

Ann Milton MP
Parliamentary Under Secretary of State for Public Health
Richmond House
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16/09/2010

We the undersigned represent over 2,000 practitioners of herbal medicine and traditional Chinese medicine and wholesale businesses working throughout the United Kingdom. Together our practitioners undertake millions of patient consultations a year – a fact underlined by a recent MHRA survey that highlighted that one in twelve of the UK population had consulted a practitioner of Western herbal medicine in the previous two years to the survey whilst around one in twenty had consulted a practitioner of traditional Chinese Medicine (TCM) in the same period.

This same survey noted that 77% of adults agree it is important that herbal medicines are regulated, with this figure rising to 87% among regular users of herbal medicines (defined as those who have used a herbal medicine within the last two years). Public demand for regulation of this sector has been further emphasised by a public consultation carried out by the DH in 2004 that brought a 98.5% response in favour of statutory regulation of practitioners of herbal medicine. We understand that the DH received a similar huge public response (over six and a half thousand replies) to the more recent public consultation on the same subject carried out by the DH in 2009, although unfortunately these results have not yet been published.

You will be aware that the statutory regulation of herbal medicine and TCM practitioners has been long debated. The House of Lords' Select Committee on Science and Technology called for the statutory regulation of herbal medicine practitioners in 2000 and the following year the Government responded saying that it too supported the statutory regulation of this sector launching two working groups to review how this could best be carried out. The regulation of acupuncture, herbal medicine and TCM practitioners was the subject of another independently chaired regulatory working group run by the DH that reported to Ministers in 2008. Like its predecessors, this working group also strongly backed the statutory regulation of this sector as did the Health Professions Council that had been designated as the putative regulator by the DH. In 2005, the Government actually published a timetable for this statutory regulation that unfortunately was not adhered to.

Given these holdups, our practitioners and thousands of patients feel badly let down by the Government. It is clear that without statutory regulation, many herbal medicine practitioners and their suppliers will be put out of business by the replacement of Section 12(2) of the 1968 Medicines Act by the Traditional Herbal Medicinal Products Directive on 1st May 2011. Over the past forty years, herbal and TCM practitioners have come to rely on third-party supply of herbal products to treat their patients. Without statutory regulation to provide a means to replace this 12(2) supply, this vital facility will be swept away in May next year. Given the current economic climate, this is surely the worst of times for the Government effectively to bankrupt small businesses and to swell the ranks of the unemployed because of its tardiness in going ahead with this regulation.

Article 5.1 of Directive 2001/83/EC allows the commissioning of unlicensed manufactured herbal products by “authorized healthcare professionals” for individual patients under MHRA scrutiny and statutory regulation of this sector would secure this route of supply for herbal and TCM practitioners and their patients. In the light of this, we strongly urge the Government to proceed immediately with the statutory regulation of herbal and TCM practitioners in order that the valuable contribution they make to the nation’s health can continue after April 2011.

Our practitioners are educated to university level. This training delivers a high level of competence in medical expertise such as differential diagnosis, pharmacology and clinical skills. Without statutory regulation of these very popular forms of treatment, users of herbal medicine and Chinese herbal medicine are likely to be forced to turn to unregulated back street practitioners or put themselves at risk by buying from dubious internet sources. On the other hand, statutory regulation of this sector will undoubtedly protect the public from bogus or failing practitioners whilst allowing the huge numbers of users of herbal and Chinese medicine to exercise their right consult and receive treatment from properly regulated practitioners.

We sincerely hope that the Government will move to statutory regulation of this sector without delay!

We look forward to receiving your response to this letter.

Yours sincerely,

Signed at the Herbal Medicine Regulation Forum on 16th September 2010 by

Signature	Name in Capital Print	Position	Organisation/Company
Yes	Hui Jun Shen	President	The Association of Traditional Chinese Medicine UK
Yes	Yu Han	Director	Chinese Healthcare Centre
Yes	Gerard Sullivan	QA Manager	MayWay UK Ltd
Yes	Peter Ren	Director	China European Ltd
Yes	David Xiu	Director	Superdragon TCM UK Ltd
Yes	Li Yi Qi	Senior Member	The Association of Traditional Chinese Medicine UK
Signature	Name in Capital Print	Position	Full Name of Organisation/Company

Yes	Yi Tan	Manager	Beijing Tong Ren Tang (London) Ltd
Yes	Jim Belcher	Director	Balance Herbcare Ltd
Yes	Zhi-Hua Gao	President	Register of Chinese Herbal Medicine
Yes	Andreas Feyler	Council member	The Association of Traditional Chinese Medicine UK
Yes	Yan Zhong Xu	Director	Shizhen TCM Uk Ltd
Yes	Ji Liang	Vice- president	Register of Chinese Herbal Medicine
Yes	Rebecca Clarke	Council member	Register of Chinese Herbal Medicine
Yes	Yan Ping Li	Director	Donica Publishing Ltd
Yes	Kan Wen Ma	Professor	Wellcome Trust, University College London
Yes	Fanyi Meng	Programme Leader	Acupuncture Programme, University of Lincoln
Yes	Ming Zhao Cheng	Programme Leader	TCM Programme, Middlesex University
Yes	Kai Cun Zhao	Programme Leader	TCM Programme, Middlesex University
Yes	Tie Jun Tang	Clinical Manager	Asante Academy
Yes	George He*	Manager	Herbprime Co Ltd
Yes	Hai Zhang*	Director	Greatwall Ltd
Yes	Michael McIntyre*	Chair	European Herbal and Traditional Medicine Practitioners Association

Note: * signed on a separate copy of the letter

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