

Statutory regulation for Chinese medicine

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The UK government intends to save the future of herbal medicine practitioners from a European law change through statutory regulation. The Chinese Medicine Council is concerned about the time gap between the two changes. Cecily Liu reports.

The Chinese Medical Council is concerned about the UK government's delay to statutorily regulate herbal medicine practitioners.

A European directive making it illegal for herbal practitioners in the UK to source unlicensed manufactured herbal medicines will take full effect in April 2011 in all EU countries.

Under this directive, only medicines with a licence can be bought and sold over-the-counter. But the Medicines and Healthcare products Regulatory Agency (MHRA) has not yet granted a license for the majority of Chinese medicines. A major reason is that many newly imported types of Chinese medicine do not have a long track-record of safe usage in the UK, making it difficult for MHRA to grant them licenses.

Andrew Lansley, Secretary of State for Health, proposed in February 2011 to change herbal medicine practitioners' regulatory status from voluntary to statutory. Under a statutory regulation system, registered professional practitioners will be allowed to prescribe unlicensed medicines on a one-to-one basis to their patients. Industry experts have lobbied for this change for the past decade as the only way to solve the problem faced by herbal practitioners in the UK.

However, Mr Lansley said that the government intends to implement the change in 2012 "subject to Parliamentary procedures". This leaves herbal practitioners at least eight months unable to purchase herbal products from their suppliers.

Professor Man Fong Mei, Chairman of Chinese Medical Council, said: "The CMC feels that it is unfair to ask practitioners to survive in this vacuum and it is hoped that, following this announcement from the Department of Health, the MHRA will enforce the EU Directive sensibly to help established practitioners to continue trading until statutory regulation is in place."

Mr Lansley proposed that professional practitioners register with the Health Professional Council. But Chinese Medical Council believes that there is still a lot of work to be done with the HPC to ensure a robust but fair system of registration that does not burden practitioners unduly. Professor Mei said: "The legal right for HPC registered practitioners to prescribe unlicensed herbal products is also pending parliamentary approval."

Overall, Mr Lansley's announcement is endorsed by many industry experts.

Desiree Shelley, president of the National Institute of Medical Herbalists (NIMH), said: "The Government is to be congratulated on making the right decision."

Michael McIntyre, chairman of the The European Herbal and Traditional Medicine Practitioners Association, said: "The Government is to be congratulated on making the right decision to bring in statutory regulation for all those prescribing herbal medicines."

"Ministers have clearly recognised that this legislation is for patients' benefit and we look forward to working with the Department of Health and Health Professions Council to implement this as soon as possible." Professor George Lewith, professor of health research at Southampton University, said: "Evidence for the efficacy of herbal medicines is growing; they may offer cheap, safe and effective approaches for many common complaints."

Kaye McIntosh, of the College of Medicine, said: "Without statutory regulation, many herbal practitioners in the UK would have been unable to continue practising and thousands of patients would be unable to make the choice to use herbal treatments."

But Sir Richard Thompson, president of the Royal College of Physicians said that he is disappointed to hear the announcement. "The proposed register will imply herbal therapies have the same legitimacy as medicine, nursing and dentistry, despite offering patients no proven benefit."

By Cecily Liu

Chinese Medical Institute and Register students at their graduation ceremony, 2010

First prize winner Dr. Jasmine Beste at her graduation ceremony with Professor Man Fong Mei, 2010

