



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 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.

## Novo Nordisk and Moderna, have breached the ABPI Code of Practice for the Pharmaceutical Industry and brought discredit upon, and reduced confidence in, the pharmaceutical industry.

### Novo Nordisk – Case AUTH/3717/12/22

For its involvement in an article published in The Sunday Times in 2022, where a statement made by a global senior leader promoted a prescription only medicine to the public in a way that was misleading, Novo Nordisk was ruled in breach of the following clauses of the 2021 Code:

- Clause 2** – Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
- Clause 5.1** – Failing to maintain high standards
- Clause 6.1** – Providing misleading information
- Clause 26.1** – Promoting a prescription only medicine to the public
- Clause 26.2** – Providing unbalanced information and encouraging members of the public to ask their health professional for a specific prescription only medicine

### Novo Nordisk – Case AUTH/3821/9/23

For inappropriate sponsorship arrangements that amounted to an inducement and a failure to disclose transfers of value Novo Nordisk was ruled in breach of the following clauses of the 2021 and 2019 Codes:

#### 2021 Code:

- Clause 2** – Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
- Clause 5.1** – Failing to maintain high standards
- Clause 28.1** – Failing to document and publicly disclose certain transfers of value

#### 2019 Code:

- Clause 2** – Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
- Clause 9.1** – Failing to maintain high standards

### Moderna – Case AUTH/3746/2/23

For promoting Spikevax (COVID-19 vaccine) in a manner that was inconsistent with its summary of product characteristics, Moderna was ruled in breach of the following clauses of the 2021 Code:

- Clause 2** – Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
- Clause 5.1** – Failing to maintain high standards
- Clause 11.2** – Promoting a medicine in a manner that was inconsistent with its summary of product characteristics

### Moderna – Case AUTH/3886/3/24

For failure to ensure only approved clinical trial recruitment materials were used, leading to a WhatsApp message being sent by a third party that contained an unapproved and inappropriately high financial incentive to encourage the recruitment of children, Moderna was ruled in breach of the following clauses of the 2021 Code:

- Clause 2** – Bringing discredit upon, and reducing confidence in, the pharmaceutical industry
- Clause 5.1** – Failing to maintain high standards

The case reports are available at [www.pmcpc.org.uk](http://www.pmcpc.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 2nd Floor, Goldings House, Hay's Galleria, 2 Hay's Lane, London, SE1 2HB or email: [complaints@pmcpa.org.uk](mailto:complaints@pmcpa.org.uk).

The Code and other information, including details about ongoing cases, can be found on the PMCPA website: [www.pmcpc.org.uk](http://www.pmcpc.org.uk).