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19th November 2004

**Submission to Bills Committee on
Undesirable Medical Advertisement (Amendment) (No. 2) Bill 2004**

Hong Kong Doctors Union is most unhappy about the decision by the Government or the Bills Committee to refrain from realizing the stated original aim to control undesirable advertisements of products claiming “to detoxify 排毒”, “for slimming 纖體” and “to improve immune systems 改良免疫”. Nowadays, teenagers particularly are starving themselves to save up in order to buy products from the former two categories of products and try to keep themselves good looking. Government cannot justify her inactivity claiming these three stated categories are not about diseases and therefore it is not necessary to supervise. She should note the popular but unhealthy and wasteful habit of using these so-called "health products" when there is absolutely no indication and must speak out and guide the uninformed public.

We are also furious that Government have backed down on controlling advertisements for products claiming to

- (1) reduce hair loss and regenerate hair;
- (2) enlarge breasts;
- (3) alter structure and size of genitals;
- (4) reduce symptoms of menopause.

These undesirable products are hiding under "Symptom approach" to sell to the public. Yet doctors' duties are to defend the health and well being of the public including all these conditions which are not necessarily labelled as diseases. In safeguarding public health, doctors view the patient as a whole person and weigh the significance of his symptoms in deciding if treatment is necessary and whether there is any actual disease. Please also note that many times western drugs have been detected in these undesirable products.

Hong Kong Doctors Union is totally disappointed with the contents of the Undesirable Medical Advertisements (Amendment) Bill 2004 under Clause 10 Schedule 4 added [S.3B] on page 7 of Annex A, namely the exemptions allowed for claims “*Suitable for people concerned about blood sugar*” (#4, Page 9), claims “*Suitable for people concerned about blood pressure*” and “*May assist in stabilizing blood pressure*” (#5, P. 10) and claims “*Suitable for people concerned about blood lipids / cholesterol*” and “*May assist in stabilizing blood lipids / cholesterol*” (#6, Page 11). The responsibility of the Government is to protect the public from misleading information. The allowing of the above claims give the wrong but clear signal to the public that even the Government does not disapprove of or even endorse these “*suitable*” claims. Adding the disclaimer that “*this is not a registered pharmaceutical product or a registered proprietary Chinese medicine. Any claim made for it has therefore nor been subject to evaluation*” does not clarify the product’s effectiveness or safety to the public at all. The Government must not back down under pressure from those greedy merchants selling these products and cannot hide under the excuse of “*freedom to choose*” when she is expected to guide and protect the community. Adding these exemptions defeats the whole purpose of stopping wild undesirable claims and shows the Government is shunning her responsibility while wasting public money and the time of the civil servants.

Community Health is under a real and much greater threat by undesirable advertisements of so-called "health food" through delaying proper treatment and undiscovered side effects than by doctors not having adequate "formal" Continuing Medical Education. By being lax towards the former but extremely strict with the latter, the Government demonstrates a double standard in safeguarding public health.