

HEALTH PROFESSIONAL v ASTRAZENECA

Patient engagement webpages

An anonymous complaint was received about a page on AstraZeneca UK's Medicines website. Within the diabetes section there was a 'Fixing Dad' video which was about an ordinary family's battle with type 2 diabetes. The introductory text stated 'To support you and your patients, AstraZeneca has partnered with Fixing Dad to delve deeper in to patient engagement through four new documentaries designed specifically for you as HCPs [healthcare professionals]' and gave the viewer the option to arrange a meeting with an AstraZeneca representative. The meeting request form stated 'The meeting that you are requesting is an educational meeting, which will also include a promotional element containing information on AstraZeneca's diabetes prescription medicines'.

The complainant alleged that the webpage was promotional given the viewer's ability to contact a representative but he/she noted, however, that there was no prescribing information provided for the products that would be promoted. The video stated that the content was funded by AstraZeneca although it was not clear who had editorial control.

AstraZeneca submitted that the AstraZeneca UK Medicines website was solely for health professionals in the UK and included both promotional and non-promotional information and resources regarding the company's core areas of interest including diabetes. Prior to entering the website, visitors were required to confirm that they were a UK health professional. Any UK resident that did not provide confirmation of this was redirected to the corporate website.

The detailed response from AstraZeneca is given below.

The Panel noted that the Code required prescribing information to be provided in a clear, legible manner in all promotional material. In audio-visual material such as films, DVDs etc and in interactive data systems, the prescribing information might be provided either by way of a document made available to everyone to whom the material was shown/sent or by inclusion on the audio-visual recording or in the interactive data system itself.

In the Panel's view, noting the broad definition of promotion in the Code, the section of the AstraZeneca Medicines website at issue, directed solely towards health professionals, was promotional. The Panel noted AstraZeneca's submission that neither the Fixing Dad video nor the webpage were promotional as they did not refer directly or indirectly to the treatment of type 2 diabetes with an AstraZeneca medicine. The Panel noted that the homepage of the AstraZeneca Medicines website listed AstraZeneca

medicines for cardiovascular, diabetes, oncology and respiratory with a link to their respective prescribing information. There were two ways of accessing the Fixing Dad webpage. Firstly, by selecting the diabetes tab on the homepage from which a drop-down menu listed diabetes, the company's diabetes products and Fixing Dad. Alternatively, if the viewer selected diabetes from the aforementioned drop-down list, a Medicines tab opened which listed the company's diabetes products in promotional logo format with their indications and a link to the prescribing information. Adjacent to the aforementioned Medicines tab, the tabs Resources and Fixing Dad appeared, clicking on the latter took the reader to the relevant webpage. In addition the Panel noted that it appeared from the relevant briefing document that representatives introduced Fixing Dad at the end of a promotional call and sent consenting health professionals an email which directed them to the Fixing Dad page on the AstraZeneca Medicines website to view the trailer and book a meeting. Customer Service Associates could show the trailer from the website and introduce the Fixing Dad films in the context of patient engagement. Job bag information indicated that the page was also to be shown at conferences.

In the Panel's view, the fact that the Fixing Dad page gave readers the option to request a meeting with a representative, which the company stated would include a promotional element containing information on AstraZeneca's diabetes prescription medicines, did not automatically mean that the particular webpage was promotional as implied by the complainant. The Panel noted that the trailer did not refer to specific medicines. The Panel, however, considered that the content of the webpage, its context and how it could be accessed were relevant when deciding whether the trailer was promotional. The Panel noted that a health professional might access the webpage from the AstraZeneca Medicines website as described above, or via a link in an email used by the field force to introduce the Fixing Dad/AstraZeneca Partnership. The Panel noted its comments above and considered that the context in which the Fixing Dad page appeared was promotional. It was an integral part of a promotional site. The requirement to include prescribing information was not met and breaches of the Code were ruled.

The Panel noted that the supplementary information to the Code, stated, *inter alia*, that the declaration of sponsorship must be sufficiently prominent to ensure that readers of sponsored material were aware of it at the outset. The wording of the declaration must be unambiguous so that readers would immediately understand the extent of the company's involvement and influence over the material.

The Panel noted AstraZeneca's submission that the following message was displayed for the first 16 seconds of the 3 minute trailer:

'Fixing Dad and AstraZeneca are now working in collaboration to bring you four new documentaries throughout 2018, exploring patient engagement from both the [health professional's] and patients' perspective.'

AstraZeneca have funded this project.'

The Panel noted that above this it was stated 'In 2016, the original Fixing Dad documentary explored an ordinary family's battle with type 2 diabetes and how a patient can become engaged with their disease'.

The Panel noted the complaint concerned the trailer alone. The trailer which concluded with a display of the AstraZeneca and Fixing Dad logos, was commissioned by AstraZeneca using the format and content previously independently developed by Fixing Dad for its documentary.

In the Panel's view it was clear from the trailer that AstraZeneca had commissioned the trailer and going forward it would be funding a project in which it collaborated with Fixing Dad to create further documentaries. The Panel ruled no breach in relation to the declaration displayed on the trailer; in its view the role of the company was sufficiently clear.

An anonymous complainant who described him/herself as a 'concerned UK health professional' complained about a page on AstraZeneca UK Limited's AstraZeneca Medicines website. Within the diabetes section there was a 'Fixing Dad' video which was about an ordinary family's battle with type 2 diabetes. The introductory text stated 'To support you and your patients, AstraZeneca has partnered with Fixing Dad to delve deeper in to patient engagement through four new documentaries designed specifically for you as HCPs [healthcare professionals]' and gave the viewer the option to arrange a meeting with an AstraZeneca representative. The meeting request form stated 'The meeting that you are requesting is an educational meeting, which will also include a promotional element containing information on AstraZeneca's diabetes prescription medicines'.

COMPLAINT

The complainant alleged that the material which he/she described as a diabetic service was promotional given the viewer's ability at the end to contact a representative. The complainant noted, however, that there was no prescribing information provided for the products that would be promoted. The video stated that the content was funded by AstraZeneca although it was not clear who had editorial control.

When writing to AstraZeneca, the Authority asked it to consider the requirements of Clauses 4.1, 4.5 and 9.10.

RESPONSE

AstraZeneca explained that the video and webpage were part of a larger audio-visual and face-to-face project that it had undertaken in partnership with Fixing Dad Ltd to help health professionals engage their type 2 diabetes patients. The difficulties encountered by the founders of Fixing Dad in engaging their father in his diagnosis were the core motivations that led to their original Fixing Dad documentary which aired in 2016. AstraZeneca also recognised poor patient engagement as a key challenge to the successful management of type 2 diabetes. Through its engagement with Fixing Dad, AstraZeneca hoped to support optimal patient care and fulfil its responsibilities in an area of healthcare in which it had a significant scientific interest. This project and the supporting materials were non-promotional; they contained information about human health and diseases with no direct or indirect reference to specific medicines.

AstraZeneca submitted that neither the video nor the webpage were promotional; they contained no direct or indirect reference to the treatment of type 2 diabetes with an AstraZeneca medicine. They were certified as non-promotional, educational material and, in line with the Code, did not require the incorporation of prescribing information or the other obligatory information laid out in Clause 4.

AstraZeneca noted the complainant's submission that the webpage was promotional because it enabled the viewer to arrange a promotional meeting. In AstraZeneca's view, a communication to arrange a promotional meeting where the communication itself was free from product information, promotional claims and branding, did not promote the administration, consumption, prescription, purchase, recommendation, sale, supply or use of its medicine.

AstraZeneca recognised and strongly supported the inclusion of prescribing information on promotional material where it served to ensure the proper administration of medicines but it rejected the complainant's alleged breaches of Clauses 4.1 and 4.5 as neither in keeping with the letter nor the spirit of the Code.

AstraZeneca noted that the beginning of the video displayed the message:

'Fixing Dad and AstraZeneca are now working in collaboration to bring you four new documentaries throughout 2018, exploring patient engagement from both the [health professional's] and patients' perspective.'

AstraZeneca have funded this project.'

This statement was displayed for the first 16 seconds of the 3 minute trailer. The trailer, which concluded with a display of the AstraZeneca and Fixing Dad logos, was commissioned by AstraZeneca using the format and content previously independently developed by Fixing Dad for its BBC documentary. The contractual agreement supporting this

collaboration allowed AstraZeneca to comment on and, if necessary, reject work produced by Fixing Dad. The video was hosted on AstraZeneca's own webpage, and not as discussed in the supplementary information to Clause 9.10, circulated by an otherwise wholly independent party. AstraZeneca considered the statement above fulfilled the requirements of Clause 9.10 and genuinely reflected a collaborative project which it had funded. The company denied a breach of Clause 9.10.

In response to a request for further information AstraZeneca submitted that the AstraZeneca Medicines website was an online resource for health professionals. It provided promotional and non-promotional information including:

- Prescribing information for AstraZeneca medicines
- Clinical trial information for some of AstraZeneca medicines
- Promotional information on AstraZeneca medicines
- Support resources for health professionals for their own education and for their use with and patients prescribed AstraZeneca medicines.

AstraZeneca provided details of the certification of the AstraZeneca UK Medicines website. The company explained that the website pages were approved separately and added to a core shell. The document providing job bag information relating to the specific Fixing Dad webpage was highlighted.

AstraZeneca submitted that AstraZeneca Medicines was AstraZeneca UK's health professional's website and was solely for doctors, nurses and pharmacists in the UK. It included both promotional and non-promotional information and resources regarding the company's core areas of interest - cardiovascular, diabetes, oncology, and respiratory medicine - and some relevant information about its supply chain. The metadata for the AstraZeneca website shell visible on search engine results page was:

'FOR HEALTHCARE PROFESSIONALS ONLY –
The AstraZeneca medicines portal provides
information on AstraZeneca products'

Before entering the website, visitors were required to confirm that they were a UK health professional and it was explained that the website contained both promotional and non-promotional content. UK residents that did not provide confirmation of this were redirected to the corporate website at www.astrazeneca.co.uk.

AstraZeneca provided the site map of AstraZeneca Medicines and explained that the video could only be accessed via the Fixing Dad page and was not available via any other method.

AstraZeneca gave details as to how to access the Fixing Dad webpage. Firstly, by selecting the diabetes tab on the homepage from which a drop down menu listed diabetes, the company's diabetes products and Fixing Dad. Alternatively, if the viewer selected diabetes from the aforementioned drop down list, a Medicines tab opened which listed

the company's diabetes products in promotional logo format with their indications and a link to the prescribing information. Adjacent to the aforementioned Medicines tab, the tabs Resources and Fixing Dad appeared, clicking on the latter took the reader to the relevant webpage. The Fixing Dad video was embedded into the Fixing Dad page and could not be viewed in isolation.

AstraZeneca noted that on the Fixing Dad website page it was stated 'Alongside this, we will create some resources to help support you during your conversations with patients. They will be released throughout 2018 to further explore the impact of patient engagement to both HCPs and patients'. AstraZeneca submitted that, to date, the only resource available to health professionals, via AstraZeneca personnel, was the first documentary (ref GB-10790 DOP March 2018). This was for use with health professionals only and in its current form and must not be used with patients or the public. As detailed in the Works Agreement, 'each film will be accompanied by a short video intended for HCPs to share with their patients in the order of 2 minutes duration'. This material was currently being created and in early stages of development. These videos would provide a resource for the health professional to use with patients to support their management, ownership and engagement with their type 2 diabetes.

PANEL RULING

The Panel noted that Clause 4.1 required prescribing information to be provided in a clear, legible manner in all promotional material. Clause 4.5 stated that in the case of audio-visual material such as films, DVDs and suchlike and in the case of interactive data systems, the prescribing information might be provided either by way of a document which was made available to all persons to whom the material was shown or sent or by inclusion on the audio-visual recording or in the interactive data system itself.

In the Panel's view, noting the broad definition of promotion at Clause 1.2, the section of AstraZeneca Medicines website at issue, which was directed solely towards health professionals, was promotional. The Panel noted AstraZeneca's submission that neither the Fixing Dad video nor the webpage were promotional as they contained no direct or indirect reference to the treatment of type 2 diabetes with an AstraZeneca medicine. The Panel noted that the homepage of the AstraZeneca Medicines website listed AstraZeneca medicines for cardiovascular, diabetes (Bydureon, Forxiga, Onglyza and QTERN), oncology and respiratory with a link to their respective prescribing information. There were two ways of accessing the 'Fixing Dad' webpage. Firstly, by selecting the diabetes tab at the top of the homepage from which a drop down menu listed diabetes, the company's diabetes products, Forxiga (dapagliflozin), Onglyza (saxagliptin) and QTERN (saxagliptin and dapagliflozin) and Fixing Dad. Alternatively, if the viewer selected Diabetes from the aforementioned drop down menu, a Medicines tab appeared open which listed the diabetes products referred to above in promotional logo format, and their indications with a link to the

relevant prescribing information. Adjacent to the aforementioned Medicines tab, the tabs Resources and Fixing Dad appeared, clicking on the latter took the reader to the relevant webpage. In addition the Panel noted that it appeared from the briefing document for guidance on the AstraZeneca and Fixing Dad partnership, and the use of associated assets, that representatives were introducing Fixing Dad at the end of a promotional call and sending consenting health professionals an email which directed them to the Fixing Dad page on the AstraZeneca Medicines website to view the trailer and book a meeting. Customer Service Associates could show the trailer from the website and introduce the Fixing Dad films in the context of patient engagement. Job bag information indicated that the page was also to be shown at conferences.

In the Panel's view, the fact that the Fixing Dad page gave readers the option to request a meeting with an AstraZeneca representative, which the company stated would include a promotional element containing information on AstraZeneca's diabetes prescription medicines, did not automatically mean that the particular webpage was promotional as implied by the complainant. The Panel noted that the trailer did not refer to specific medicines. The Panel, however, considered that the content of the webpage, its context and how it could be accessed were relevant when deciding whether the trailer was promotional. The Panel noted that a health professional might access the webpage as described above, or via a link in an email used by the field force to introduce the Fixing Dad/AstraZeneca Partnership. The Panel noted its comments above and considered that the context in which the Fixing Dad page appeared was promotional. It was an integral part of a promotional site. The requirement to include prescribing information was not met and breaches of Clauses 4.1 and 4.5 were ruled.

The Panel noted that the supplementary information to Clause 9.10, Declaration and Sponsorship, stated, *inter alia*, that the declaration of sponsorship must

be sufficiently prominent to ensure that readers of sponsored material were aware of it at the outset. The wording of the declaration must be unambiguous so that readers would immediately understand the extent of the company's involvement and influence over the material.

The Panel noted AstraZeneca's submission that the following message was displayed for the first 16 seconds of the 3 minute trailer:

'Fixing Dad and AstraZeneca are now working in collaboration to bring you four new documentaries throughout 2018, exploring patient engagement from both the [health professional's] and patients' perspective.

AstraZeneca have funded this project.'

The Panel noted that above this was the statement 'In 2016, the original Fixing Dad documentary explored an ordinary family's battle with type 2 diabetes and how a patient can become engaged with their disease'.

The Panel noted the complaint concerned the trailer alone. The trailer which concluded with a display of the AstraZeneca and Fixing Dad logos, was commissioned by AstraZeneca using the format and content previously independently developed by Fixing Dad for its BBC documentary.

In the Panel's view it was clear from the trailer that AstraZeneca had commissioned the trailer and going forward it would fund a collaborative project with Fixing Dad to create further documentaries. The Panel ruled no breach of Clause 9.10 in relation to the declaration displayed on the trailer; in its view the role of the company was sufficiently clear.

Complaint received **25 April 2018**

Case completed **4 October 2018**