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16 December 2004

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8 Jackson Road, Central
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Dear Ms. Chan

**Bills Committee on Undesirable Medical Advertisements
(Amendment) (No.2) Bill 2004**

Thank you for your letter of 10 November 2004. The Academy would like to offer its views as follows.

The Academy: -

- supports the government's proposed regulations on the claims in advertisement of the so-called "health foods";
- is concerned that misleading or exaggerated claims of the increasing number of so-called "health foods" may cause harm to health as a result of either the improper self-medication, or the delayed proper treatment;
- supports to impose the first level of restriction to groups (1) to (3) in the proposed Schedule 4.
- supports to impose the second level of restriction to groups (4) to (6) in the proposed Schedule 4. However, the allowable claim wordings of "may assist in" is dangerous, as users may get the wrong message that they do not need proper treatment after they have consumed the product. The Academy therefore suggested deleting the allowable claim of "may assist in", i.e. the wordings in Column 2 of Schedule 4 be changed as "The claims claim "Suitable for people concerned about" and "May assist in" are is allowed, provided that"
- noted that the Expert Committee had in fact recommended 3 other groups of health claims be prohibited, namely (7) claims relating to slimming or fat reduction of the body including fat burning, eliminating fat, controlling appetite, absorbing fat and eliminating fluid retention, (8) regulation of body immune system against diseases including cancers, chronic diseases and infection; or alteration of the effects of treatment e.g. chemotherapy and radiotherapy, etc., (9) promotion of detoxification. The Academy supports

the recommendation of the Expert Committee and would like to urge the Bills Committee to include these 3 groups in Schedule 4. The Academy felt that groups (7) and (8) could be subject to the second level of restriction, similar to that for groups (4) to (6). But the Academy thought that group (9), i.e. promotion of detoxification, should be subject to the first level of restriction that the making of such claim would not be allowed under any circumstances. The claim of detoxification (排毒) is conceptually wrong.

Yours sincerely,



Dr. K.W Chu
Honorary Secretary

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