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Herbal and Traditional Chinese Medicine Practitioners Plea For Legal Regulation

GOVERNMENT URGED TO KEEP ITS PROMISE

An appeal to the UK Government to bring in the legislation they committed to in February 2011 is made today by **The Association of Traditional Chinese Medicine and Acupuncture UK**. The Government's decision to bring in statutory regulation through the Health and Care Professions Council (HCPC) came after extensive consultations, reports and recommendations from all stakeholders over a decade.

"The legislation process has been delayed again and again. Two years have passed without the Department of Health publishing the draft legislation and there is no sign of progress", said Dr. Kaicun Zhao, President of the Association of Traditional Chinese Medicine and Acupuncture UK (ATCM), the largest professional TCM group in the UK representing more than 700 highly qualified practitioners.

Two Department of Health (DOH) consultations in 2004 and 2008 clearly showed that statutory regulation (SR) was overwhelmingly supported by the public and the practitioners themselves.

Fears of Black Market or Counterfeit Products

The ATCM is concerned about the great impact on its members' practice and patients' access to herbal medicine. Since May 2011 no manufactured TCM herbal products have been available. "We are worried that patients may seek herbal products from the internet or the black market posing a much

greater risk to public safety”, Dr. Zhao added. The Medicines and Healthcare Products Regulatory Agency recently issued a press release warning of these dangers.

The ATCM has this message for the Department of Health and the Government:

- Statutory regulation (SR) will ensure that only practitioners who have met the specified training standards are allowed to prescribe herbs in a safe and competent way. The public will be protected from poorly trained practitioners and from substandard herbal medicines.
- Qualified practitioners will be able to commission a third party to prepare herbal products for their patients according to the Article 5.1 of the European Directive 2004/27/EC. Public access to safe and high quality herbal products will be maintained. TCM herbal medicine has been helping many patients in the UK. Without SR, the public will no longer have the choice of using manufactured TCM herbal medicines. It will undermine the practice of herbal medicine (HM) and TCM practitioners. The supply of these medicines will become illegal without SR.
- SR supports high quality professional education in HM and TCM at Bachelor degree (Hons) level. The high standard education will ensure proper training to produce safe and competent HM and TCM practitioners

Dr. Kaicun Zhao comments:

“We don't want to see the government making another U-turn. After more than ten years of hard work and two DoH public consultations, we applauded the Government’s decision on SR for our sector in 2011. We call for the government to take immediate action to fulfil its promise on the proposed SR.

Public Safety

This legislation along with the EU Directive on traditional herbal medicines (Directive 2004/27/EC), will provide further safeguards to public safety. SR

will identify qualified professionals who are able to assure high standards of TCM treatment by using safe and effective herbal medicines. The UK Medicines and Healthcare Products Regulatory Agency has proposed a mechanism for supply of unlicensed herbal medicine by statutorily regulated practitioners.

Dr. Zhao concluded, "The lack of legitimate supply of TCM herbal products is seriously affecting practitioners' ability to practice. It is now a matter of utmost urgency. We strongly urge the Government to act and bring forward this legislation without any further delay."

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Notes to editor:

1. Department of Health: Press Release: Proportionate health and social care worker regulation to protect the public http://webarchive.nationalarchives.gov.uk/20110217182610/http://www.dh.gov.uk/en/MediaCentre/Pressreleases/DH_124376
2. Department of Health: Statutory Regulation of Practitioners of Acupuncture, Herbal Medicine, Traditional Chinese Medicine and Other Traditional Medicine Systems Practised in the UK - *An Analysis Report on the Consultation* http://webarchive.nationalarchives.gov.uk/20110217182610/http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_124338.pdf
3. Medicines and Healthcare products Regulatory Agency: The regulation of unlicensed herbal medicines commissioned by a registered herbalist from a third party to meet the needs of individual patients: A discussion paper <http://www.mhra.gov.uk/home/groups/es-herbal/documents/websiteresources/con2024908.pdf>
4. Medicines and Healthcare products Regulatory Agency: Press Release: Toxic poisoning alert for online Chinese medicines <http://www.mhra.gov.uk/NewsCentre/Pressreleases/CON239403>
5. Medicines and Healthcare products Regulatory Agency: Press Release: MHRA concerned over increase in sales of unlicensed European

medicines in the UK
<http://www.mhra.gov.uk/NewsCentre/Pressreleases/CON234560>

6. The Association of Traditional Chinese Medicine and Acupuncture UK (ATCM) represents over 700 well trained practitioners of traditional Chinese medicine across the UK. ATCM was founded in 1994 and is now the largest self-regulatory body for traditional Chinese medicine including acupuncture practitioners. All full members of ATCM hold a university, college or other recognised professional qualification at or above BSc level.

More than 90% of ATCM members prescribe Chinese herbal medicine. TCM practice heavily relies on unlicensed manufactured herbal products. More and more ATCM members have suffered business loss due to lack of availability of manufactured Chinese herbal medicines since May 2011.

For further information please contact:

Dr. Kaicun Zhao
President of ATCM
Tel: 020 8411 5434
Email: kzhao@atcm.co.uk

Dr. Huijun Shen
Vice president of ATCM
Tel: 07904 150127
Email: hshen@atcm.co.uk

Ms. Jessie Wang
Secretary of ATCM Office
Tel: 020 8951 3030
Email: info@atcm.co.uk