

Two men arrested for suspected illegal sale and possession of Part 1 poisons and sale of alternative smoking products

The Department of Health (DH) and the Police yesterday (May 4) conducted a joint operation against the illegal sale of alternative smoking products (ASPs). During the operation, two men, aged 28 and 31, were arrested by the Police for the suspected illegal sale and possession of Part 1 poisons as well as the suspected illegal sale of ASPs.

Acting upon intelligence and an in-depth investigation, the Police, with the Tobacco and Alcohol Control Office and the Drug Office of the DH, yesterday raided a mobile retail outlet in Mong Kok suspected of selling ASPs. During the operation, a batch of suspected ASPs, including 94 boxes of suspected nicotine-containing electronic cigarette cartridges and 74 smoking devices were seized. An investigation is continuing, and all the arrested persons are being detained by the Police.

The Smoking (Public Health) (Amendment) Ordinance 2021 (Cap. 371) has come into operation since April 30. The Ordinance prohibits the import, promotion, manufacture, sale, or possession for commercial purposes of ASPs. Offenders are subject to a maximum fine of \$50,000 and imprisonment for six months. Moreover, according to the Pharmacy and Poisons Regulations (Cap. 138A), nicotine (except tobacco) is listed as a Part 1 poison and electronic cigarettes containing nicotine are regarded as pharmaceutical products. The Pharmacy and Poisons Ordinance (Cap. 138) also stipulates that all pharmaceutical products must be registered with the Pharmacy and Poisons Board of Hong Kong before they can be legally sold in the market. Illegal sale or possession of unregistered pharmaceutical products or Part 1 poisons are criminal offences. The maximum penalty for each offence is a fine of \$100,000 and two years' imprisonment.

A spokesman for the DH said that the department is committed to implement and enforce the new legislation on ASPs. The Government appeals to smokers to quit smoking as early as possible for their own health and that of others. They are encouraged to call the DH's Integrated Smoking Cessation Hotline on 1833 183. The hotline is operated by registered nurses and provides professional counselling services on smoking cessation. Information on smoking cessation can also be obtained from www.livetobaccofree.hk.