

DH steps up enforcement to combat illegal sale of drugs and Chinese herbal medicines in retail shops for Labour Day Golden Week of Mainland

In view of the approaching Labour Day Golden Week of the Mainland, the Department of Health (DH) and Police yesterday (April 29) mounted a joint operation in Yau Tsim Mong District to combat the illegal sale of drugs and Chinese herbal medicines (Chm) in retail shops with a view to further safeguarding rights of local consumers and visitors.

The DH raided two retail shops, which use the Chinese name "藥舖", in Tsim Sha Tsui and Mong Kok respectively. During the operation, nine unregistered pharmaceutical products and Part 1 poisons under the Pharmacy and Poisons Ordinance (Cap. 138) and a Schedule 2 Chm under the Chinese Medicine Ordinance (Cap. 549) were seized as the shops did not have the required licenses. The Police arrested three men aged between 29 and 33. They were suspected of illegal possession of Part 1 poisons and unregistered pharmaceutical products under the Pharmacy and Poisons Ordinance, and illegal possession and sale of a Schedule 2 Chm under the Chinese Medicine Ordinance respectively. The DH's investigations are ongoing.

According to the Pharmacy and Poisons Ordinance, all pharmaceutical products must be registered with the Pharmacy and Poisons Board of Hong Kong (the Board) before they can be legally sold in the market. Illegal possession or sale of unregistered pharmaceutical products, and illegal possession or sale of Part 1 poisons under the Pharmacy and Poisons Regulations (Cap. 138A) without relevant licence are criminal offences. The maximum penalty for each offence is a fine of \$100,000 and two years' imprisonment upon conviction.

Furthermore, anyone who wishes to engage in the retail business of toxic Chm specified in Schedule 1 of the Chinese Medicine Ordinance and Chm specified in Schedule 2 of the Ordinance, which are commonly used in Hong Kong, must first apply for the relevant licence from the Chinese Medicines Board under the Chinese Medicine Council of Hong Kong (CMCHK). Sale and possession for retail of Schedule 1 or Schedule 2 Chm without a licence are criminal offences. Offenders are liable to a maximum fine of \$100,000 and two years' imprisonment upon conviction.

To prevent the inappropriate use of pharmacy logos and titles by medicine retailers, the Board endorsed and announced that applicants for a medicine retailer licence (i.e. listed seller of poisons licence) who are not Authorized Sellers of Poisons (commonly known as pharmacies), must not use or display the Chinese title "藥舖" in its premises. The DH has enhanced its inspections against licensed listed sellers of poisons and Chm retailers located in tourist areas in the past month, and reminded the licence holders to comply with the requirements of the relevant laws and regulations.

Moreover, the DH has formulated a label for identification of Authorized Sellers of Poisons and the labels are being sent to each pharmacy progressively for display in a conspicuous position in the pharmacy. Members of the public could obtain information of the registered pharmacy by scanning the QR Code on the label. For details, please see the [relevant press release](#).

The DH has long reminded members of the public and tourists through promotions and education to purchase medicines from licensed medicine traders. For the list of licensed Drug Dealers, please visit the [website of the Drug Office of the DH](#). For the list of licensed Chinese medicines traders, please visit the [website of the CMCHK](#).

To enhance the public's understanding of registered pharmacies, the website of the Drug Office of the DH provides educational materials on "['Pharmacies' in Hong Kong](#)" for public viewing. The DH has also compiled safety information for consumers on the purchase and use of medicines, including "[Be Cautious when Buying Medicines on Internet](#)", "[General Knowledge on Registered Medicines](#)", and [points to note when buying proprietary Chinese medicines](#) for public viewing.