

9 December, 2013

By Fax and by Mail

To: Legislative Council Panel on Health Services
Facsimile: (852) 2185 7845

Cc: Hon Vincent FANG Kang, SBS, JP

Dear Sir/Madam,

Re: Submission to the Panel on Legislative Proposal to Enhance the Regulation of
Pharmaceutical Products to be held on December 10, 2013 at 10:45 a.m.

We acknowledge the importance of drug safety and support a control system starts at the source of supply of drugs and follows through each point in the production line and the supply chain until the drug reaches its target patients.

The membership of Hong Kong Suppliers Association is mainly suppliers of Fast Moving Consumer Goods (FMCG) and very few suppliers of Part I Poison. Thus, our submission would mainly address the impact to non-Part I products.

LC Paper No. CB(2)254/13-14(03) has repeatedly used the words “Drugs” and “Patient” in referring to the products and people affected by the Proposal. It also proposed to revise the definition of the word “pharmaceutical products” in accordance with the definition adopted by the European Union. Some of the products with ingredient listed in Part II poison are classified as cosmetic product under EU if they meet certain criteria. Firstly, we would like the administration to clarify:

When the administration revises the definition of Pharmaceutical products, will it adopt the same definition to classify some products as cosmetic, not pharmaceutical products, and exempt or remove such products from the list of Poisons?

The Administration would like to safeguard drugs usage to protect target patient. By common sense and by common usage, Hair Dye would definitely not be known as a drug and the users are not patient of decease. The intention of the Administration is to put such non-drug, beauty products containing Ammonia and Diamines under the same rigorous control of Part I Poison as stated in Point 18 and 19 of Annex A to CB(2)254/13-14(03). We strongly object to such stringent control of such products that are not a drug by common interpretation and only sold as a consumer product.

The suppliers of such consumer products do not have the advanced and sophisticated logistic system to keep track of lot numbers on sales to retailers. It would be extremely

P.O. Box No. 33692 Sheung Wan Post Office, Hong Kong
Tel: 25433316 Fax: 31863019 E-mail: contactus@hksuppliers.com.hk

costly to implement such a system or it needed to be done by hand. Using hair dye as example, we guesstimate the sale in Hong Kong is in the millions of packs and sold by thousands of suppliers and retailers. The large majority of suppliers would not be selling drugs. Their businesses are generally FMCG. It will create substantial hardship to these suppliers, not to mention the thousands of retailers in keeping records.

We, therefore, would like the Administration to clarify the merit of such stringent control on such consumer products, such as hair dye.

Our view is to relax the control of non-drug and non-poison products appropriately. The proposal is to further tighten the control by The Department of Health. The risk and the consequences of misuse of these products probably do not warrant the additional manpower of Department of Health.

End of submission

Thank you for your attention.



Albert Tang
Chairman
Hong Kong Suppliers Association