



中華人民共和國香港特別行政區政府總部食物及衛生局
 Food and Health Bureau, Government Secretariat
 The Government of the Hong Kong Special Administrative Region
 The People's Republic of China

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10 April 2014

Ms Maisie LAM
 Clerk to Panel
 Legislative Council Panel on Health Services
 Legislative Council Complex
 1 Legislative Council Road
 Central, Hong Kong
 (Fax: 2185 7845)

Dear Ms LAM,

Legislative Council Panel on Health Services

**Legislative Proposals to Enhance the
 Regulation of Pharmaceutical Products in Hong Kong**


I refer to the discussions on the captioned subject at the special Panel meeting held on 10 February 2014. In response to the question raised by Members at the meeting regarding the enforcement figures in relation to non-compliance with Regulation 19(2)(a) of the Pharmacy and Poisons Regulations (Cap. 138A) (PPR) in the past five years, our reply is as follows.

The Drug Office of the Department of Health (DH) conducts surprise inspections of all authorized seller of poisons (ASPs) regularly to ensure their compliance with the relevant legislation, including the Pharmacy and Poisons Ordinance (Cap. 138) (PPO) and the PPR. Inspections cover various aspects, such as the storage, sale, record keeping, dispensing and labelling of poisons and pharmaceutical products. In particular, Regulation 19(2)(a) of the PPR stipulates that any substance included in the First Schedule to the PPR in any retail shop or premises used in connection therewith must be stored in a receptacle reserved solely for the storage of poisons, which receptacle shall be

locked with an adequate lock the key for which shall be retained by the registered pharmacist. If an ASP has committed an offence under the PPO or the PPR, the DH (for some cases it will be the Hong Kong Police Force or the Customs and Excise Department) will initiate prosecution accordingly.

For details of the enforcement figures, including contravention of Regulation 19(2)(a) of the PPR, please refer to the Annex.

Yours sincerely,



(Miss Fiona CHAU)
for Secretary for Food and Health

c.c. Director of Health
(Attn: Assistant Director (Drug Office))

**Figures on enforcement actions taken against
Authorized Sellers of Poisons (ASPs) from 2009 to 2013**

Year	No. of inspections of ASPs conducted	No. of prosecutions initiated against ASPs	No. of convictions registered against ASPs	No. of convictions registered against ASPs for Reg. 19(2)(a) of the Pharmacy and Poisons Regulations
2009	1 101	61	47	15
2010	960	43	47	10
2011	1 138	44	33	12
2012	1 222	34	42	18
2013	1 186	22	23	4

Note: Due to the lead time between prosecution and conviction, the two events may not take place in the same year. As such, the number of convictions in a year may not be same as the number of prosecutions initiated in that year.