

PHARMACY AND POISONS ORDINANCE (Chapter 138)

DIRECTION MADE BY THE DISCIPLINARY COMMITTEE
OF THE PHARMACY AND POISONS BOARD OF HONG KONG

It is hereby notified that a Disciplinary Committee appointed by the Pharmacy and Poisons Board of Hong Kong under section 15 of the Pharmacy and Poisons Ordinance (Chapter 138, Laws of Hong Kong) to inquire into the conduct of an authorized seller of poisons, namely Fu Tai Dispensary Limited, at Shop No.2 on Ground Floor, Hung Yat Building, Nos. 11, 11A, 13 & 13A North Point Road, North Point, Hong Kong has conducted an inquiry on 13 September 2024 in accordance with section 16 of the Pharmacy and Poisons Ordinance.

The said Committee was satisfied after the inquiry that Fu Tai Dispensary Limited had been guilty of misconduct in that at the material time, Fu Tai Dispensary Limited and its employee, CHAN Wai-hung were convicted of the following offences under the Pharmacy and Poisons Ordinance, the Pharmacy and Poisons Regulations (Chapter 138A, Laws of Hong Kong) made under the Pharmacy and Poisons Ordinance and the Trade Descriptions Ordinance (Chapter 362, Laws of Hong Kong) on the date specified below at Eastern Magistrates' Courts for which the following orders were imposed:—

<i>Date of Order</i>	<i>Date of Offence</i>	<i>Person Convicted</i>	<i>Offence</i>	<i>Order</i>
28 February 2024	6 January 2023	Fu Tai Dispensary Limited	Selling Part 1 poison without proper supervision	Fined HK\$3,000 Compensation (Not via Magistracy) HK\$2,392
28 February 2024	6 January 2023	Fu Tai Dispensary Limited	Selling a Schedule 3 poison without prescription	Fined HK\$3,000
28 February 2024	6 January 2023	Fu Tai Dispensary Limited	Selling pharmaceutical product which was not registered	Fined HK\$3,000
28 February 2024	6 January 2023	Fu Tai Dispensary Limited	Supplying/offering to supply false trade description goods	Fined HK\$7,000
13 March 2024	6 January 2023	CHAN Wai-hung	Selling Part 1 poison without proper supervision	Community Service Order 12 months 160 hours ^{Note}
13 March 2024	6 January 2023	CHAN Wai-hung	Selling a Schedule 3 poison without prescription	Community Service Order 12 months 160 hours ^{Note}
13 March 2024	6 January 2023	CHAN Wai-hung	Selling pharmaceutical product which was not registered	Community Service Order 12 months 160 hours ^{Note}

Note: Community Service Orders to run concurrently.

In addition, the said Committee was satisfied that Fu Tai Dispensary Limited had failed to comply with sections 1.4a, 1.4b, 2e, 2f, 3.1a, 3.1b and 3.1d of the Code of Practice for Authorized Seller of Poisons (2021 version).

It is further notified that under section 16(2)(b) of the Pharmacy and Poisons Ordinance, the said Committee directed that a warning letter be served on Fu Tai Dispensary Limited. The said

Committee added that its direction should be published in the Government of the Hong Kong Special Administrative Region Gazette with an account of the proceedings.

*CHIU Pui-yin Chairman, Disciplinary Committee of
the Pharmacy and Poisons Board of Hong Kong*