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Pharmacy Law & Ethics
Chapter 7 : Poison Act 1919

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Chapter 7
Poison Act 1919

- → The Poison Act , 1919 was passed to regulate the import , possession and sale of poisons in India.
- → The central government regulate the import of poisons in India
- → The state government regulate and make rules for a possession and sale of poisons in their areas.

Objective of Poisons Act-1919

- To regulate the sale and possession of poisons in the country and to prevent the illegal use of these substances.
- To ensure that certain poisons are labeled and sold only by licensed dealers, in order to protect the public from the dangerous effects of toxic substances.
- To establish penalties for the illegal sale or possession of poisons, as a deterrent against such activities.
- To require that a register be kept of all poisons sold, including the name and address of the purchaser, in order to track the sale and use of these substances.
- To protect the public from the dangerous effects of toxic substances and to prevent the misuse of poisons.

Definition

- → Poison" The act defined a poison as any substance which, if used or applied in a certain way, would be likely to cause death, injury or damage to health.

Possession

- → Possession refers to the act of having control over or owning something. In legal terms, possession can refer to physical possession of an object, such as a piece of property or a weapon, or to constructive possession, which means that an individual has control or authority over something, even if they do not physically have it in their possession.
- → In the context of the Poisons Act 1919 in India, possession would refer to an individual or organization having physical or constructive control over a poison, regardless of whether they own it or not.

Possession for sale and sale of poison

- The State Government may by rule regulate within the whole or any part of the territories under its administration the possession for sale and the sale, whether wholesale or retail, of any specified poison.
    - The grant of licences to possess any specified poison for sale, wholesale or retail, and fixing of the fee (if any) to be charged for such licences.
    - The classes of persons to whom alone such licences may be granted.
    - The classes of persons to whom alone any such poison may be sold.
    - The maximum quantity of any such poison which may be sold to any one person.
    - The maintenance by vendors of any such poison of registers of sales, the particulars to be entered in such registers, and the inspection of the same.
    - The safe custody of such poisons and the labelling of the vessels, packages or coverings in which any such poison is sold or possessed for sale.
    - The inspection and examination of any such poison when possessed for sale by any such vendor.

Import of Poisons

- Import of specified poison is allowed only under and in accordance with the conditions of a license, the central government may regulate the grant of such licenses

Offences and Penalties

- If someone violates the Act , He or She will be punished with imprisonment for 3 months or a fine of 500 rupees or both on first conviction , and on subsequent conviction imprisonment of 6 months and or a fine of 1000 Rs , or both.