

**Legislative Council**

**Bills Committee on Chinese Medicine Bill**

**Dispensers of Chinese herbal medicines**

Purpose

At the first Bills Committee meeting held on 4 March 1999, some Members proposed that dispensers of Chinese herbal medicines should be regulated under the Chinese Medicine Bill. The purpose of this paper is to explain the Administration's position in this regard, and the safeguards that will be provided in relation to the work of the dispensers.

Background

2. For the protection of public health, it is proposed in the Chinese Medicine Bill that proprietary Chinese medicines should be registered and that traders of Chinese medicines should be subject to licensing. Since dispensers play an important role in the proper use of Chinese herbal medicines, some Members have suggested that they should be covered in the proposed regulation of Chinese medicine.

3. The main responsibilities of dispensers are to dispense and sell Chinese herbal medicines to members of the public. Sometimes their clients may seek their advice on matters related to Chinese herbal medicines, for example, the way to prepare the medicines, matters to which particular attention should be paid or practices that should be avoided. The dispenser in charge is usually also responsible for the operation of the shop, for example, the purchase, storage of herbal medicines, the organisation and management of the shop.

4. According to the Census and Statistics Department, at present there are more than 1 000 retail shops of Chinese herbal medicines. Assuming that there are two to three dispensers in each shop, there are possibly up to 3 000 dispensers in Hong Kong. In recent years, there were not too many new recruits to the occupation.

5. At present a dispenser needs about five years of on the job training to acquire the necessary skills and knowledge. For the dispensers in charge, they usually have more than 10 years of experience.

### Training proposals for dispensers

6. As there have been recently changes to the sources of raw herbal medicines and their ways of processing, those practising as dispensers need higher level of knowledge in handling these medicines in order to assess their nature, authenticity, quality and efficacy. In view of these developments, we propose to strengthen the training of dispensers so that they would have the sufficient knowledge and skills. This will go a long way in protecting public health in this respect.

7. We shall encourage the educational institutions to organise courses for the training of the existing dispensers and the courses should be tailored to meet their operational needs. The courses may then be further promoted among those who are interested to join the occupation. Since there are a large number of dispensers, it would take some years before all of them would have the opportunity to complete such training courses.

### Proposed safeguards

8. While we would promote the formal training of dispensers, we highlight below some of the provisions already included in the Chinese Medicine Bill which will strengthen the protection of public health by avoiding any incidents that may possibly be caused by mistakes made by dispensers in the course of their work. These provisions include :

- (a) When a retailer of Chinese herbal medicines takes out a licence, he has to nominate a person who will be responsible for the supervision of the dispensing of the medicines and a deputy to this responsible person;
- (b) The Bill proposes that with the approval of the Secretary for Health and Welfare, the Chinese Medicine Council may make subsidiary legislation to prescribe the practising conditions and duties applicable to a holder of a retail licence in Chinese herbal medicines; and
- (c) It is also proposed in the Bill that labels are required to be attached to a container of Chinese herbal medicines. Through the making of subsidiary legislation, the Chinese Medicine Council may prescribe the requirements and conditions for the

packaging, transport, storage, record-keeping, processing, dispensing and disposal of any Chinese herbal medicines.

9. The measures in (c) above should greatly reduce the chance of mistakes being made in the dispensing of Chinese herbal medicines. Together with the other measures, we believe that sufficient protection has been provided for the public. Furthermore, since dispensers are basically operatives in the dispensing of Chinese herbal medicines, and since the professional nature of their work is not high, we do not propose introducing a statutory scheme to regulate them.

#### Way Forward

10. The measures described in paragraph 8 will to a large extent provide the necessary safeguards. Following the implementation of the statutory regulation of Chinese medicine practitioners and Chinese medicines, we shall consider if additional safeguards are necessary to ensure that the dispensing of Chinese herbal medicines is carried out in a proper manner.

Health and Welfare Bureau  
Government Secretariat  
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