

# 立法會 *Legislative Council*

立法會CB(2)1928/11-12(07)號文件

檔 號：CB2/PL/HS

## 衛生事務委員會

立法會秘書處為2012年5月14日會議  
擬備的資料摘要

### 含有熊膽成分的中藥產品

進口及出口含熊膽成分的中藥產品受《保護瀕危動植物物種條例》(香港法例第586章)(下稱"《條例》")管制。《條例》旨在於香港施行《瀕危野生動植物種國際貿易公約》，該公約是各締約國政府間的國際協議，目的是確保野生動植物種的國際貿易不會危害到這些物種的生存。

2. 以"活熊取膽"的方式採集熊膽汁的做法已在社會上引起爭議，亦有人要求當局禁止銷售含熊膽成分的中藥產品，特別是動物權益組織。有關此議題的相關傳媒報道載於**附錄I**。有議員亦在2012年3月28日的立法會會議上就含有熊膽成分的中藥提出一項質詢。有關質詢及政府當局的答覆載於**附錄II**。

立法會秘書處  
議會事務部2  
2012年5月8日



## 熊膽企業擬上市網民抵制

福建歸真堂藥業股份有限公司擬上市消息近日傳開，很多內地網民均表示堅決抵制。作為國內規模最大的熊膽系列產品生產企業，歸真堂養殖有黑熊四百頭。網民稱，該企業「活熊取膽」生產方式是對黑熊的無情殘害，一旦上市，規模就會變得更大，會傷害到更多黑熊。

### 擬擴養殖規模至1200頭

內地市場近日傳出歸真堂計畫在創業板上市，募集的資金將用於建設面積三千畝的養殖基地，把黑熊養殖規模擴大到一千二百頭。不過創業板發行監管部表示，歸真堂上市申請仍處於「落實反饋意見中」，能否上市仍存在變數。

歸真堂官方網站稱，其熊膽汁的採集採用最新「無管引流」技術，在熊無痛苦的前提下，五至八秒引流出膽汁，相當於人類義務獻血。但愛護動物人士稱，這是對黑熊的無情殘害。「在身上刺一個傷口，每天都用導管戳開兩次，這個過程很迅速、無痛苦，不影響健康。你相信嗎？」

文章編號: 201202080030097

本內容經慧科的電子服務提供。本內容之版權由相關傳媒機構 / 版權持有人擁有。除非獲得明確授權，否則嚴禁複製、改編、分發或發布本內容。版權持有人保留一切權利。

----- 1 -----

慧科訊業有限公司 查詢請電: (852) 2948 3888 電郵速遞: sales@wisers.com 網址: <http://www.wisers.com>  
慧科訊業有限公司 (2012)。版權所有，翻印必究。



明報

2012-02-20

A15 | 中國

## 反熊膽製藥名人投書藥店停售 動物權益抬頭衝擊傳統醫學

【明報專訊】內地出現反對活熊取膽製中藥的浪潮，包括姚明在內的各界名人加入聲討行列，部分城市的藥店亦開始停售熊膽製品。反熊膽製藥還演變成人道主義與傳統產業之間的矛盾，中國中藥協會質疑反對者受西方組織煽動，意在打沉民族工業。輿論關注，標榜由活體動物抽取材料的中藥生產企業將接連受衝擊。

反熊膽浪潮的導火線是以活熊取膽為主要業務的歸真堂謀求上市。證監會在今年2月1日公布了申請IPO（首次公開招股）的企業，歸真堂出現在名單上，反對聲音四起。上周二（14日），名嘴崔永元等72名各界名人向證監會遞交聯署抗議信，反對歸真堂上市。籃球界名人姚明上周六（18日）也到四川的黑熊救護中心，探望從活熊取膽場中解救出來的黑熊。目前至少已有成都、瀋陽兩地的幾十家藥店企業，宣布停售熊膽製品。

活熊取膽企業上市釀風波在這場爭議中深陷漩渦的歸真堂前日在官方網站宣布，本周三和周五將舉行開放日，讓公眾參觀養熊基地，現場考察養殖與引流熊膽的全部過程。但其官網在兩小時後便遭黑客攻擊。雖然關於活熊取膽的討論正熱火朝天，但內地仍未有法律明文禁止這一行為。歸真堂創辦人邱淑花稱，活熊取膽獲得政府許可，屬合法行為，「可以說，如果反對我們就等於反對國家」。

歸真堂：反對者是反對國家中醫認為，熊膽有清熱、平肝、明目等功用。但有科學界人士稱，其功能可用草藥代替。亞洲動物基金會發聲明稱，活熊取膽技術在黑熊的腹部製造一個「長期不能癒合、深入腹腔直達膽囊的傷口」，每日反覆抽取膽汁的操作給黑熊造成長期的巨大折磨。保護動物權益者還稱，黑熊困在鐵籠內行動受阻，也不人道。

中國中藥協會出面為歸真堂辯護，會長房書亭說，過往取熊膽時要將熊打死，但如今以黑熊自身軟組織為引流管，取膽汁時既無管道也不疼痛，不取膽汁時，熊自身的脂肪則會把洞完全堵住。自稱曾親眼見過活熊取膽的房書亭說：「取膽汁過程就像開自來水管一樣簡單，自然、無痛，完了之後，熊就痛痛快快地出去玩了。我感覺沒什麼異樣！甚至還很舒服。」公眾對這一說法不買帳，不少人反駁道：「熊痛不痛誰說了算？」

麝香製藥企業劃清界線中藥協會還聲稱，反對活取熊膽的聲音是受西方組織煽動，目的就是打擊中國黑熊藥用養殖行業，肢解中國傳統醫藥文化。他更聲言熊膽被「打掉」後，反對陣營下一個目標就是麝香。麝香是雄麝肚臍和生殖器之間的分泌物，可作香料或入藥。被列為國家一級中藥保護品種的漳州片仔癀便含麝香。該公司證券事務代表拒直接評論歸真堂的爭議，只強調由於麝香長在麝的體外，取用不會造成痛苦。

《中國中醫藥報》稱，歸真堂事件隱藏了一個更深的問題，就是目前貴重中藥材「殺雞取卵」的現象不少，除了熊膽和麝香，牛黃、蛇膽等中藥成分都需要取自動物的活體。

動物保護者vs. 中醫觀點

動物保護者

1過程殘忍不人道，熊需遭受極端痛楚

2熊膽可用其他藥物替代

[http://wisearch.wisers.net/wortal/tool.do?\\_&all-articles-input-enable=](http://wisearch.wisers.net/wortal/tool.do?_&all-articles-input-enable=)

27/4/2012

3熊膽混有雜質，危害人體

中醫界/歸真堂

新的活熊取膽汁技術先進，像人捐血一樣，熊不會感到疼痛

熊膽無法百分之百完全替代，取締對患者不負責任

熊膽製藥是中國歷史悠久的一筆遺產

文章編號: 201202200040055

---

本內容經慧科的電子服務提供。本內容之版權由相關傳媒機構 / 版權持有人擁有。除非獲得明確授權，否則嚴禁複製、改編、分發或發布本內容。版權持有人保留一切權利。

---

----- 1 -----

---

慧科訊業有限公司 查詢請電: (852) 2948 3888 電郵速遞: sales@wisers.com 網址: <http://www.wisers.com>  
慧科訊業有限公司 (2012)。版權所有，翻印必究。



## 環保組織籲取締活熊取膽業

香港文匯報訊（記者 莫豐齊 北京報道）亞洲動物基金會21日召開了它成立13年以來的首次媒體溝通會。會上，亞洲動物基金會以一些黑熊救助親歷者、暗訪黑熊場親歷者的現身說法，並引述資深獸醫的分析，綜合音像、圖文，提出：是時候取締活熊取膽業了！

針對中藥協之前所說的「很舒服」的「無管引流」技術，究竟會給熊造成多大傷害上。亞洲動物基金資深獸醫莫尼卡，用詳實的資料證明了活熊取膽、無管引流對黑熊造成的巨大傷害和痛苦。在其研究過的165頭被「無管引流」的熊當中，99%的熊患有膽囊炎，在亞洲動物基金會拯救的121頭去世的取膽熊中，有35%患有肝癌並且最後死於癌症。

最讓現場記者們震撼的，是一段紀錄片片段。紀錄片由三位社會人士拍成，她們前後耗時四年多，跨越6省，拍下大量鏡頭。拍攝於2009-2010年的一段精選片段，「展示」了活熊取膽的部分場景。片中所謂的合法養熊場，仍存在使用鐵馬甲、小鐵籠和虐熊等情況，養熊戶是用骯髒的容器把熊膽汁乾燥成片後碾碎，直接用廉價空膠囊封裝，場面觸目驚心。據稱，這部紀錄片的完整版，也將在近日公諸於世。

文章編號: 201202220050160

本內容經慧科的電子服務提供。本內容之版權由相關傳媒機構 / 版權持有人擁有。除非獲得明確授權，否則嚴禁複製、改編、分發或發布本內容。版權持有人保留一切權利。

----- 1 -----

慧科訊業有限公司 查詢請電: (852) 2948 3888 電郵速遞: sales@wisers.com 網址: <http://www.wisers.com>  
慧科訊業有限公司 (2012)。版權所有，翻印必究。



## Bear-bile showdown, it's kill or cure

Drug farm's bid to launch IPO exposes crisis in traditional medicine as mainlanders rebel against animal cruelty. Now stock market regulator must judge the mood Animal rights activists are pitted against supporters of traditional Chinese medicine over plans by Gui Zhen Tang Pharmaceutical, one of the mainland's biggest producers of bear bile, to launch an initial public offering (IPO) on the ChiNext stock exchange.

The controversial plans, which surfaced early last year, sparked renewed debate this month when the Fujian-based company's name appeared on a list of those awaiting approval from the Growth Enterprise Board to trade on the Shenzhen exchange.

The company, which uses bear bile to create more than 30 medicinal products, is hoping to use money raised through the public listing to increase the number of bears it farms from 470 to 1,200.

It extracts the bile through holes cut into the abdominal walls and gall bladders of Asiatic black bears, also known as moon bears because of the light crescent of fur on their chests.

Animal rights activists say the company's plans will result in the extension of a cruel and inhumane practice.

Bear-gall production is a highly profitable business on the mainland, where bear-bile powder can sell for as much as 4,000 yuan a kilogram. It has traditionally been regarded as the most effective medicine for disorders of the liver and bile duct.

On Tuesday of last week, the Beijing Loving Animals Foundation and 72 celebrities, including movie stars and writers, sent an open letter to the China Securities Regulatory Commission calling for the company's listing to be scrapped.

And China SOS Help, another non-government animal rights organisation, announced that it had collected up to 120 million yuan (HK\$148 million) with the aim of buying shares in the company and vetoing its bear-bile business.

Hong Kong-listed Alibaba also announced that bear bile had joined shark fin on its list of banned products on Taobao.com, the mainland's biggest e-commerce platform.

An increasing number of internet users are also expressing strong opposition to the proposed listing. A poll on the popular QQ.com website found that more than 93 per cent of more than 50,000 respondents opposed Gui Zhen Tang's IPO and only 3 per cent supported it.

People have even dressed up in bear suits to protest outside some of Gui Zhen Tang's 200-odd mainland outlets and at local government offices across the country.

Authorities have remained silent on the matter and Gui Zhen Tang had declined to comment until this week, when it hosted visits to its bile farm in Fujian for mainland reporters on Wednesday. However, Hong Kong and foreign media were not welcome, and reporters who were invited said it was a carefully choreographed event and they had not been allowed to get near the bears.

A source close to the Shenzhen Stock Exchange said it was difficult to say whether the opposition would kill off the

IPO - it all depended on those in charge of the plan. It was not clear this week when the exchange would announce its decision on Gui Zhen Tang's application.

"If the protests become stronger, it's possible to force the regulator to kill the planned offering," he said.

The regulator's listing review committee rejected a record 65 companies in 2010, but most failed because of official suspicions about their profit projections. If Gui Zhen Tang's offering is rejected, it would be the first on the mainland to fail due to animal rights concerns.

Another company that produces medicines using bear bile, Shanghai's Kaibao Pharmaceutical, was listed in January 2010. It also planned to open its own bile farm but that plan was abandoned in the face of public opposition.

On its website, Gui Zhen Tang says it can collect bear bile in five to eight seconds "without causing the bears pain".

General manager Qiu Shuhua was quoted by mainland media last year stressing that the farming of bears and production of bear-bile products was legal. She said the company's bile farms were like "a kindergarten for bears" and that anyone opposing its IPO was "acting against the country".

However, Animals Asia Foundation (AAF), a Hong Kong-based charity that rescues bears from bile farms, said it was a cruel industry that forced bears to live with open wounds. It says most die from liver cancer and many suffer from severe mental stress.

"The long-standing wounds leave the bears subject to bacterial infection and disease," AAF spokeswoman Xu San said. "The bile extracted from the sick black bears is very likely to carry a cancer cell, which could trigger health risks when ingested by humans."

Jiang Qi, former deputy president of Shenyang Pharmaceutical University, said it was not necessary to use bear bile in medicine because the effective ingredients were found in herbs and could even be produced synthetically.

In 2007, he led a team that used substitute ingredients to produce medicines that had the same properties as drugs containing bear bile. However, authorities have yet to approve the sale of the substitute drugs.

The semi-official China Association of Traditional Chinese Medicine is Gui Zhen Tang's strongest supporter.

In a press release it described bear bile as irreplaceable in Chinese medicine. It went on to accuse Western groups such as AAF of using the pretext of animal protection to oppose both mainland bear farms and the promotion of valuable Chinese medicines in order to reduce the industry's competitiveness - to the benefit of Western pharmaceutical companies.

It says hundreds of thousands of employees in the pharmaceutical sector would lose their jobs and the traditional Chinese medicine market, worth 10 billion yuan a year, would die out if bear-bile farming was banned.

Other supporters of Gui Zhen Tang point out there are 123 types of Chinese medicine, produced by 183 pharmaceutical firms, that use bear-bile powder.

On the State Forestry Administration's website, bear bile is described as having been a cherished traditional Chinese medicine for thousands of years, and one with a huge and profitable market, with the potential to be even bigger.

It has said that in 2006 the mainland had 68 registered bear farms that kept about 8,000 black bears for bile extraction. But there are also many illegal, underground bear farms spread across the country.

Animal rights activists have called for the free-drip method of bile extraction to be banned.

"The only useful and practical way is to cancel the regulation that permits the torturing of bears to extract their bile," Xu said.

文章編號: 201202250270042

---

本內容經慧科的電子服務提供。本內容之版權由相關傳媒機構 / 版權持有人擁有。除非獲得明確授權，否則嚴禁複製、改編、分發或發布本內容。版權持有人保留一切權利。

---

----- 1 -----

---

慧科訊業有限公司 查詢請電: (852) 2948 3888 電郵速遞: sales@wisers.com 網址: <http://www.wisers.com>  
慧科訊業有限公司 (2012)。版權所有，翻印必究。





## Protesters march for ban on trade in bear bile

More than 200 animal lovers took to the streets yesterday to protest against the international trade in the bile of the Asian black bear.

They called on the government to take the lead on a nationwide ban on the use of bear bile in traditional medicine.

Organised by the animal rights group Animal Earth, the demonstration showed its support for legislation prohibiting the import of bear bile into Hong Kong and its opposition to the initial public offering of the bile-employing Fujian-based company Gui Zhen Tang Pharmaceutical on the Shenzhen Stock Exchange.

Hong Kong should take advantage of its legislative system to become a role model opposing animal cruelty and saving the bears, Animal Earth chief officer David Wong Kai-yan said.

Among the protesters was Civic Party lawmaker Audrey Eu Yuet-mee. She raised a formal question in the Legislative Council last Wednesday on whether the government would legislate to ban all trade and sales of Chinese medicines made from bile, a digestive juice stored in the bear's gall bladder.

I have written to the government to ask them to follow up on the issue and, at least in my remaining term, I will continue to fight for the banning of any substance that contains bear bile in Hong Kong, Eu said.

According to the Food and Health Bureau, medical products containing bear bile can only be sold with government permission. The Agriculture, Fisheries and Conservation Department said there was no application for import of bile-related products in 2011. But information on how many such products are sold each year and the number of traders who are engaged in the trading bear bile is not available.

Thousands of Asian black bears, also known as moon bears, are kept caged for their entire lives in farms on the mainland and in Southeast Asia.

They are forced to wear breastplates to keep the wounds cut into their abdominal walls and gall bladders permanently open for daily collection of bile. But Chu Kwok-tung, a registered Chinese-medicine practitioner, said there were substitutes for bear bile, such as chrysanthemum, which were just as effective. Copyright (c) 2012. South China Morning Post Publishers Ltd. All rights reserved.

文章編號: 201204020271052

本內容經慧科的電子服務提供。本內容之版權由相關傳媒機構 / 版權持有人擁有。除非獲得明確授權，否則嚴禁複製、改編、分發或發布本內容。版權持有人保留一切權利。

----- 1 -----

慧科訊業有限公司 查詢請電: (852) 2948 3888 電郵速遞: sales@wisers.com 網址: http://www.wisers.com  
慧科訊業有限公司 (2012)。版權所有，翻印必究。

## 新聞公報

立法會十七題：含有「熊膽」成分的中藥

\*\*\*\*\*

以下為今日（三月二十八日）在立法會會議上余若薇議員的提問和食物及衛生局局長周一嶽的書面答覆：

問題：

近日內地有熊膽產品研發公司以「活熊取膽」的方式，採集熊膽汁製造中藥產品，引起國際媒體討論，指該種手法極為殘忍。就此，政府可否告知本會：

（一）現時本港有多少已註冊的中成藥產品含有熊膽成分；是否知悉當中是否包括以「活熊取膽」手法製成的產品；若知悉，詳情為何；若不知悉，原因為何；會否要求中成藥註冊證明書持有人提交有關資料；

（二）現時本港有多少中藥商管有、零售及批發含有熊膽成分的中藥材；是否知悉當中是否包括以「活熊取膽」手法製成的中藥材；若知悉，詳情為何；若不知悉，原因為何；會否要求中藥商提交有關資料；

（三）根據現行法例，商人可否進口及出口含有熊膽成分的中藥材、中成藥及相關產品；是否知悉有否商人進口及出口以「活熊取膽」手法製成的中藥材、中成藥及相關產品；若知悉，詳情為何；若不知悉，原因為何；會否要求進出口商提交有關資料；及

（四）會否立法禁止管有、進出口、零售及批發以「活熊取膽」手法製成的中藥材？

答覆：

主席：

在本港進出口含熊膽成分的藥材、中成藥及相關產品，受《保護瀕危動植物物種條例》（香港法例第586章）管制。《保護瀕危動植物物種條例》旨在於香港施行《瀕危野生動植物種國際貿易公約》（公約）。公約的宗旨是通過各締約國政府間採取有效措施，加強貿易控制來切實保護瀕危野生動植物種，確保野生動植物種的持續利用不會因國際貿易而受到影響。

凡進口、從公海引進、出口、再出口或管有列明在附錄I及附錄II物種的標本，不論屬活體、死體，其部分或衍生物（包括藥物），均受《保護瀕危動植物物種條例》管制。

現時，所有熊均屬公約附錄內的瀕危物種，部分品種列在附錄I，其他則列在附錄II。根據《保護瀕危動植物物種條例》，列明在附錄I物種的標本，其進口、從公海引進、出口、再出口或管有作商業用途一般已被全面禁止。進口含附錄II物種成分的藥材、中成藥及產品到本港，須連同出口國簽發的公約准許證，於入境時經獲授權人員查驗。從本港出口該等物品，則須事先向漁農自然護理署申領出口許可證。

《中醫藥條例》（香港法例第549章）訂明所有符合中成藥定義的產品必須註冊，方可在本港進口、製造和銷售。中成藥若要獲得註冊，必須在藥物的安全、成效及品質三方面符合中醫藥管理委員會轄下中藥組規訂的註冊要求。現時約有20個中成藥含有「熊膽」成分，屬過渡性註冊。

就中藥材方面，《中醫藥條例》把香港較常用的中藥材列明於附表1或附表2內，其進出口、管有、批發及銷售均受管制，「熊膽」及「熊膽粉」較少以藥材形式於本港銷售，不在此列。

完

2012年3月28日（星期三）  
香港時間12時06分