

PHARMACY AND POISONS ORDINANCE

RESOLUTION

(Under section 29 of the Pharmacy and Poisons Ordinance (Cap. 138))

RESOLVED that the following Regulations, made by the Pharmacy and Poisons Board on 26 April 2006, be approved –

- (a) the Pharmacy and Poisons (Amendment)(No. 2) Regulation 2006; and
- (b) the Poisons List (Amendment)(No. 2) Regulation 2006.

PHARMACY AND POISONS (AMENDMENT)(NO. 2) REGULATION 2006

(Made by the Pharmacy and Poisons Board under section 29 of the
Pharmacy and Poisons Ordinance (Cap. 138) subject to the
approval of the Legislative Council)

1. Substances falling within the Poisons List to which special restrictions apply under regulations 3 and 5

The First Schedule to the Pharmacy and Poisons Regulations (Cap. 138 sub.
leg. A) is amended, under the heading “A” –

- (a) in the item relating to “Alkaloids”, by repealing –
“Nicotine, except chewing gum intended to be used in
nicotine replacement therapy which contains not more
than 2 mg of Nicotine per piece”
and substituting –
“Nicotine (except chewing gums and lozenges, intended to
be used in nicotine replacement therapy and
containing not more than 2 mg of Nicotine per
piece)”;
- (b) by adding “Everolimus; its salts; its esters; their salts”;
- (c) by adding “Omalizumab”;
- (d) by adding “Pegvisomant; its salts”;
- (e) by adding “Solifenacin; its salts; its esters; their salts”.

2. Substances required by regulation 9 to be sold by retail only upon a prescription given by a registered medical practitioner, registered dentist or registered veterinary surgeon

The Third Schedule is amended, under the heading “A” –

- (a) by adding “Everolimus; its salts; its esters; their salts”;
- (b) by adding “Omalizumab”;

- (c) by adding “Pegvisomant; its salts”;
- (d) by adding “Solifenacin; its salts; its esters; their salts”.

Chairman,
Pharmacy and Poisons Board

26 April 2006

Explanatory Note

This Regulation amends the First and Third Schedules to the Pharmacy and Poisons Regulations (Cap. 138 sub. leg. A) (“principal Regulation”) –

- (a) to relax the control of Nicotine where it is intended to be used in nicotine replacement therapy and in the form of lozenges containing not more than 2 mg of Nicotine per piece; and
- (b) to add 4 substances to the First and Third Schedules respectively so that the sale and storage of those substances are subject to the restrictions imposed under the Pharmacy and Poisons Ordinance (Cap. 138) and the principal Regulation.

POISONS LIST (AMENDMENT)(NO. 2) REGULATION 2006

(Made by the Pharmacy and Poisons Board under section 29 of the
Pharmacy and Poisons Ordinance (Cap. 138) subject to the
approval of the Legislative Council)

1. The Poisons List

(1) The Schedule to the Poisons List Regulations (Cap. 138 sub. leg. B) is amended, in Part I, under the heading “A” –

- (a) in the item relating to “Alkaloids”, by repealing –
“Nicotine, except chewing gum intended to be used in
nicotine replacement therapy which contains not more
than 2 mg of Nicotine per piece”
and substituting –
“Nicotine (except chewing gums and lozenges, intended to
be used in nicotine replacement therapy and
containing not more than 2 mg of Nicotine per
piece)”;
(b) by adding “Everolimus; its salts; its esters; their salts”;
(c) by adding “Omalizumab”;
(d) by adding “Pegvisomant; its salts”;
(e) by adding “Solifenacin; its salts; its esters; their salts”.

(2) The Schedule is amended, in Part II, under the heading “A”, by
repealing –

“Nicotine: chewing gum intended to be used in nicotine replacement therapy
which contains not more than 2 mg of Nicotine per piece”

and substituting –

“Nicotine: chewing gums and lozenges, intended to be used in nicotine
replacement therapy and containing not more than 2 mg of Nicotine per
piece”.

Chairman,
Pharmacy and Poisons Board

26 April 2006

Explanatory Note

This Regulation amends the Schedule to the Poisons List Regulations (Cap. 138 sub. leg. B) (“principal Regulation”) –

- (a) to relax the control of Nicotine where it is intended to be used in nicotine replacement therapy and in the form of lozenges containing not more than 2 mg of Nicotine per piece; and
- (b) to add 4 substances under the heading “A” in Part I of the Poisons List set out in the Schedule to the principal Regulation. (Poisons listed under the heading “A” are essentially for medicinal use. Under the Pharmacy and Poisons Ordinance (Cap. 138) such poisons may only be sold on the premises registered under the Ordinance by a registered pharmacist or in his presence and under his supervision.)