

To: <panel_t@legco.gov.hk>
From: "Andrew" <Andrew@firsttestltd.com>
Date: 11/24/2010 12:05PM
Subject: Rapid Oral Fluid Test for combating drug driving

Dear Members in the Transport Panel,

Greetings! This is Andrew Wong from First Test Ltd. I realized that the Transport Panel will discuss the legislation regarding the "driving under influence of drugs" on November 26, 2010. Last week, I mailed each of you to suggest that the government should consider adopting the oral fluid test instead of the impairment test as proposed by the Bureau of Transport and Housing. Only one of you (Hon. Regina Ip) replied. Mr. Chan (the staff from Hon. Ip's office) suggested me to write you a letter through this email because it is considered "the official channel" to communicate with the Transport Panel.

I formally request the Panel to discuss using the rapid oral fluid test to assess whether a driver is under influence of drugs in the November 26, 2010 meeting. Rate it in many different ways, the rapid oral fluid test is better than that of the Impairment test. Here are a few of them:

(1) According to a government spokesperson, the police will take the suspected drivers to the police station to do the impairment test. It would take approximately 1.5 hours. The fare for a taxi driver in 1.5 hour would translate to more than HK\$100. It would have a negative impact on the livelihood of professional drivers. The rapid oral fluid test can be done on the roadside and takes only 5 minutes to finish.

(2) The Hong Kong Government Laboratory carried out a study in 2007, and found that the impairment test could identify 71% of people who took ketamine. If the same cohort of people subjected to the oral fluid test, 100% would be identified.

(3) The impairment test is a subjective test. Although the government claimed that they will train the officers to perform the test, no study has been done in Hong Kong to show the consistence of the test assessment among different examiners. On the other hand, First Test Ltd has done a clinical trial in collaboration with two non-government organizations. The results were validated by the Department of Clinical Pathology, the Chinese University of Hong Kong in the Princes of Wales Hospital. A copy of the clinical study report was sent to each of you.

In the LC Paper No. CB(1)482/10-11(04) under subheading "*Preliminary Tests – Rapid oral fluid tests (ROFT)*", there are some facts needed to be clarified in paragraph 16 (p.7):

"...Interested suppliers approached by the Police and Government Laboratory advise that such devices for testing five out of the six specified illicit drugs proposed for the purpose of the 'zero-tolerance offence', namely heroin, 'ice', cannabis, cocaine and 'ecstasy' are available, and being adopted in overseas jurisdictions for enforcement purposes."

The oral fluid test devices under brand name "Branan Oratect" are currently used in Italy, Poland and Portugal traffic police.

“As regards testing device for the remaining proposed specified illicit drug, i.e. ketamine, the suppliers have developed prototypes of such devices and have conducted some preliminary tests on them.”

I think it refers to our product “Branan Oratect XP Rapid Oral Fluid Test for Ketamine.” First, it is not a prototype. It is a real product and some non-government organizations are currently using it. Second, the “preliminary tests” may refer to our clinical trial. This trial has been completed and the report was submitted to the Bureau of Transport and Housing, the Police, and all of you the legislation council members.

“The Police and Government Laboratory are in the process of obtaining test data and other relevant information from the suppliers to enable them to ascertain the accuracy of the devices.”

Actually, our clinical trial report issued by the Prince of Wales Hospital is the final report. None of such department has requested further information from us.

When the government approached First Test Ltd last year to request for an oral fluid test for ketamine, I have to convince my US headquarters to develop such test. Other than the Asia region, the demand for such test device is limited. It is really hard to find subjects to perform clinical trials in the United States because there were very few ketamine abusers there. With the help of two NGOs, we finish the clinical trials. The NGOs did it voluntary because they believe it is important to develop an oral test that can screen out ketamine users. The laboratory in the Prince of Wales Hospital charges us ~HK\$1,000 for each oral fluid sample confirmation. We have successful obtained samples from 72 volunteers. We have devoted our expertise and resources on the ketamine oral fluid test project. Now the government put us in a limbo.

Thank you very much for your attention.

Warmest Regards,

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