PMCPA Prescription Medicines Code of Practice Authority

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 where companies were publicly reprimanded are highlighted below.

Vifor and Britannia have previously breached the ABPI Code of Practice for the Pharmaceutical Industry and brought discredit upon, and reduced confidence in, the pharmaceutical industry. Vifor was previously publicly reprimanded. Following an audit and two re-audits Vifor has now been publicly reprimanded for different reasons for a second time. Following an audit Britannia has now also been publicly reprimanded.

Vifor Pharma – Case AUTH/3199/5/19

The Appeal Board required Vifor to be audited for failing to comply with undertakings given in two previous cases in relation to the promotion of Ferinject (ferric carboxymaltose), including sending a promotional email without the prior consent of a recipient and the use of misleading claims which favourably differentiated its IV iron from a competitor on the grounds of tolerability. Vifor Pharma was previously ruled in breach of the following clauses of the 2019 Code:

Clause 2 - Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
Clause 29 - Failing to comply with an undertaking

Vifor Pharma – Case AUTH/3224/7/19

The Appeal Board required Vifor to be audited for making misleading and inaccurate claims which favourably differentiated Ferinject (ferric carboxymaltose) from a competitor on the grounds of tolerability. Vifor Pharma was previously ruled in breach of the following clauses of the 2019 Code:

Clause 2 - Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
Clause 7.2 - Making misleading and inaccurate claims
Clause 7.3 - Making misleading comparisons
Clause 8.1 - Disparaging a competitor product
Clause 9.1 - Failing to maintain high standards

In both cases Vifor had been previously publicly remanded (February 2021) for its failure to provide accurate and truthful information to the Code of Practice Panel and its disingenuous approach to responding to the complaints. The Appeal Board had also required an audit of Vifor's procedures in relation to the Code and two further re-audits. At the consideration of the report of the second re-audit and Vifor's response, the Appeal Board decided that Vifor should be publicly reprimanded for its lack of progress. The Appeal Board also decided that Vifor should be re-audited in September/October 2022.

Britannia – Case AUTH/3355/5/20

The Appeal Board required Britannia to be audited for paying health professionals for the preparation time when this was not warranted nor required as the same material or essentially the same material was reused by speakers, not having a contract for some of the engagements, not providing full information to the PMCPA about the arrangements for speakers at meetings outside the UK and arrangements for investigator led clinical trials which failed to consider patient safety and have the relevant approval processes in place. Britannia was previously ruled in breach of the following clauses of the 2019 Code:

Clause 2 - Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
Clause 9.1 - Failing to maintain high standards
Clause 13.4 - Failing to comply with the requirements for non-interventional studies
Clause 18.1 - Paying health professionals fees which did not reflect fair market value
Clause 23.1 - Engaging health professionals in other than genuine consultancy arrangements
Clause 25.2 - Failing to approve and supervise non-interventional studies

When considering the report of the audit and Britannia's response, the Appeal Board decided that Britannia should be publicly reprimanded for its failure to have the necessary control of its activities with regard to compliance with the Code and its failure to provide a third party report when first requested. The Appeal Board also decided that Britannia should be re-audited in June/July 2022.

The interim case reports and public reprimands are available at www.pmcpa.org.uk.

The Prescription Medicines Code of Practice Authority (PMCPA) was established by The Association of the British Pharmaceutical Industry (ABPI) to operate the ABPI Code of Practice for the Pharmaceutical Industry independently of the ABPI. The PMCPA is a division of the ABPI. 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, 105 Victoria St, London, SW1E 6QT or email: complaints@pmcpa.org.uk.

The Code and other information, including details about ongoing cases, can be found on the PMCPA website: **www.pmcpa.org.uk.**