

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 ("the Ordinance") to inquire into the conduct of an authorized seller of poisons, namely Ka Fung Dispensary O/B Sunny Star Limited, at Shop 4, Ground Floor, Kai Yin Mansion, 12–26 Nelson Street, Mong Kok, Kowloon, has conducted an inquiry on 8 September 2017 in accordance with section 16 of the Ordinance.

The said Committee was satisfied after the inquiry that Ka Fung Dispensary O/B Sunny Star Limited had been guilty of misconduct in that at the material time, Sunny Star Limited operating Ka Fung Dispensary, an authorized seller of poisons and its salesperson, Mr. WONG Koon-ho, were convicted of the following offences under the Trade Descriptions Ordinance (Chapter 362, Laws of Hong Kong) and the Ordinance, on 6 January 2017 at Kwun Tong Magistrates' Courts for which the following orders were imposed:—

<i>Date of Offence</i>	<i>Person Convicted</i>	<i>Offence</i>	<i>Order</i>
12 November 2015	Sunny Star Limited	(1) Possession for sale or for any purpose of trade or manufacture goods to which a forged trade mark was applied	(1) Fined HK\$15,000 and Amends/ Restitution (via Magistracy) HK\$1,770
		(2) Selling a Schedule 3 poison without the authority of a prescription	(2) Fined HK\$15,000
	WONG Koon-ho	(1) Selling a Schedule 3 poison without the authority of a prescription	(1) Fined HK\$8,000 and 12 weeks imprisonment suspended for 3 years
		(2) Selling goods to which a forged trade mark was applied	(2) Fined HK\$8,000 and 8 weeks imprisonment suspended for 3 years, of which 4 weeks to run concurrently with offence (1)
			Total: 16 weeks imprisonment suspended for 3 years

It is further notified that under section 16(2)(b) of the Ordinance, the said Committee directed that Ka Fung Dispensary O/B Sunny Star Limited should be disqualified from being an authorized seller of poisons for a period of 7 days with effect from 21 October 2017. 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.

Cindy LAI *Chairman, Disciplinary Committee of the Pharmacy and Poisons Board of Hong Kong*