

立法會
Legislative Council

LC Paper No. LS127/01-02

**Paper for the House Committee Meeting
on 28 June 2002**

**Legal Service Division Report on
Proposed Resolution under section 29 of the
Pharmacy and Poisons Ordinance (Cap. 138)**

The Secretary for Health and Welfare (the Secretary) has given notice to move a motion at the Legislative Council meeting to be held on 10 July 2002. The motion seeks the Legislative Council to approve the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2002 and the Poisons List (Amendment) (No. 3) Regulation 2002 ("the Amendment Regulations").

2. The Amendment Regulations seek to -
- (a) add 2 new substances, i.e. Dexmedetomidine and Rasburicase, to the First and Third Schedules to the Pharmacy and Poisons Regulation and Part I of the Poisons List Regulation. According to the supplementary information attached to the draft speech of the Secretary, Dexmedetomidine is used to sedate patients under an intensive care setting who require ventilation assistance. Rasburicase is used to prevent acute renal failure in patients with blood cancer after the start of cancer therapy. Their addition means that pharmaceutical products containing any of those 2 substances must be sold in pharmacies under the supervision of a registered pharmacist and in his presence, with the support of prescriptions.
 - (b) relax the control on clobetasone butyrate when contained in preparations intended for external application only at not more than 0.05% so that its sale does not require the support of a prescription but still has to be sold by authorized sellers of poisons under the direct supervision of registered pharmacists; and
 - (c) exempt Desloratadine from the labelling requirement stated in item 8 of the Fifth Schedule so that the container of these substances is not required to carry a warning that this drug may cause drowsiness.

3. The two Amendment regulations will come into operation on the day they are published in the Gazette after being approved by the Legislative Council.

4. No difficulties relating to the legal and drafting aspects of the two proposed Amendment Regulations have been identified.

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