

DIS 461C

BSE AND VETERINARY PROBLEMS

Thank you for copying to me your minute of 10 June addressed to Mr Kyle.

2. It is correct that the activity of veterinary surgeons in collecting pituitaries from abattoirs and processing them to secure gonadotropins is an activity which could enjoy the veterinary exemption under Section 9(2) of the Medicines Act. The sale and supply of such a product which the vet has specially prepared himself seems quite legal.

3. However, such preparations fall under 81/851/EEC as they are not covered by the exemption of Article 2.2, second indent. Therefore they come under the controls on administration in Article 4.2 which provides that a veterinary medicinal product shall not be administered to an animal unless it has been licensed. The only exemption then lies in Article 2.2, fourth indent, which would allow administration to one particular animal or a small number of animals.

4. There is, thus, a very small loophole. We might be able to block that loophole by a ban on sale or supply on grounds of safety (by means of an order under Section 15 or Section 62) but I would think that you would want statutory provisions to bite on either collection of material or on administration of the product. For that purpose animal health legislation might provide a better bet.

KW

K W WILKES
13 June 1988

Dr Little + 1

- cc Mr Kyle
- Mr Meldrum, CVO
- Mr K Taylor
- Mr J Cross
- Dr Watson
- Mr Wilesmith
- Mr Bradley
- Mr Kidd
- Dr Thornton
- Mr Muriel + pp
- Miss Cogger + cc 22.10.6

88/06.13/8.1

Mr Hamlin

cc. Dr. Dewson

Mr. Surich

Mr 15/6

*Wm. AH Ripstein
may be available*

Mr Lawrence

Sent 14 6 88

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