

PRESS RELEASE



Tel: +27 12 845 6000

Email:
media@npa.gov.za

Victoria & Griffiths
Mxenge Building
123 Westlake Avenue
Weavind Park
Silverton
Pretoria

www.npa.gov.za

TO: ALL MEDIA

DATE: 03 JULY 2020

RE: SURGICAL MASK MANUFACTURER PLEADS GUILTY

Yesterday, the Chen Lu Fragrance Company, was sentenced to an effective fine of R25 000.00 after pleading guilty to various charges relating to forcing employees to work during the nation-wide lockdown.

The company, represented by one of its members, Ming Lai He, pleaded guilty to:

1. Forced labour
2. Failure to maintain an environment that is safe without risk to the health of employees
3. Failure to have a license to manufacture, import or act as a wholesaler or distributor of medical devices.

The accused manufactured surgical masks (a substantial donation of which went to the Office of the Premier as well as the South African Police Service) during the lockdown period. Authorities stepped in after an employee reported the company for the working conditions they were subjected to. Investigations also revealed that the company had not applied for the relevant license to manufacture or distribute surgical masks.

Acting Regional Court Public Prosecutor, Ronitha Singh, told the court that this was a technical prosecution involving voluminous legislation, regulations, and guidelines. The investigation also required the assistance of the South African Health Products Regulatory Authority (SAHPRA), Department of Trade and Industry, the Department of Labour, the National Regulator for Compulsory Specifications (NRCS) and South African Bureau of Standards (SABS).

This is a milestone achievement for all the relevant stakeholders as SAHPRA advised the state that the successful prosecution in count 3 (failure to have a license to manufacture, import or act as a wholesaler or distributor of medical devices) is the first in the country.

Further, because of the state's queries and issues raised, the relevant stakeholders have now issued a joint formal document on compliance.

The Director of Public Prosecutions in Kwa-Zulu Natal, Advocate Elaine Zungu applauds the prosecution and the various stakeholders for their tireless efforts in the prompt finalisation of this matter. She said, "we view matters of this nature in a serious light and we will deal with them accordingly."

Natasha Kara

Regional Spokesperson: DPP KZN

Enquiries: nramkisson@npa.gov.za

0716700229