

For information

**Business Facilitation Advisory Committee
Wholesale and Retail Task Force**

*Update on Implementation Progress
of the Recommendation on the
Duration of Presence of Pharmacists in
Authorized Sellers of Poisons*

Purpose

This paper updates members of the progress made by the Government in implementing the recommendation of the Review Committee on Regulation of Pharmaceutical Products in Hong Kong (the Review Committee) that requires the presence of a registered pharmacist whenever the authorized seller of poison opens for business.

Background

2. Currently, the Pharmacy and Poison Ordinance (Cap. 138) stipulates that all pharmaceutical traders, except companies conducting wholesale of pharmaceutical products of non-poisons in Hong Kong, are required to obtain the relevant licences from the Pharmacy and Poisons Board. As of April 2014, there were 86 holders of a manufacturer's licence (including 24 GMP pharmaceutical manufacturers, 10 contract-out pharmaceutical manufacturers and 52 secondary packaging pharmaceutical manufacturers), 721 licensed wholesalers of poisons, 92 registered importers and exports of pharmaceutical products, and 4 539 licensed medicine retailers (including 601 authorized sellers of poisons (ASP) (or commonly known as "dispensaries" or "pharmacies") and 3 938 listed sellers of poisons (or commonly known as "medicine companies").

3. In early 2009, a series of incidents involving unsafe and unregistered pharmaceutical products had caused wide public concern. The Government set up the Review Committee in March 2009 to conduct a comprehensive review on the existing regime for the regulation of pharmaceutical products. In its report issued in December 2009, the Review Committee made a total of 75 recommendations to enhance the coverage and depth of the regulatory measures. The Department of Health briefed the then Retail Task Force

(RTF) on the progress made by the Government in implementing the recommendations at its meeting in October 2010.

Previous discussion of the RTF

4. As regards the recommendation to introduce a mandatory requirement that a registered pharmacist should be present whenever that ASP is opened for business¹, RTF members raised concern at the meeting that it would not be possible to implement the recommendation in view of the shortage of registered pharmacists in Hong Kong. It might also lead to a situation where small pharmacies would lose out in competing for limited pharmacists in the market. RTF urged the Government to ensure the availability of sufficient pharmacists before implementing the recommendation.

The Latest Position

5. In response to views of some Health Panel Members of the Legislative Council and the trade and considering that the manpower supply of registered pharmacists in the coming few years may not be sufficient to cope with the manpower demand arising from the above proposal, coupled with the fact that it was not the original intention to implement the above proposal shortly, the Administration consider that there is no imminent need to amend the relevant legislation at this stage. As a result, the Administration has decided not to include the relevant provision in the Pharmacy and Poisons (Amendment) Bill 2014 (the Bill).

6. The Bill was gazette on 21 March 2014 and introduced to the Legislative Council on 26 March 2014. A Bills Committee has subsequently been formed to examine the Bill.

Way Forward

7. Members are invited to note the content of this paper.

Department of Health
June 2014

¹ The current requirement is that a registered pharmacist must be present in an ASP for not less than two-thirds of its opening hours.