

立法會
Legislative Council

LC Paper No. CB(3) 704/03-04

Ref : CB(3)/M/OR

Tel : 2869 9205

Date : 10 June 2004

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 30 June 2004

**Proposed resolution under
the Pharmacy and Poisons Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Health, Welfare and Food will move at the Council meeting of 30 June 2004 under the Pharmacy and Poisons Ordinance relating to:

- (a) the Pharmacy and Poisons (Amendment) (No. 2) Regulation 2004; and
- (b) the Poisons List (Amendment) (No. 2) Regulation 2004.

The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary will deliver when moving the proposed resolution, and the supplementary information provided by the Secretary, are also attached.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

PHARMACY AND POISONS ORDINANCE

RESOLUTION

(Under section 29 of the Pharmacy and Poisons Ordinance (Cap. 138))

RESOLVED that -

- (a) the Pharmacy and Poisons (Amendment)(No. 2) Regulation 2004; and
- (b) the Poisons List (Amendment)(No. 2) Regulation 2004, made by the Pharmacy and Poisons Board on 8 June 2004, be approved.

PHARMACY AND POISONS (AMENDMENT)(NO. 2) REGULATION 2004

(Made by the Pharmacy and Poisons Board under section 29 of the Pharmacy and Poisons Ordinance (Cap. 138) subject to the approval of the Legislative Council)

1. Substances falling within the Poisons List to which special restrictions apply under regulations 3 and 5

The First Schedule to the Pharmacy and Poisons Regulations (Cap. 138 sub. leg. A) is amended in part A by adding -

"Aprepitant; its salts;
Marbofloxacin; its salts".

2. Substances required by regulation 9 to be sold by retail only upon a prescription given by a registered medical practitioner, registered dentist or registered veterinary surgeon

The Third Schedule is amended in part A by adding -

"Aprepitant; its salts;
Marbofloxacin; its salts".

(Dr. P.Y. LAM)
Chairman,
Pharmacy and Poisons
Board

8 June 2004

Explanatory Note

This Regulation adds 2 substances to each of the First and Third Schedules to the Pharmacy and Poisons Regulations (Cap. 138 sub. leg. A) so that the sale and storage of the 2 substances are subject to the restrictions imposed under the Pharmacy and Poisons Ordinance (Cap. 138) and the Regulations.

POISONS LIST (AMENDMENT)(NO. 2) REGULATION 2004

(Made by the Pharmacy and Poisons Board under section 29 of the Pharmacy and Poisons Ordinance (Cap. 138) subject to the approval of the Legislative Council)

1. The Poisons List

The Schedule to the Poisons List Regulations (Cap. 138 sub. leg. B) is amended, in Part I, in part A, by adding -

"Aprepitant; its salts
Marbofloxacin; its salts".

(Dr. P.Y. LAM)
Chairman,
Pharmacy and Poisons Board

8 June 2004

Explanatory Note

This Regulation adds 2 substances to part A of Part I of the Poisons List set out in the Schedule to the Poisons List Regulations (Cap. 138 sub. leg. B). Poisons listed in that part are essentially for medicinal use and may only be sold on the premises registered under the Pharmacy and Poisons Ordinance (Cap. 138) by a registered pharmacist or in his presence and under his supervision.

**SPEECH BY
THE SECRETARY FOR HEALTH, WELFARE AND FOOD
AT THE LEGISLATIVE COUNCIL
ON 30 JUNE 2004**

**Pharmacy and Poisons Ordinance (Cap 138)
Pharmacy and Poisons (Amendment) Regulation (No. 2) 2004
Poisons List (Amendment) Regulation (No. 2) 2004**

Madam President,

I move that the Poisons List (Amendment) (No. 2) Regulation 2004 and the Pharmacy and Poisons (Amendment) (No. 2) Regulation 2004 as set out under my name in the paper circulated to Members be approved.

2. Currently, we regulate the sale and supply of pharmaceutical products through a registration and inspection system set up in accordance with the Pharmacy and Poisons Ordinance. The Ordinance maintains a Poisons List under the Poisons List Regulations and several Schedules under the Pharmacy and Poisons Regulations. Pharmaceutical products put on different parts of the Poisons List and different Schedules are subject to different levels of control in regard to the conditions of sale and keeping of records.

3. For the protection of public health, some pharmaceutical products can only be sold in pharmacies under the supervision of registered pharmacists and in their presence. For certain pharmaceutical products, proper records of the particulars of the sale must be kept, including the date of sale, the name and address of the purchaser, the name and quantity of the medicine and the purpose for which it is required. The sale of some pharmaceutical products must be authorized by prescription from a registered medical practitioner, a registered dentist or a registered veterinary surgeon.

4. The Amendment Regulations now before Members seek to amend the Poisons List in the Poisons List Regulations and the Schedules to the Pharmacy and Poisons Regulations for the purpose of imposing control on two new pharmaceutical products.

5. The Pharmacy and Poisons Board proposes to add two new substances to Part I of the Poisons List, and the First and Third Schedules to the Pharmacy and Poisons Regulations so that pharmaceutical products containing such substances must be sold in pharmacies under the supervision of registered pharmacists and in their presence, with the support of prescriptions.

6. The two Amendment Regulations are made by the Pharmacy and Poisons Board, which is a statutory authority established under section 3 of the Ordinance to regulate the registration and control of pharmaceutical products. The Board comprises members engaged in the pharmacy, medical and academic professions. The Board considers the proposed amendments necessary in view of the potency, toxicity and potential side effects of the medicines concerned.

7. With these remarks, Madam President, I move the motion.

Poisons List (Amendment) (No. 2) Regulation 2004

Pharmacy and Poisons (Amendment) (No. 2) Regulation 2004

Supplementary Information to the Legislative Council

《 2004 年毒藥表（修訂）（第 2 號）規例 》

《 2004 年藥劑業及毒藥（修訂）（第 2 號）規例 》

提交立法會的補充資料

Drug Name 藥名	Proposed Classification 建議類別	Reason 原因
Marbofloxacin; its salts (馬波沙星; 其 鹽類)	Part I, First and Third Schedules poison 第一部附表一及附表三 毒藥	<p>This drug is used for the treatment of infected wounds and subcutaneous abscesses in dogs and cats and the treatment of lower urinary tract infections in dogs. It should only be used when the need is established by veterinary diagnosis.</p> <p>此藥用於治療貓狗已發炎之傷口及皮下膿腫和狗隻之下尿道炎。此藥應經獸醫診斷有需要時，才能使用。</p>

Drug Name 藥名	Proposed Classification 建議類別	Reason 原因
Aprepitant; its salts (阿瑞匹坦; 其鹽類)	Part I, First and Third Schedules poison 第一部附表一及附表三毒藥	<p>This drug is used to prevent acute or delayed nausea and vomiting associated with highly emetogenic cancer drug. A doctor's decision is required for whether or not to use this medicine.</p> <p>此藥用作預防由高度致嘔抗癌藥引致的急性和延遲之噁心及嘔吐。此藥需經醫生決定有需要時才使用。</p>