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香港工業總會  
FHKI

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Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Chairman  
Bills Committee on Pharmacy and Poisons (Amendment) Bill 2014  
Legislative Council

Dear Prof Lee,

**Pharmacy and Poisons (Amendment) Bill 2014**

The Chemical and Pharmaceutical Industries Council of the Federation of Hong Kong Industries has the following comments on the captioned Amendment Bill:

1. Revised definitions of “pharmaceutical products” and “medicine”:

The proposed revised definitions of “pharmaceutical product” and “medicine” are too wide and non-specific. With the repeal of the existing definition and the substitution of “combination of substances presented as having properties for treating or preventing disease in human beings or animals; or that may be used in, or administrated to, human beings or animals, either with a view to restoring, correcting or modifying physical functions by exerting a pharmacological, immunological or metabolic action; or making a medical diagnosis”, a lot of food substance and herbal substance, will fall into these categories.

In daily life, a very wide range of herbal substances are used and consumed by the general public. Many of the commonly used herbal substances or herbal remedies possess “properties for treating or preventing disease” or can “restore, correct or modify physiological functions by exerting a pharmacological, immunological or metabolic action”. If the revised definitions are adopted, we anticipate that a lot of health food products and herbal food and drinks will fall into the categories of pharmaceutical products or medicine, say a pack of red-date ginger tea extract, or a wide variety of food supplements (such as berries, mushrooms and seaweed) may then be considered as pharmaceutical products and medicine.

2. Requirements for registration of an authorized person:

The applicant is required to be a registered pharmacist and has at least three years’ relevant experience in Hong Kong or elsewhere in manufacturing pharmaceutical products in accordance with the GMP Guide. While a registered pharmacist has already received proper training, which definitely has covered the essential knowledge and expertise of GMP, and is a law-abiding

professional, we are skeptical that why this person needs three years' of GMP experience to be registered as an authorized person.

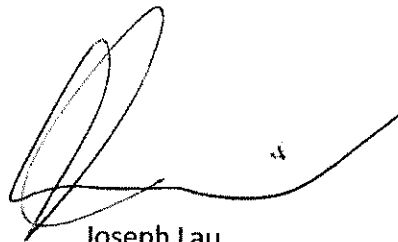
3. Restrictions on the registered pharmacist:

While we agree and support that an Authorised Seller of Poison (ASP) must have a registered pharmacist on duty for two-third of its opening hours, we do not agree that restriction should be imposed on a registered pharmacist for being engaged in employment with another ASP at the same time. We are of the view that proper surveillance of the operation of ASP will be sufficient to ensure the effective implementation of the Guidelines under the Pharmacy and Poisons Ordinance.

A registered pharmacist is a free person and there exists no reason to restrict the right and freedom of the employment of such person. In fact, there is no similar restriction imposed on other medical professionals including medical doctors, registered nurses and registered physiotherapists.

4. Chinese translation of "expiry date":

It is noted that the term "expiry date" is translated as (使用期限). We are of the view that this is not an accurate translation. We suggest to use (有效期限) or (失效日期) which shall be more accurate in the literate meaning of the term expiry date and in line with the wordings used in other related Ordinances.



Joseph Lau  
Vice Chairman

Chemical and Pharmaceutical Industries Council  
Federation of Hong Kong Industries