



Special Council
Tuesday, November 14, 2023

Place: Council Chambers
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Carol Day
Councillor Laura Gillanders
Councillor Kash Heed
Councillor Andy Hobbs
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Michael Wolfe

Corporate Officer – Claudia Jesson

Call to Order: Mayor Brodie called the meeting to order at 4:01 p.m.

RES NO. ITEM

1. BUSINESS LICENCE SUSPENSION - TOKYO BEAUTY

(File Ref. No.: 12-8275-06) (REDMS No. 7402771, 7453877, 7457956)

Staff provided an overview, highlighting that there were nine products found to be in violation of Health Canada’s rules and regulations in the most recent investigation and this is the third violation since 2019, demonstrating a pattern of non-compliance by Tokyo Beauty. Staff noted that the recommendation is to suspend the business licence for a period of 30 days, effective immediately.

Charlene Zhu, Coordination Manager, Tokyo Beauty, shared a letter written by Frank Zhu, CEO, Tokyo Beauty, regarding their business and recent inspections (attached to and forming part of these Minutes as Schedule 1).

In reply to a query from Council, Ms. Zhu advised that Tokyo Beauty has approximately 15 employees.



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In response to queries from Council, staff advised that (i) the report lists specific products seized by Health Canada on multiple occasions as a result of previous investigations, (ii) the noted repeat violations occurred at one specific Tokyo Beauty location, (iii) enforcement action under the Business Licence Act could be taken, the suspension length could be increased or decreased, or the business licence could be cancelled at the discretion of Council, and this particular offense is not finable under the Notice of Bylaw Violation adjudication or Municipal Ticket Information system, (iv) there have been business licence suspensions and cancelations as a result of not adhering to COVID-19 health regulations, (v) a 30-day suspension is past practice and a limited approach, noting that each case is assessed differently and staff weighed the risk to the public, (vi) they were notified of this case through media coverage, (vii) Health Canada's public advisory noted unauthorized products that were labelled with ingredients that may pose serious health risks, (viii) there are multiple techniques to find business in violation, including open and closed source information, and (ix) a memorandum summarizing Health Canada's standard operating procedures for repeat violations can be provided.

SP23/4-1

It was moved and seconded

*That the business licence for Nagoya Trading Ltd., doing business as Tokyo Beauty, operating from 8191 Westminster Highway Unit 120, Richmond BC, be suspended for a period of 30 days.*

The question on the motion was not called as in reply to queries from Council, staff indicated that an indefinite suspension would be beyond the scope of permitted condition.

Discussion ensued regarding the need for significant suspensions for repeat offences.

As a result of the discussion, the following **amendment motion** was introduced:

SP23/4-2

It was moved and seconded

*That the business licence for Nagoya Trading Ltd., doing business as Tokyo Beauty, operating from 8191 Westminster Highway Unit 120, Richmond BC, be suspended for a period of 90 days.*



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The question on the amendment motion was not called as further discussion ensued.

The question on the amendment motion was then called and it was **CARRIED** with Mayor Brodie and Councillors Au and Loo opposed.

The question on the main motion as amended, which reads as follows:

*That the business licence for Nagoya Trading Ltd., doing business as Tokyo Beauty, operating from 8191 Westminster Highway Unit 120, Richmond BC, be suspended for a period of 90 days.*

was then called, and it was **CARRIED** with Councillor Au opposed.

Discussion ensued regarding the need for municipalities to be notified when infractions occur.

As a result of the discussion, the following **motion** was introduced:

SP23/4-3

It was moved and seconded

*That a letter be written to Health Canada requesting that the City be notified when a business in Richmond has an infraction and products were pulled off the shelves.*

**CARRIED**

**ADJOURNMENT**

SP23/4-4

It was moved and seconded

*That the meeting adjourn (4:33 p.m.).*

**CARRIED**



**City of  
Richmond**

**Minutes**

**Special Council  
Tuesday, November 14, 2023**

RES NO.    ITEM

Certified a true and correct copy of the Minutes of the Special meeting of the Council of the City of Richmond held on Tuesday, November 14, 2023.

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Mayor (Malcolm D. Brodie)

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Corporate Officer (Claudia Jesson)

## **Jesson, Claudia**

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**From:** Charlene Zhu <charlene.jpca@hotmail.com>  
**Sent:** November 14, 2023 1:35 AM  
**To:** Jesson, Claudia  
**Subject:** Address some important points regarding Richmond City Council meeting on Nov.14 2023  
**Attachments:** Reprot to Richmond City Officials , Re Tokyo の Beauty.pdf

**City of Richmond Security Warning:** This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Dear Sir,

We received letter from City of Richmond officials regarding Richmond City Council Meeting about our business licence suspension on November 14,2023. We would like to address some important points about our business and recent inspections. Please find attached report from Mr. Zhou Zhu, CEO of Tokyo Beauty. Thank you.

Best Regards,

Charlene

Tokyo Beauty

Dear Richmond City Officials,

We would like to express our gratitude to the city government for providing us with the opportunity to improve our services for the citizens of Richmond. We would like to address some important points regarding our business and recent inspections:

1. Our company was registered in Richmond on June 15, 2016, with shareholders from Japan (51%) and Canada (49%).

2. Approximately 98% of our products are made in Japan, and we currently offer 7,155 different products to the citizens of Richmond. Our products are all shipped directly to Canada from the Japanese parent company and are imported through formal customs declaration.

3. In July of this year, Health Canada inspected our store in Richmond. Out of the 7,155 products we sell, only 5 were found to be non-compliant. These products were promptly removed from our shelves per Health Canada's instructions. In the past seven years, we have only had three failures, all with different products, and we have corrected them in time.

4. It is worth noting that between May and July 2023, Health Canada conducted inspections on well-known supermarkets like T&T. The results revealed numerous non-compliant products in these establishments. A search on the Health Canada website for "T&T" yields 269,486 related results.

<https://www.canada.ca/en/sr/srb.html?q=unauthorized+health+products+from+T%26T&wb-srch-sub=#wb-land>

5. We have rectified the errors in the five non-compliant products, which account for a tiny proportion of our overall inventory. Our error rate is significantly lower compared to our peers.

6. We kindly request that our business license not be suspended, as we have already corrected our mistakes and obtained the support and consent of Health Canada. Suspending our license would severely impact our employees and their families.

7. This year, we have been actively giving back to society by lowering retail prices to the lowest in Canada providing affordable daily necessities to our customers. We have attracted customers not only from Richmond but also from neighbouring cities such as West Vancouver, North Vancouver, and Burnaby.

8. We have a solid commitment to the community, demonstrated through various initiatives such as (a) providing free Japanese rice and green tea to single mothers, (b) making donations to communities and associations, and (c) offering free Japanese green tea to enrolled students. We also contribute over 200 hours of volunteer service to the community annually.

9. In light of the above, we humbly request that the city government allow us to continue serving the community, as we have already rectified the mistakes made a few months ago.

Thank you for your consideration.

Sincerely,

Frank Zhu

Tokyo 〇 Beauty

(Nagoya Trading Ltd.)

Nov.10,2023