate.

35(2) Requiring attendance of analyst

(2) The party against whom a certificate of an analyst is produced pursuant to [subsection \(1\)](#) may, with leave of the court, require the attendance of the analyst for the purposes of cross-examination.

35(3) Notice of intention to produce certificate

(3) No certificate shall be admitted in evidence pursuant to [subsection \(1\)](#) unless, before the trial, the party intending to produce the certificate has given reasonable notice of that intention, together with a copy of the certificate, to the party against whom it is intended to be produced.

35(4) Proof of service

(4) For the purposes of this Act, service of any certificate referred to in [subsection \(1\)](#) may be proved by oral evidence given under oath by, or by the affidavit or solemn declaration of, the person claiming to have served it.

35(5) Attendance for examination

(5) Notwithstanding [subsection \(4\)](#), the court may require the person who appears to have signed an affidavit or solemn declaration referred to in that subsection to appear before it for examination or cross-examination in respect of the issue of proof of service.

R.S., 1985, c. F-27, s. 35; R.S., 1985, c. 27 (1st Supp.), s. 192.

36(1) Proof as to manufacturer or packager

36. (1) In a prosecution for a contravention of this Act, except [Parts III](#) and [IV](#), or of the regulations made under this Part, proof that a package containing any article to which this Act or the regulations apply bore a name or address purporting to be the name or address of the person by

whom it was manufactured or packaged is, in the absence of evidence to the contrary, proof that the article was manufactured or packaged, as the case may be, by the person whose name or address appeared on the package.

36(2) Offence by employee or agent

(2) In a prosecution for a contravention described in [subsection \(1\)](#), it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused whether or not the employee or agent is identified or has been prosecuted for the offence.

36(3) Certified copies and extracts

(3) In a prosecution for a contravention described in [subsection \(1\)](#), a copy of a record or an extract therefrom certified to be a true copy by the inspector who made it pursuant to [paragraph 23\(1\)\(c\)](#) is admissible in evidence and is, in the absence of evidence to the contrary, proof of its contents.

36(4) Where accused had adulterating substances

(4) Where a person is prosecuted under this Part for having manufactured an adulterated food or drug for sale, and it is established that the person had in his possession or on his premises any substance the addition of which to that food or drug has been declared by regulation to cause the adulteration of the food or drug, the onus of proving that the food or drug was not adulterated by the addition of that substance lies on the accused.

R.S., c. F-27, ss. 31, 39, 46.

Exports

37(1) Conditions under which exports exempt

37. (1) This Act does not apply to any packaged food, drug, cosmetic or device, not manufactured for consumption in Canada and not sold for consumption in Canada, if the package is marked in distinct overprinting with the word “Export” or “Exportation” and a certificate that the package and its contents do not contravene any known requirement of the law of the country to which it is or is about to be consigned has been issued in respect of the package and its contents in prescribed form and manner.

37(2) Definition of “drug”

(2) In [subsection \(1\)](#), “drug” does not include a drug or other substance defined as a controlled drug by [Part III](#) or as a restricted drug by [Part IV](#).

R.S., 1985, c. F-27, s. 37; 1993, c. 34, s. 73.

PART III CONTROLLED DRUGS

38 Definitions

38. In this Part,

38 “*controlled drug*” «*drogue contrôlée*»

“controlled drug” means any drug or other substance included in [Schedule G](#);

38 “*possession*” «*possession*»

“possession” means possession within the meaning of [subsection 4\(3\)](#) of the *Criminal Code*;

38 “*practitioner*” «*praticien*»

“practitioner” means a person who is registered and entitled under the laws of a province to practise in that province the profession of medicine, dentistry or veterinary medicine;

38 “*prescription*” «*ordonnance*»

“prescription” means, in respect of a controlled drug, an authorization given by a practitioner that a stated amount of the controlled drug be dispensed for the person named therein;

38 “*traffic*” «*faire le trafic*»

“traffic” means to manufacture, sell, export from or import into Canada, transport or deliver, otherwise than under the authority of this Part or the regulations.

R.S., 1985, c. F-27, s. 38; R.S., 1985, c. 27 (1st Supp.), s. 193.

38.1(1) Failure to disclose previous prescriptions

38.1 (1) No person shall, at any time, seek or obtain a controlled drug or a prescription for a controlled drug from a practitioner unless that person discloses to the practitioner particulars of every controlled drug or prescription for a controlled drug issued to that person by a different practitioner within the preceding thirty days.

38.1(2) Offence and punishment

(2) Every person who contravenes [subsection \(1\)](#)

(a) is guilty of an indictable offence and liable to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three years; or

(b) is guilty of an offence punishable on summary conviction and liable

(i) for a first offence, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months, and

(ii) for a subsequent offence, to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year.

38.1(3) Limitation period

(3) Summary conviction proceedings in respect of an offence under this section may be instituted at any time within but not later than one year from the time when the subject-matter of the proceedings arose.

R.S., 1985, c. 27 (1st Supp.), s. 194.

39(1) Trafficking in controlled drug

39. (1) No person shall traffic in a controlled drug or any substance represented or held out by the person to be a controlled drug.

39(2) Possession for trafficking

(2) No person shall have in possession any controlled drug for the purpose of trafficking.

39(3) Offence and punishment

(3) Every person who contravenes [subsection \(1\)](#) or [\(2\)](#) is guilty of an offence and liable

(a) on summary conviction, to imprisonment for a term not exceeding eighteen months; or

(b) on conviction on indictment, to imprisonment for a term not exceeding ten years.

R.S., c. F-27, s. 34.

40(1) Procedure in prosecution for possession for trafficking

40. (1) In any prosecution for a contravention of [subsection 39\(2\)](#), if the accused does not plead guilty, the trial shall proceed as if the issue to be tried is whether the accused was in possession of a controlled drug.

40(2) Procedure on finding in respect of possession

(2) If, pursuant to [subsection \(1\)](#), the court finds that the accused was not in possession of a controlled drug, the accused shall be acquitted but, if the court finds that the accused was in possession of a controlled drug, the accused shall be given an opportunity of establishing that he was not in possession of the controlled drug for the purpose of trafficking and, thereafter, the prosecutor shall be given an opportunity of adducing evidence to the contrary.

40(3) Acquittal on conviction

(3) If the accused establishes, pursuant to [subsection \(2\)](#), that he was not in possession of the controlled drug for the purpose of trafficking, the accused shall be acquitted of the offence as charged and, if the accused fails to so establish, the accused shall be convicted of the offence as charged and sentenced accordingly.

R.S., c. F-27, s. 35.

41(1) Setting out or negating exception, etc., not required

41. (1) No exception, exemption, excuse or qualification prescribed by law is required to be set out or negated, as the case may be, in an information or indictment for an offence under [section 39](#) or under [section 463](#), [464](#) or [465](#) of the *Criminal Code* in respect of an offence under [section 39](#).

41(2) Burden of proving exception, etc.

(2) In any prosecution under this Part, the burden of proving that an exception, exemption, excuse or qualification prescribed by law operates in favour of the accused is on the accused, and the

prosecutor is not required, except by way of rebuttal, to prove that the exception, exemption, excuse or qualification does not operate in favour of the accused, whether or not it is set out in the information or indictment.

R.S., c. F-27, s. 36.

42(1) Entry and search

42. (1) A peace officer may, at any time, without a warrant enter and search any place other than a dwelling-house, and under the authority of a warrant issued under [subsection \(3\)](#), enter and search any dwelling-house in which the peace officer believes on reasonable grounds there is a controlled drug by means of or in respect of which an offence under this Part has been committed.

42(2) Search of person and seizure

(2) A peace officer may search any person found in a place entered pursuant to [subsection \(1\)](#) and may seize and, from a place so entered, take away any controlled drug found in that place and any other thing that may be evidence that an offence under this Part has been committed.

42(3) Warrant to search dwelling-house

(3) A justice who is satisfied by information on oath that there are reasonable grounds for believing that there is a controlled drug, by means of or in respect of which an offence under this Part has been committed, in any dwelling-house may issue a warrant under his hand authorizing a peace officer named therein at any time to enter the dwelling-house and search for controlled drugs.

(4) [Repealed, R.S., 1985, c. 27 (1st Supp.), s. 195]

42(5) Powers of peace officer

(5) For the purpose of exercising authority under this section, a peace officer may, with such assistance as that officer deems necessary, break open any door, window, lock, fastener, floor, wall, ceiling, compartment, plumbing fixture, box, container or any other thing.

R.S., 1985, c. F-27, s. 42; R.S., 1985, c. 27 (1st Supp.), s. 195.

43(1) Application for restoration

43. (1) Where a controlled drug or other thing has been seized under [subsection 42\(2\)](#), any person may, within two months after the date of the seizure, on prior notification being given to the Crown in the manner prescribed by the regulations, apply to a magistrate within whose territorial jurisdiction the seizure was made for an order of restoration under this section.

43(2) Order of immediate restoration

(2) Subject to [section 44](#), where on the hearing of an application made under [subsection \(1\)](#) the magistrate is satisfied that the applicant is entitled to possession of the controlled drug or other thing seized, and that the thing seized is not or will not be required as evidence in any proceedings in respect of an offence under this Part, the magistrate shall order that the thing seized be restored forthwith to the applicant.

43(3) Order of restoration at later time

(3) Where on the hearing of an application made under [subsection \(1\)](#) the magistrate is satisfied that the applicant is entitled to possession of the thing seized but is not satisfied that the thing is not or will not be required as evidence in any proceedings in respect of an offence under this Part, the magistrate shall order that the thing seized be restored to the applicant

(a) on the expiration of four months after the date of seizure, if no proceedings in respect of an offence under this Part have been commenced before that time; or

(b) on the final conclusion of any such proceedings, in any other case.

43(4) Where application not made or order refused

(4) Where no application has been made for the return of any controlled drug or other thing seized pursuant to [subsection 42\(2\)](#) within two months after the date of the seizure, or an application therefore has been made but, on the hearing of the application, no order of restoration is made, the thing seized shall be delivered

(a) in the case of a controlled drug, to the Minister, who may make such disposition thereof as the Minister thinks fit; and

(b) in the case of any other thing,

(i) where the prosecution of the offence in respect of which the thing was seized was commenced at the instance of the government of a province and conducted by or on behalf of that government, to the Attorney General or Solicitor General of that province, and

(ii) in any other case, to the Minister of Supply and Services, who may dispose of the thing in accordance with the law.

R.S., 1985, c. F-27, s. 43; 1993, c. 37, s. 22.

44 Forfeiture on conviction

44. Where a person has been convicted of an offence under this Part,

(a) any controlled drug seized pursuant to [subsection 42\(2\)](#) by means of or in respect of which the offence was committed is forfeited to Her Majesty in right of Canada and shall be disposed of by the Minister as the Minister thinks fit; and

(b) any money so seized that was used for the purchase of that controlled drug is,

(i) where the prosecution of the offence in respect of which the money was seized was commenced at the instance of the government of a province and conducted by or on behalf of that government, forfeited to Her Majesty in right of that province and shall be disposed of by the Attorney General or Solicitor General of that province in accordance with the law, and

(ii) in any other case, forfeited to Her Majesty in right of Canada and shall be disposed of by the Minister of Supply and Services in accordance with the law.

R.S., 1985, c. F-27, s. 44; 1993, c. 37, s. 23.

44.1 Interpretation

44.1 For the purposes of [sections 44.2 to 44.4](#), a reference therein to an offence under [section 39](#), [44.2](#) or [44.3](#) shall be deemed to include a reference to a conspiracy or an attempt to commit, being an accessory after the fact in relation to, or any counselling in relation to, such an offence.

R.S., 1985, c. 42 (4th Supp.), s. 9.

44.2(1) Possession of property obtained by trafficking in controlled drugs

44.2 (1) No person shall possess any property or any proceeds of any property knowing that all or part of the property or of those proceeds was obtained or derived directly or indirectly as a result of

(a) the commission in Canada of an offence under [section 39](#); or

(b) an act or omission anywhere that, if it had occurred in Canada, would have constituted an offence under [section 39](#).

44.2(2) Punishment

(2) Every person who contravenes [subsection \(1\)](#)

(a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years, where the value of the subject-matter of the offence exceeds one thousand dollars; or

(b) is guilty

(i) of an indictable offence and liable to imprisonment for a term not exceeding two years, or

(ii) of an offence punishable on summary conviction,

where the value of the subject-matter of the offence does not exceed one thousand dollars.

R.S., 1985, c. 42 (4th Supp.), s. 9.

44.3(1) Laundering proceeds of trafficking in controlled drugs

44.3 (1) No person shall use, transfer the possession of, send or deliver to any person or place, transport, transmit, alter, dispose of or otherwise deal with, in any manner or by any means, any property or any proceeds of any property with intent to conceal or convert that property or those proceeds and knowing that all or a part of that property or of those proceeds was obtained or derived directly or indirectly as a result of

(a) the commission in Canada of an offence under [section 39](#); or

(b) an act or omission anywhere that, if it had occurred in Canada, would have constituted an offence under [section 39](#).

44.3(2) Punishment

(2) Every person who contravenes [subsection \(1\)](#)

(a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years; or

(b) is guilty of an offence punishable on summary conviction.

R.S., 1985, c. 42 (4th Supp.), s. 9.

44.4(1) Part XII.2 of the Criminal Code applicable

44.4 (1) Sections 462.3 and 462.32 to 462.5 of the *Criminal Code* apply, with such modifications as the circumstances require, in respect of proceedings for an offence under [section 39](#), [44.2](#) or [44.3](#).

44.4(2) Idem

(2) For the purposes of [subsection \(1\)](#),

(a) a reference in [section 462.37](#) or [462.38](#) or [subsection 462.41\(2\)](#) of the *Criminal Code* to an enterprise crime offence shall be deemed to be a reference to an offence under [section 39](#), [44.2](#) or [44.3](#); and

(b) a reference, in relation to the manner in which forfeited property is to be disposed of, in [subsection 462.37\(1\)](#) or [462.38\(2\)](#), [paragraph 462.43\(c\)](#) or [section 462.5](#) of the *Criminal Code*, to the Attorney General shall be deemed to be a reference to

(i) where the prosecution of the offence in respect of which the thing was forfeited was commenced at the instance of the government of a province and conducted by or on behalf of that government, the Attorney General or Solicitor General of that province, and

(ii) in any other case, the Minister of Supply and Services.

R.S., 1985, c. 42 (4th Supp.), s. 9; 1993, c. 37, s. 24.

45(1) Regulations respecting controlled drugs

45. (1) The Governor in Council may make regulations for carrying out the purposes and provisions of this Part, and, in particular, but without restricting the generality of the foregoing, may make regulations

(a) authorizing the manufacture, sale, importation, transportation, delivery or other dealing in controlled drugs and prescribing the circumstances and conditions under which, and the persons by whom, controlled drugs may be manufactured, sold, imported, transported, delivered or otherwise dealt in;

(b) providing for the issue of licences for the importation, manufacture or sale of controlled drugs;

(c) prescribing the form, duration and terms and conditions of any licence described in paragraph

(b) and the fees payable therefor, and providing for the cancellation and suspension of those licences;

(d) requiring persons who import, manufacture, sell, administer or deal in controlled drugs to maintain such books and records as the Governor in Council considers necessary for the proper administration and enforcement of this Part and the regulations made under this Part and to make such returns and furnish such information relating to the said controlled drugs as the Governor in Council may require;

(e) authorizing the communication of any information obtained under this Part or the regulations to provincial professional licensing authorities; and

(f) prescribing a fine not exceeding five hundred dollars or a term of imprisonment not exceeding six months, or both, to be imposed on summary conviction, as punishment for the contravention of any regulation.

45(2) Amendment of Schedule G

(2) The Governor in Council may amend [Schedule G](#) by adding thereto or deleting therefrom any substance, the inclusion or exclusion of which, as the case may be, is deemed necessary by the Governor in Council in the public interest.

R.S., c. F-27, s. 38.

PART IV RESTRICTED DRUGS

46 Definitions

46. In this Part,

46 “possession” «possession»

“possession” means possession within the meaning of [subsection 4\(3\)](#) of the *Criminal Code*;

46 “regulations” «règlements»

“regulations” means regulations made as provided for by or under [section 51](#);

46 “restricted drug” «drogue d’usage restreint»

“restricted drug” means any drug or other substance included in [Schedule H](#);

46 “traffic” «faire le trafic»

“traffic” means to manufacture, sell, export from or import into Canada, transport or deliver, otherwise than under the authority of this Part or the regulations.

R.S., c. F-27, s. 40.

47(1) Possession of restricted drug

47. (1) Except as authorized by this Part or the regulations, no person shall have a restricted drug in possession.

47(2) Offence

(2) Every person who contravenes [subsection \(1\)](#) is guilty of an offence and liable

(a) on summary conviction for a first offence, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both and, for a subsequent offence, to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both; or

(b) on conviction on indictment, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three years or to both.

R.S., c. F-27, s. 41.

48(1) Trafficking in restricted drug

48. (1) No person shall traffic in a restricted drug or any substance represented or held out by the person to be a restricted drug.

48(2) Possession for trafficking

(2) No person shall have in possession any restricted drug for the purpose of trafficking.

48(3) Offence

(3) Every person who contravenes [subsection \(1\)](#) or [\(2\)](#) is guilty of an offence and liable

(a) on summary conviction, to imprisonment for a term not exceeding eighteen months; or

(b) on conviction on indictment, to imprisonment for a term not exceeding ten years.

R.S., c. F-27, s. 42.

49(1) Procedure in prosecution for possession for trafficking

49. (1) In any prosecution for a contravention of [subsection 48\(2\)](#), if the accused does not plead guilty, the trial shall proceed as if the issue to be tried is whether the accused was in possession of a restricted drug contrary to [subsection 47\(1\)](#).

49(2) Procedure on finding in respect of possession

(2) If, pursuant to [subsection \(1\)](#), the court finds that the accused was not in possession of a restricted drug contrary to [subsection 47\(1\)](#), the accused shall be acquitted but, if the court finds that the accused was in possession of a restricted drug contrary to [subsection 47\(1\)](#), the accused shall be given an opportunity of establishing that he was not in possession of the restricted drug for the purpose of trafficking and, thereafter, the prosecutor shall be given an opportunity of adducing evidence to the contrary.

49(3) Acquittal and conviction

(3) If the accused establishes, pursuant to [subsection \(2\)](#), that he was not in possession of the restricted drug for the purpose of trafficking, the accused shall be acquitted of the offence as charged but shall be convicted of an offence under [subsection 47\(1\)](#) and sentenced accordingly, and

if the accused fails to so establish, the accused shall be convicted of the offence as charged and sentenced accordingly.

R.S., c. F-27, s. 43.

50(1) Setting out or negating exception, etc., not required

50. (1) No exception, exemption, excuse or qualification prescribed by law is required to be set out or negated, as the case may be, in an information or indictment for an offence under this Part or under [section 463](#), [464](#) or [465](#) of the *Criminal Code* in respect of an offence under this Part.

50(2) Burden of proving exception, etc.

(2) In any prosecution under this Part, the burden of proving that an exception, exemption, excuse or qualification prescribed by law operates in favour of the accused is on the accused, and the prosecutor is not required, except by way of rebuttal, to prove that the exception, exemption, excuse or qualification does not operate in favour of the accused, whether or not it is set out in the information or indictment.

R.S., c. F-27, s. 44.

50.1 Interpretation

50.1 For the purposes of [section 44.4](#), as that section is applicable in respect of this Part by virtue of [section 51](#), and [sections 50.2 to 51](#), a reference therein to an offence under [section 48](#), [50.2](#) or [50.3](#) shall be deemed to include a reference to a conspiracy or an attempt to commit, being an accessory after the fact in relation to, or any counselling in relation to, such an offence.

R.S., 1985, c. 42 (4th Supp.), s. 10.

50.2(1) Possession of property obtained by trafficking in restricted drugs

50.2 (1) No person shall possess any property or any proceeds of any property knowing that all or part of the property or of those proceeds was obtained or derived directly or indirectly as a result of

(a) the commission in Canada of an offence under [section 48](#); or

(b) an act or omission anywhere that, if it had occurred in Canada, would have constituted an offence under [section 48](#).

50.2(2) Punishment

(2) Every person who contravenes [subsection \(1\)](#)

(a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years, where the value of the subject-matter of the offence exceeds one thousand dollars; or

(b) is guilty

(i) of an indictable offence and liable to imprisonment for a term not exceeding two years, or

(ii) of an offence punishable on summary conviction,

where the value of the subject-matter of the offence does not exceed one thousand dollars.

R.S., 1985, c. 42 (4th Supp.), s. 10.

50.3(1) Laundering proceeds of trafficking in restricted drugs

50.3 (1) No person shall use, transfer the possession of, send or deliver to any person or place, transport, transmit, alter, dispose of or otherwise deal with, in any manner or by any means, any property or any proceeds of any property with intent to conceal or convert that property or those proceeds and knowing that all or a part of that property or of those proceeds was obtained or derived directly or indirectly as a result of

(a) the commission in Canada of an offence under [section 48](#); or

(b) an act or omission anywhere that, if it had occurred in Canada, would have constituted an offence under [section 48](#).

50.3(2) Punishment

(2) Every person who contravenes [subsection \(1\)](#)

(a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years; or

(b) is guilty of an offence punishable on summary conviction.

R.S., 1985, c. 42 (4th Supp.), s. 10.

51(1) Application of certain provisions of Part III

51. (1) [Sections 42 to 44](#), [44.4](#) and [45](#) apply in respect of this Part.

51(2) Modification for purpose of application

(2) For the purposes of [subsection \(1\)](#),

(a) there shall be substituted for the expression “controlled drug”, wherever it appears in any of the sections referred to in that subsection, the expression “restricted”;

(b) a reference in any of those sections

(i) to “[Schedule G](#)” shall be deemed to be a reference to [Schedule H](#), and

(ii) to “this Part” shall be deemed to be a reference to [Part IV](#); and

(c) a reference in [section 44.4](#) or in a provision of the *Criminal Code* mentioned therein

(i) to “an offence under [section 39](#), [44.2](#) or [44.3](#)” shall be deemed to be a reference to an offence under [section 48](#), [50.2](#) or [50.3](#), and

(ii) to “this Part” shall be deemed to be a reference to [Part IV](#).

51(3) Additional regulations

(3) In addition to the regulations provided for by [subsection \(1\)](#), the Governor in Council may make regulations authorizing the possession or export of restricted drugs and prescribing the circumstances and conditions under which, and the persons by whom, restricted drugs may be had in possession or exported.

R.S., 1985, c. F-27, s. 51; R.S., 1985, c. 42 (4th Supp.), s. 11.

SCHEDULE A

(Section 3)

Alcoholism

Alcoolisme

Alopecia

Alopécie

Anxiety state

États d'angoisse

Appendicitis

Appendicite

Arteriosclerosis

Artériosclérose

Arthritis

Arthrite

Asthma

Asthme

Bladder disease

Vessie (maladies)

Cancer

Cancer

Convulsions

Convulsions

Depression

Dépression

Diabetes

Diabète

Disease of the prostate

Prostate (maladies)

Disorder of menstrual flow

Troubles du flot menstruel

Dysentery

Dysenterie

Edematous state

Œdème

Epilepsy
Épilepsie

Gall bladder disease
Vésicule biliaire (maladies)

Gangrene
Gangrène

Glaucoma
Glaucome

Gout
Goutte

Heart disease
Coeur (maladies)

Hernia
Hernie

Hypertension
Hypertension

Hypotension
Hypotension

Impetigo
Impétigo

Kidney disease
Reins (maladies)

Leukemia
Leucémie

Liver disease
Foie (maladies)

Nausea and vomiting of pregnancy
Nausées et vomissements de la grossesse

Obesity
Obésité

Pleurisy
Pleurésie

Rheumatic fever
Rhumatisme articulaire aigu

Septicemia
Septicémie

Sexual impotence
Impuissance sexuelle

Thrombotic and Embolic disorders
Maladies thrombotiques et embolies

Thyroid disease
Glande thyroïdienne (affections)

Tumor

Tumeurs

Ulcer of the gastro-intestinal tract

Ulcères des voies gastro-intestinales

Venereal disease

Maladies vénériennes

R.S., 1985, c. F-27, Sch. A; SOR/88–252; SOR/89–503; SOR/90–655; SOR/92–198; SOR/94–287.

SCHEDULE B

(Section 10)

The most recent editions, including all errata, supplements, revisions and addenda, of the following standards:

	Column I	Column II
Item	Name	Abbreviation
1.	European Pharmacopoeia	(Ph.Eur.)
2.	Pharmacopée française	(Ph.F.)
3.	Pharmacopoeia Internationalis	(Ph.I.)
4.	The British Pharmacopoeia	(B.P.)
5.	The Canadian Formulary	(C.F.)
6.	The National Formulary	(N.F.)
7.	The Pharmaceutical Codex: Principles and Practices of Pharmaceuticals	
8.	The United States Pharmacopoeia	(U.S.P.)

R.S., 1985, c. F-27, Sch. B; SOR/85–276; SOR/89–315; SOR/90–160; SOR/94–288; SOR/95–530, s. 2; SOR/96–96.

SCHEDULE C

(Section 12)

Drugs, other than radionuclides, sold or represented for use in the preparation of radiopharmaceuticals

Drogues...

Radiopharmaceuticals

Produits pharmaceutiques radioactifs

R.S., c. F-27, Sch. C; SI/72–44; SI/76–1; SOR/79–237; SOR/81–195, 332; SOR/82–769.

SCHEDULE D

(Section 12)

Allergenic substances used for the treatment or diagnosis of allergic or immunological diseases

Substances...

Anterior pituitary extracts

Extraits hypophysaires (lobe antérieur)

Aprotinin

Aprotinine

Blood and blood derivatives

Sang et dérivés du sang

Cholecystokinin

Cholécystokinine

Drugs obtained by recombinant DNA procedures

Drogues obtenues...

Drugs, other than antibiotics, prepared from micro-organisms

Drogues, sauf...

Glucagon

Glucagon

Gonadotrophins

Gonadotrophines

Human plasma collected by plasmapheresis

Plasma...

Immunizing agents

Agents immunisants

Insulin

Insuline

Interferon

Interféron

Monoclonal antibodies, their conjugates and derivatives

Anticorps monoclonaux et leurs dérivés et conjugués

Secretin

Sécrétine

Sensitivity Discs and Sensitivity Tablets

Disques...

Snake Venom

Venin de serpent

Urokinase

Urokinase

R.S., 1985, c. F-27, Sch. D; SOR/85-715, s. 1; SOR/89-177; SOR/93-64.

SCHEDULE E

(Section 13)

R.S., c. F-27, Sch. E; SOR/77-824; SOR/82-769.

SCHEDULE F

(Section 15)

R.S., c. F-27, Sch. F; SOR/84-566.

SCHEDULE G

(Section 38)

Amphetamine and its salts

Amphétamine et ses sels

Androisoxazole

Androisoxazole

Androstanolone

Androstanolone

Androstenediol and its derivatives

Androstènediol et ses dérivés

Barbituric acid and its salts and derivatives

Acide...

Benzphetamine and its salts

Benzphétamine et ses sels

Bolandiol and its derivatives

Bolandiol et ses dérivés

Bolasterone

Bolastérone

Bolazine

Bolazine

Boldenone and its derivatives

Boldénone et ses dérivés

Bolenol

Boléol

Butorphanol and its salts

Butorphanol et ses sels

Calusterone

Calustérone

Chlorphentermine and its salts

Chlorphentermine et ses sels

Clostebol and its derivatives

Clostébol et ses dérivés

Diethylpropion and its salts

Diéthylpropion et ses sels

Drostanolone and its derivatives

Drostanolone et ses dérivés

Enestebol

Énestébol

Epitiostanol

Épitiostanol

Ethylestrenol

Éthylestrénol

Fluoxymesterone

Fluoxymestérone

Formebolone

Formébolone

Furazabol

Furazabol

4-Hydroxy-19-nortestosterone and its derivatives

Hydroxy-4 nor-19 testostérone et ses dérivés

Mebolazine

Mébolazine

Mesabolone

Mésabolone

Mesterolone

Mestérolone

Metandienone

Métandiénone

Metenolone and its derivatives

Métérolone et ses dérivés

Methamphetamine and its salts

Méthamphétamine et ses sels

Methandriol

Méthandriol

Methaqualone and its salts

Méthaqualone et ses sels

Methylphenidate and its salts

Méthylphenidate et ses sels

Methyltestosterone and its derivatives

Méthyltestostérone et ses dérivés

Metribolone

Métribolone

Mibolerone

Mibolérone

Nalbuphine and its salts

Nalbuphine et ses sels

Nandrolone and its derivatives

Nandrolone et ses dérivés

Norboletone
Norbolétone

Norclostebol and its derivatives
Norclostébol et ses dérivés

Norethandrolone
Noréthandrolone

Oxabolone and its derivatives
Oxabolone et ses dérivés

Oxandrolone
Oxandrolone

Oxymesterone
Oxymestérone

Oxymetholone
Oxymétholone

Phendimetrazine and its salts
Phendimétrazine et ses sels

Phenmetrazine and its salts
Phenmétrazine et ses sels

Phentermine and its salts
Phentermine et ses sels

Prasterone
Prastérone

Quinbolone
Quinbolone

Stanozolol
Stanozolol

Stenbolone and its derivatives
Stenbolone et ses dérivés

Testosterone and its derivatives
Testostérone et ses dérivés

Thiobarbituric acid and its salts and derivatives
Thiobarbiturique...

Tibolone
Tibolone

Tiomesterone
Tiomestérone

Trenbolone and its derivatives
Trenbolone et ses dérivés

Zeranol
Zéranol

R.S., 1985, c. F-27, Sch. G; SOR/92-387.

SCHEDULE H

(Section 46)

Lysergic acid diethylamide (LSD) or any salt thereof
N,N-Diethyltryptamine (DET) or any salt thereof
N,N-Dimethyltryptamine (DMT) or any salt thereof
4-Methyl-2,5-dimethoxyamphetamine (STP(DOM)) or any salt thereof
3,4-methylenedioxyamphetamine (MDA) or any salt thereof
N-methyl-3-piperidyl benzilate (LBJ) or any salt thereof
2,3-dimethoxyamphetamine or any salt thereof
2,4-dimethoxyamphetamine or any salt thereof
2,5-dimethoxyamphetamine or any salt thereof
2,6-dimethoxyamphetamine or any salt thereof
3,4-dimethoxyamphetamine or any salt thereof
3,5-dimethoxyamphetamine or any salt thereof
4,9-dihydro-7-methoxy-1-methyl-3H-pyrido (3,4-b) indole (Harmaline) and any salt thereof
4,9-dihydro-1-methyl-3H-pyrido (3,4-b) indol-7-ol (Harmalol) and any salt thereof
4-methoxyamphetamine or any salt thereof
3-[2-(Dimethylamino)ethyl]-4-hydroxyindole (Psilocin) or any salt thereof
3-[2-(Dimethylamino)ethyl]-4-phosphoryloxyindole (Psilocybin) or any salt thereof
2,4,5-Trimethoxyamphetamine or any salt, isomer, or salt of isomer, thereof
3,4-methylenedioxy-N-methylamphetamine or any salt thereof
N-(1-phenylcyclohexyl) ethylamine or any salt thereof
4-bromo-2, 5-dimethoxyamphetamine or any salt thereof
1-[1-(2-thienyl) cyclohexyl] piperidine and its salts
1-phenyl-N-propylcyclohexanamine or any salt thereof
3, 4, 5-trimethoxybenzeneethanamine (Mescaline) or any salt thereof but not including peyote (lophophora)
4-ethoxy-2, 5-dimethoxy-?-methylbenzeneethanamine or any salt, isomer, or salt of isomer, thereof
7-methoxy-?-methyl-1,3-benzodioxole-5-ethanamine (MMDA) or any salt, isomer or salt of isomer thereof
N,N,?-trimethyl-1,3-benzodioxole-5-ethanamine or any salt, isomer or salt of isomer thereof
N-ethyl-?-methyl-1,3-benzodioxole-5-ethanamine or any salt, isomer or salt of isomer thereof
4-ethyl-2,5-dimethoxy-?-methylbenzeneethanamine (DOET) or any salt, isomer or salt of isomer thereof
4-ethoxy-?-methylbenzeneethanamine or any salt, isomer or salt of isomer thereof
4-chloro-2, 5-dimethoxy-?-methylbenzeneethanamine or any salt, isomer or salt of isomer thereof

4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine (4-methylaminorex) or any salt thereof
N-ethyl-?-methylbenzeneethanamine or any salt thereof
?-methyl-N-propyl-1,3-benzodioxole-5-ethanamine or any salt, isomer or salt of isomer thereof
1-[1-(phenylmethyl)cyclohexyl]piperidine or any salt, isomer or salt of isomer thereof
1-[1-(4-methylphenyl)cyclohexyl]piperidine or any salt, isomer or salt of isomer thereof
2-methylamino-1-phenyl-1-propanone or any salt thereof
4-bromo-2,5-dimethoxybenzeneethanamine or any salt, isomer or salt of isomer thereof
N-(2-hydroxyethyl)-?-methylbenzeneethanamine or any salt, isomer or salt of isomer thereof R.S.,
1985, c. F-27, Sch. H; SOR/86-90, 833; SOR/87-76, 406, 485, 574, 653; SOR/89-410; SOR/90-
156; SOR/94-689, s. 2(F); SOR/95-79.

RELATED PROVISION

—**R.S., 1985, c. 27 (1st Supp.), s. 208:**

Writs of Assistance

“**208.** Nothing in **sections 190, 195, 199 and 200** of this Act shall be construed as rendering invalid or inadmissible in any proceedings any evidence obtained by the exercise of a writ of assistance prior to the coming into force of those sections.”
