

**Submission to the LegCo Bills Committee on  
Undesirable Medical Advertisements (Amendment)(No.2) Bill 2004**

The Faculty of Medicine, The University of Hong Kong is in support of the legislation against misleading or exaggerated claims of “health food” to body functions and health-related effects and would like to provide the following views on the Undesirable Medical Advertisements (Amendment) (No. 2) Bill 2004 (“the Bill”):

1. Health foods that claim to have effects on “stimulation of hair growth or prevention of hair loss”, and “promotion of enlargement or firmness of the breast” [Background paper #5(ii)(iii)] are claiming that the products have therapeutic effects on body functions. As such claims may mislead the self-medicated public, it would be in the interests of the public to widen the Bill to cover the above claims.
2. Information provided by unregulated advertisement tends to be skewed by commercial interest. While we agree that “a balance has to be struck between protection of public health and freedom of choice by consumers” [Bill #7b], we believe that proper information ensures that consumers have the capacity to exercise their freedom of choice. Legislation is the only effective means to secure the compliance of health foods industry.
3. The public have the right to access to proper information on health foods to help them judge the therapeutic effects of these products and the risk they pose to health. Legislation is, again, the only effective means to ensure that they have access to the professional knowledge and scientific evidence.

December 2, 2004

LT/KMC

Legco statement