

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 : Fei Fah Medibalm (HK) Co.

Unit 8, 04/F, Sun Cheong Industrial Building, 1
Cheung Shun Street, Cheung Sha Wan, Kowloon

Wholesaler licence in proprietary : PW-2003-00130
Chinese medicines

Date of meeting of the Chinese : 21 April 2021
Medicines Board

According to information received from the Department of Health (hereinafter called “DH”), the Hong Kong Customs and Excise Department found during an investigation that Fei Fah Medibalm (HK) Co. (hereinafter called “Fei Fah Medibalm”) exported without an export licence 19,842 bottles (80ml per bottle) and 2,520 bottles (50ml per bottle) of Fei Fah Millennium Liniment (proprietary Chinese medicine registration no.: HKC-07565) to Singapore on 28 June 2017, with an estimated worth of HK\$77,007.

Subsequently, the sole proprietor of Fei Fah Medibalm was prosecuted. On 17 July 2019, he was convicted of exporting prohibited articles not under and in accordance with an export licence, thereby contrary to sections 6D(1) and 6D(3) of the Import and Export Ordinance (Chapter 60 of the Laws of Hong Kong) and was fined HK\$5,000 at the Kowloon City Magistrates’ Courts. Hence, the DH alleged that Fei Fah Medibalm 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 Fei Fah Medibalm were established. It was held that the company had violated the following regulations of the Guidelines:

- (i) section 3.1(4)ii, implement and comply with the prescribed codes of practice and relevant laws, namely sections 6D(1) and 6D(3) of the Import and Export Ordinance (Chapter 60 of the Laws of Hong Kong); and
- (ii) section 3.1(7), properly manage the business of wholesale dealing in proprietary Chinese medicines.

In accordance with section 13(3) of the Chinese Medicines Traders (Regulatory) Regulation, the Chinese Medicines Board decided that a letter of advice be issued to Fei Fah Medibalm by the Regulatory Committee of Chinese Medicines Traders.