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Indian Drug Manufacturers' Association
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Indian Pharmaceutical Alliance
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Khar West, Mumbai 400 052

28 December 2012

By Email/Fax/Courier

Mr Raj Kumar
Under Secretary
Department of Pharmaceuticals
Ministry of Chemicals & Fertilisers
Shastri Bhawan
New Delhi 110 001

Dear Mr Kumar,

Marketing Code for Pharmaceuticals Industry (MCPI)

We refer to your letter No.5/3/2009-PI-I/PI-II (Vol.II) dated 11 December 2012 requesting industry proposal for complaint handling.

We jointly submit herewith the revised final text duly approved by the IDMA and the IPA. The Code recognizes the role of pharmaceutical industry in dissemination of knowledge to the medical community and stipulates appropriate disclosures to ensure transparency. It aims at self regulation by establishing quick redressal system and allows any member of public to log in a complaint.

We trust you will find this in order.

With best regards,

Yours sincerely,



Secretary General
IDMA



Secretary General
Indian Pharmaceutical Alliance

Encl: a/a

Marketing Code for Pharmaceutical Industry

Knowledge of medicines rests mainly with the pharmaceutical industry. It is therefore known as knowledge pool. The pharmaceutical industry defines treatment options through well conducted clinical trials and post-marketing surveillance. However, it is not permitted to disseminate this knowledge directly to patients. It therefore disseminates this knowledge by detailing to doctors, by providing products marked as “Physician’s Sample – Not for Sale” and through the continuing medical education (CME) programmes. These activities besides being promotional are part of its corporate social responsibility (CSR) also. To avoid any inappropriate practice and maintain transparency, the companies are advised to observe the following Marketing Code:

- (1) All promotional activity should primarily entail a benefit to patients. Accordingly, textbooks, anatomy charts, models, etc., and items related to the physician’s work such as pens, notepads, table weights, etc. are appropriate if they serve any educational function.
- (2) Contribution should be to a legitimate “conference” or “meeting” as an activity. The activity should be held at an appropriate location, where:
 - (a) the gathering is primarily dedicated, both in time and effort, to promoting scientific and educational activities and discourse [one or more educational presentation(s) should be the highlight of the gathering]; and
 - (b) the main incentive for bringing attendees together is to further their knowledge on the topic(s) being presented.

An appropriate disclosure of financial support on conflict of interest should be made.

- (3) Subsidies, if any, should be to underwrite the costs of such conferences or professional meetings as they contribute to the improvement of patient care. The subsidy should be given to the Conference Sponsor who in turn can use the funds to defray the participation cost and reduce the conference’s registration fees. Any such subsidy should be disclosed to the appropriate authorities in the country.
- (4) Subsidies for hospitality or social events, where the participants mingle and discuss, held as a part of a conference or meeting should be reasonable. It should cover the reasonable cost of preparing scientific material for presentation and reimburse travel, lodging, and meal expenses of faculty/participants for conferences or meetings.
- (5) Scholarship or other special funds to permit medical students, residents and fellows to attend carefully selected educational conferences may be encouraged as long as the selection of students, residents or fellows who receive the benefit is made by the academic or training institution. Carefully selected educational conferences are generally defined as the major educational, scientific or policy-making meetings of national, regional or specialty medical associations. The beneficiaries need to declare source of support to the appropriate authorities, including the organizers of the conference.
- (6) The pharmaceutical industry self-regulates marketing practices by defining the Marketing Code for Pharmaceutical Industry and follows international norms.
- (7) All companies are advised to open a website where any member of public can log-in a complaint. The company should establish a quick redressal system and provide speedy response to the complainant.

This Code will be provided to all companies by 31 December 2012 with a request to operationalize the complaint redressal mechanism by 31 March 2013.