

The ABPI Code of Practice for the Pharmaceutical Industry sets standards for the promotion of medicines for prescribing to health professionals and the provision of information to the public about prescription only medicines. Publicity is the main sanction when breaches of the Code are ruled. The latest cases ruled in breach of Clause 2 of the Code (a sign of particular censure) are highlighted below.

Merz Pharma, Lilly and Daiichi-Sankyo have each breached the ABPI Code of Practice for the Pharmaceutical Industry and brought discredit upon, and reduced confidence in, the pharmaceutical industry.

Merz – Case AUTH/2496/4/12

For making misleading and unsubstantiated claims and for failing to comply with an undertaking by implying that Bocouture/Xeomin was clinically equivalent to Vistabel/Botox, Merz was ruled in breach of the following clauses of the Code:

- Clause 2** - Bringing discredit upon, and reducing confidence in, the pharmaceutical industry.
- Clause 7.2** - Making an inaccurate claim.
- Clause 7.3** - Making a misleading claim.
- Clause 7.4** - Making an unsubstantiated claim.
- Clause 9.1** - Failing to maintain high standards.
- Clause 25** - Failing to comply with an undertaking.

Lilly and Daiichi-Sankyo – Cases AUTH/2506/5/12 and AUTH/2507/5/12

For promoting Efient in a manner that was misleading and inconsistent with its summary of product characteristics (SPC), Lilly and Daiichi-Sankyo were ruled in breach of the following clauses of the Code:

- Clause 2** - Bringing discredit upon, and reducing confidence in, the pharmaceutical industry.
- Clause 3.2** - Promoting a medicine in a manner inconsistent with its summary of product characteristics.
- Clause 7.2** - Making inaccurate and misleading claims.
- Clause 7.9** - Failing to reflect the balance of evidence about side effects.
- Clause 9.1** - Failing to maintain high standards.

Merz – Case AUTH/2516/6/12

For failing to comply with an undertaking by implying that Bocouture was clinically equivalent to Botox, Merz was ruled in breach of the following clauses of the Code:

- Clause 2** - Bringing discredit upon, and reducing confidence in, the pharmaceutical industry.
- Clause 9.1** - Failing to maintain high standards.
- Clause 25** - Failing to comply with an undertaking.

The full case reports were published in the PMCPA November Code of Practice Review and are also available at www.pmcpa.org.uk

The Prescription Medicines Code of Practice Authority (PMCPA) administers the Association of the British Pharmaceutical Industry's (ABPI) Code of Practice for the Pharmaceutical Industry at arm's length from the Association itself. The Code covers the promotion of medicines for prescribing to health professionals and the provision of information to the public about prescription only medicines.

If you have any concerns about the activities of pharmaceutical companies in this regard, please contact the **PMCPA at 7th Floor, Southside, 105 Victoria Street, London, SW1E 6QT** or complaints@pmcpa.org.uk.

The Code and other information, including details about ongoing cases, can be found on the PMCPA website.