

**Decision of the Chinese Medicines Board made at a meeting held under  
section 7(1) of the Chinese Medicines Traders (Regulatory) Regulation**

Name of the Chinese medicines trader : Tin Cheung Trading Co

Flat / Room 17, 2/F, Blk B, Sheung Shui Plaza,  
Fsstl: 95 Po Wan Road, Sheung Shui, New  
Territories

Wholesaler licence in proprietary : PW-2003-00263  
Chinese medicines

Date of meeting of the Chinese Medicines : 23 November 2020  
Board

According to information received from the Department of Health (hereinafter called “DH”), the DH found during a routine market surveillance in April 2017 that a product named **【Pak Ton Dick】** Pak Ton Dick Woo Lok Oil (hereinafter called “Pak Ton Dick”) (batch no.: 160425) with a proprietary Chinese medicine (hereinafter called “pCm”) registration number of HKP-10494 as labelled on its package, contained, upon testing, 1.9 milligrams of a Western drug ingredient “piroxicam” per gram. The batch of products was suspected to be unregistered pharmaceutical products in contravention of the Pharmacy and Poisons Ordinance (hereinafter called “PPO”).

The DH then visited a manufacturer of pCms and a wholesaler of pCms for investigation and seized from the former a stock of 3,659 bottles of Pak Ton Dick (batch no.: 160425) as well as one bottle of control sample, and the latter a stock of 1,060 bottles of Pak Ton Dick (batch no.: 160425) for examination by the Government Laboratory, and they were found to contain piroxicam ranging from 1.6 to 2.2 milligrams per gram. The investigation of the DH revealed that Tin Cheung Trading Co (hereinafter called “Tin Cheung”) sold the above products to that wholesaler of pCms. According to the DH’s information, Pak Ton Dick falls under the definition of a pharmaceutical product pursuant to the PPO but was not registered as such in Hong Kong.

The registration information of Pak Ton Dick (pCm registration no.: HKP-10494) showed that its pCm registration holder was a manufacturer of pCms. The investigation of the DH revealed that the manufacturer of pCms had imported the batch of Pak Ton Dick (batch no.: 160425) from the Mainland for local sale via Tin Cheung after external packing.

Subsequently, the sole proprietor of Tin Cheung was prosecuted. On 31 May 2018, he was convicted on his own plea of illegal sale of unregistered pharmaceutical products, thereby contravening sections 36(1) and 40 of the Pharmacy and Poisons Regulations made under the PPO, Chapter 138 of the Laws of Hong Kong, and was fined HK\$10,000 at the Fanling Magistrates' Courts. Hence, the DH alleged that Tin Cheung had violated the relevant regulations of the Practising Guidelines for Wholesalers of Proprietary Chinese Medicines (hereinafter called "the Guidelines").

The Chinese Medicines Board considered that the allegations made by the DH against Tin Cheung were established. It was held that the company had violated the following regulations of the Guidelines:

- (i) section 3.1(2), should not engage in the dealing of proprietary Chinese medicines of dubious quality, or suspected to be counterfeit products;
- (ii) section 3.1(4), implement and comply with the prescribed codes of practice and relevant laws, namely the restrictions related to the control of medicines containing any western medicine as ingredients under the Pharmacy and Poisons Ordinance (Chapter 138 of the Laws of Hong Kong), including the provisions related to the registration of pharmaceutical products. Proprietary Chinese medicines should not contain any western medicine as ingredients; and
- (iii) section 3.1(7), properly manage the business of wholesale dealing in proprietary Chinese medicines.

In accordance with power specified in section 139(2)(a) of the Chinese Medicine Ordinance, the Chinese Medicine Board decided that the wholesaler licence in proprietary Chinese medicines held by Tin Cheung be suspended for one week.