

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 : Wong Chak Kee Limited

Shop 10, G/F, Kam Yu Mansion, No. 8 Kom U Street, Sheung Wan, Hong Kong

Wholesaler licence in Chinese herbal medicines : CW-2003-00333

Date of meeting of the Chinese Medicines Board : 18 December 2020

According to information received from the Department of Health (hereinafter called “DH”), the DH found during a market surveillance operation on 4 September 2018 that a batch of Chinese herbal medicine, Herba Pteridis Multifidae (batch no.: 180408), after being decocted, contained Arsenic in its herbal decoction, which was approximately 1.53 to 2.55 times the related limit (1500 mcg/day) set out by the Chinese Medicine Council of Hong Kong (hereinafter called “the CMCHK”). The DH then visited a wholesaler of Chinese herbal medicines for investigation and seized from it a pack of Chinese herbal medicine sample, Herba Pteridis Multifidae (belonging to the same batch numbered 180408), for checking by the Chinese Medicines Information and Research Division and for examination by the Government Laboratory. The results revealed that the Arsenic content in the herbal decoction prepared from that batch of Herba Pteridis Multifidae was approximately 1.47 to 2.45 times the related limit (1500 mcg/day) set out by the CMCHK. Investigation of the DH revealed that having imported the concerned batch of Herba Pteridis Multifidae from the Mainland, Wong Chak Kee Limited (hereinafter called “Wong Chak Kee”) supplied it to the said wholesaler of Chinese herbal medicines. Hence, the DH alleged that Wong Chak Kee had violated the relevant regulations of the Practising Guidelines for Wholesalers of Chinese Herbal Medicines (hereinafter called “the Guidelines”).

The Chinese Medicine Board considered that the allegations made by the DH against Wong Chak Kee were established. It was held that the company had violated the following regulations of the Guidelines:

- (i) section 3.1(1), should not engage in the dealing of processed herbal medicines of dubious quality;
- (ii) section 5.2.1(1), ensure that the quality of each batch of herbal medicine/processed herbal medicine purchased meets the required standards;
- (iii) section 5.3(4), only dispatch herbal medicines/processed herbal medicines of a quality meeting the required standards; and

- (iv) section 3.1(5), properly manage the business of wholesale dealing in Chinese herbal medicines.

In accordance with the power specified in section 139(2)(d) of the Chinese Medicine Ordinance, the Chinese Medicines Board decided that a warning be issued to Wong Chak Kee.