

Poisons Act, 1919

Poisons Act, 1919 – In-depth Explanation (Pharmacy Law & Ethics)

Introduction

- The **Poisons Act, 1919** is one of the oldest legal frameworks in India aimed at controlling the **import, possession, and sale of poisons**.
- It was enacted during British rule and remains relevant today, especially when dealing with toxic substances that can cause harm to humans or animals if not handled properly.

Why this Act is important in Pharmacy?

- Pharmacists often deal with toxic and dangerous substances in the form of raw materials or finished drug products.
- Mishandling or unauthorized sale of such substances can lead to accidental poisoning, drug abuse, illegal trade, or even intentional harm.
- This Act ensures only authorized individuals have access to poisons under controlled and regulated conditions.

Objectives of the Poisons Act, 1919

- The Act was introduced to Fulfill the following **core objectives**:
 1. To regulate the import, possession, and sale of poisonous substances.
 2. **To ensure public safety** by preventing the misuse or unauthorized sale of poisons.
 3. To prevent accidental or intentional poisoning.
 4. **To protect consumers and healthcare professionals** by ensuring poisons are handled responsibly.
 5. **To maintain proper records** of poisons handled and sold.
 6. **To empower the government** to categorize substances as "poison" and control their trade.

Definition under the Poisons Act

- The Poisons Act does not provide an exhaustive or rigid definition of the term "Poison", nor does it include a comprehensive list of poisons.
- However, certain key terms and interpretations are generally understood in the context of the Act and pharmacy practice:

Poison

- Although not explicitly defined in the Act, a poison is generally understood to be any substance that, when introduced into the body in small quantities, can cause harm, injury, or death.
- This harm may result from:
 - Chemical reaction
 - Metabolic alteration
 - Systemic toxicity
- Poisons may be naturally occurring or synthetic in nature.
- The actual list of substances classified as poisons is notified and regulated by State Governments under the provisions of this Act.
- Therefore, the classification of a substance as a poison may vary from one state to another.

Examples of Commonly Regulated Poisons

- Arsenic
- Cyanide
- Mercury compounds
- Strychnine
- Opium and its derivatives (also controlled under the NDPS Act)
- Carbolic acid
- Strong acids such as Hydrochloric acid (HCl) and Sulfuric acid (H₂SO₄)

Related Definitions under the Act

- **Import:** Bringing poison into India from any foreign country.
- **Sale:** Includes both wholesale and retail selling of poisons.
- **Possession:** Holding or storing poison, whether for personal use, medical purposes, or for sale.

Possession of Poisons

- Under the Poisons Act, the possession of poisons is strictly regulated and generally requires authorization or a license from the appropriate State Authority.
- The following rules and conditions apply:

Who Can Possess Poisons?

- Only certain individuals and entities are allowed to possess notified poisons, subject to proper licensing or exemption:
 - **Licensed dealers, pharmacists, and chemists** – must obtain a license from the District Collector or other authorized State Government authority.

- Licensed medical practitioners
- Veterinarians
- Registered pharmacists or chemists
- Educational or research institutions
- Government departments and hospitals
- Industrial units using poisons for manufacturing or production purposes

Exemptions

- Some professionals or institutions may be granted exemptions for possessing certain poisons, particularly when used for:
 - Medical treatment
 - Veterinary purposes
 - Scientific research
 - Educational use
 - Industrial manufacturing

Conditions for Possession:

- Must be stored safely in labeled containers.
- Should be clearly marked with “POISON” and specific warning labels.
- **Records** must be maintained showing:
 - Quantity possessed
 - Purpose of use
 - Person responsible

Pharmacist's Responsibility:

- Ensure no unauthorized person can access poisons.
- Store poisons in locked cabinets.
- Use separate areas for storage of Schedule X or Schedule H1 drugs (many of which are poisonous in large doses).

Possession for Sale and Sale of Poisons

- This is one of the **most regulated** aspects of the Act.

License Requirement:

- Sale or possession for sale of poisons requires a **license**, which is granted only if the applicant:
 - Has suitable premises
 - Maintains prescribed records
 - Follows labeling and packaging standards

Conditions for Sale:

- Sold only by **licensed persons**.
- Sold only to:
 - Licensed buyers
 - Authorized institutions (e.g., hospitals, labs)
 - Registered medical practitioners (RMPs)

Labeling Requirements:

- **Name of poison**
- Word “**POISON**” clearly written
- **Name and address** of seller
- **Instructions** for safe use and storage
- **Antidote** (if applicable)

Record Keeping:

- **Register of Poisons** must be maintained.
- Entries should include:
 - Name of buyer
 - Address
 - Quantity sold
 - Purpose
 - Signature or identification of buyer

Pharmacist's Ethical Duties:

- Verify identity and credentials of the purchaser.
- Refuse sale if the buyer appears suspicious or if the intended use is unclear.
- Educate the buyer on safe use and first aid measures in case of exposure.

Storage:



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