

AGREEMENT ON IMPORT LICENSING PROCEDURES

Notification under Article 5

HONG KONG, CHINA

The following communication, dated 9 September 2009, is being circulated at the request of the delegation of Hong Kong, China.

Pursuant to Article 5 of the Agreement on Import Licensing Procedures, Hong Kong, China hereby notifies that a new licensing control for the import of proprietary Chinese medicines and 36 Chinese herbal medicines into the Hong Kong Special Administrative Region has been introduced with the following details:

(a) List of products subject to licensing procedures

Any article specified in Sections 2A, 2B and 2C of Part I of the First Schedule of the Import and Export (General) Regulations, Cap. 60A, which are listed below, are subject to import licensing procedures:

- 31 Chinese herbal medicines specified in Schedule 1 of the Chinese Medicine Ordinance (Cap 549)
- 5 Chinese herbal medicines specified in Schedule 2 of the Chinese Medicine Ordinance (Cap 549), namely, Flos Campsis, Processed Radix Aconiti, Processed Radix Aconiti Kusnezoffii, Radix Clematidis and Radix Gentianae
- Proprietary Chinese medicines as defined in Section 2 of the Chinese Medicine Ordinance (Cap 549)

(b) Contact point for information on eligibility

- (i) For proprietary Chinese medicines: Pharmaceuticals Import / Export Control Unit, Pharmaceutical Service, Department of Health, 3/F, Public Health Laboratory Centre, 382 Nam Cheong Street, Shek Kip Mei, Kowloon, Hong Kong.
- (ii) For 36 Chinese herbal medicines: Chinese Medicines Section, Department of Health, 2/F, Public Health Laboratory Centre, 382 Nam Cheong Street, Shek Kip Mei, Kowloon, Hong Kong.

(c) Administrative body for submission of applications

See Item (b).

(d) Date and name of publication where licensing procedures are published

The Chinese Medicine Ordinance (Commencement) Notice 2007 was gazetted on 16 November 2007. It stipulates 11 January 2008 to be the date on which, among others, the relevant provisions of the Chinese Medicine Ordinance (Cap 549) including the consequential amendment to the Import and Export (General) Regulations, Cap. 60A shall come into operation.

(e) Indication of whether the licensing procedure is automatic or non-automatic according to definitions contained in Articles 2 and 3

The licensing procedure is non-automatic.

(f) In the case of automatic import licensing procedures, their administrative purpose

Not applicable.

(g) In the case of non-automatic import licensing procedures, indication of the measure being implemented through the licensing procedures

The import licensing procedure aims to establish a mechanism to regulate, inter alia, the import of the proprietary Chinese medicines and 36 Chinese herbal medicines into Hong Kong Special Administrative Region. The applicant is required to hold an appropriate trader's licence issued by the Chinese Medicine Board prior to the application for an import licence. Unless otherwise stated, an import licence is valid for six months.

(h) Expected duration of the licensing procedure if this can be estimated with some probability, and if not, reason why this information cannot be provided

Two working days after submission of application for the import licence, subject to the availability of sufficient information.
