



Association of
International
Pharmaceutical
Manufacturers

Ассоциация
международных
фармацевтических
производителей

Decisions made by Special Panels with respect to disputes in 2019*

*In accordance with Appendix 1
of the AIPM Code of Practice

Decision of the Special Panel dated Nov 26, 2019 (without disclosing company's name)

I. Description of the ethical dispute

The statements contained in the advertising and informational materials on RX medicine for HCPs are not in compliance with the medical use leaflet, are not supported by appropriate scientific evidence, and therefore make difficulties in the process of building an objective opinion of HCP as to the therapeutic value of the pharmaceutical product concerned.

II. Decision of the Special Panel

Special Panel declared violations of Clauses 2.3.1-2.3.2, 2.3.4-2.3.5 of the AIPM Code.

III. Special Panel recommendations and sanctions:

- to stop the distribution of the advertising materials for HCPs, containing the Code violations;
- to amend the advertising materials in accordance with the Code and the Special Panel recommendations before their possible distribution;
- to oblige the employees of the company to take the online training on the Code.
- to inform the headquarters about the violation.

Decision of the Special Panel dated Nov 15, 2019 (without disclosing company's name)

I. Description of the ethical dispute

On Youtube portals and official OTC product web-site - company distributed advertising materials, including the video of OTC medicine, with involvement of celebrity, who recommends the pharmaceutical product to be used by other persons, including by demonstrating the positive effect and efficacy of the medicinal product.

The use of visual elements in the ad, in particular, visualization of a rapid and absolute therapeutic effect as a result of taking the medicinal product, does not comply with the medical use leaflet, misleads the consumer and guarantees the positive effect, efficacy or safety of the pharmaceutical product or the absence of adverse effects.

II. Decision of the Special Panel

Special Panel declared violations of Clauses 2.3.2, 2.3.4 & 4.3 of the AIPM Code.

III. Special Panel recommendations and sanctions:

- to stop the use and distribution of advertising and informational materials, containing the violations of the Code, through all communication channels;
- to bring all advertising and informational materials in compliance with the Code and the Special Panel recommendations;
- to inform the headquarters about the violation.
- to oblige the employees of the company to take the online training on the Code.



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Decision of the Special Panel dated September 19, 2019 and affirmed on appeal on November 20, 2019

I. Description of the ethical dispute.

In the framework of event for HCPs financially supported by the company the lecturer demonstrated a presentation which contained a slide with information on the results of the study in respect of the RX medicine. In the complainant's view, the information is presented incorrectly and may mislead HCPs and, thus, violate Clause 2.3.4 of the AIPM Code of Practice. After holding the event the company issued press releases that contained statements that may mislead HCPs as well as information that wasn't fully aligned with the package leaflet which, in complainant's view, violate Clauses 2.3.2 and 2.3.4 of the AIPM Code of Practice. At the same time Special Panel established that this event was accredited as a CME event with the award of credits. However the fact of financial support by the company was not disclosed on the appropriate event's resources.

II. Decision of the Special Panel.

Special Panel declared violations of Clauses 2.3.2, 2.3.4 of the AIPM Code and Rules of Interactions of Pharmaceutical Companies with Organizations in the sphere of Continuing Medical Education.

III. Special Panel recommendations and sanctions:

- to stop the use and distribution of the promotional and informational materials, which violate AIPM Code of Practice;
- to make changes in the promotional and informational materials in accordance with the AIPM Code and the Special Panel decision;
- to arrange a set of actions to rebut information provided in the press-releases of the company in accordance with the recommendations of the Special Panel;
- to oblige employees of the company to complete an online training session on the Code;
- to inform the headquarters of the company about the violations.



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Decision of the Special Panel dated July 11, 2019 (Period of disclosure of company's name August 19, 2019- November 19, 2019)

I. Description of the ethical dispute.

Company, in the framework of events organized by the company for HCPs, allowed a demonstration of presentation materials with information on prescription medicines, which did not fully comply with the requirements of clauses 2.3.4, 2.3.6 of the AIPM Code.

II. Decision of the Special Panel.

Special Panel declared violations of Clauses 2.3.4, 2.3.6 of the AIPM Code.

III. Special Panel recommendations and sanctions:

- to stop the use and distribution of the promotional materials, which violate AIPM Code of Practice;
- to make changes in the promotional materials in accordance with the AIPM Code and the Special Panel decision;
- to oblige employees of the company to repeat an online training session on the Code;
- to inform the headquarters of the company about the violations;
- to make the fact of violation public on the AIPM website for three months.



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Decision of the Special Panel dated April 29, 2019 and affirmed on appeal on July 17, 2019

(Period of disclosure of company's name July 19, 2019- October 19, 2019)

I. Description of the ethical dispute.

In the broadcasts of a number of federal channels, on the YouTube portal, on the official Company's websites of medicines Company was distributing promotional materials of OTC medicines which, in complainant's view, violate Clause 4.3 of the AIPM Code of Practice in regard to non-compliance with restriction of existence of recommendations from persons who in connection with their fame are capable of encouraging the pharmaceutical product's use, Clause 2.3.4 in regard to omitting significant information, as well as Clause 5.2.1 of Guidance on Compliance with the Laws on Advertising OTC Drugs according to which no information that is material for correct perception of the advertisement may be provided in the footnotes.

II. Decision of the Special Panel.

Special Panel declared violations of Clauses 2.3.4, 4.3 of the AIPM Code as well as Clause 5.2.1 of the Guidance.

III. Special Panel recommendations and sanctions:

- to stop the use and distribution of the advertising materials, which violate AIPM Code of Practice and the Guidance;
- to make changes in the advertising materials in accordance with the AIPM Code, the Guidance and the Special Panel decision;
- to oblige employees of the company to complete an online training session on the Code;
- to inform the headquarters of the company about the violations;
- to make the fact of violation public on the AIPM website for three months;
- to impose a financial fine.



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Decision of the Special Panel dated April 19, 2019
(without disclosing company's name)

I. Description of the ethical dispute.

In the broadcasts of a number of federal channels, on the YouTube portal Company was distributing promotional filmlet of OTC medicine which, in complainant's view, violates Clause 11.2 of the Guidance on Compliance with the Laws on Advertising OTC Drugs according to which it is necessary to refrain from using obscene phrases.

II. Decision of the Special Panel.

Special Panel did not declare violation of Clause 11.2 the Guidance.



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Decision of the Special Panel dated April 05, 2019 (without disclosing company's name)

I. Description of the ethical dispute.

In the broadcasts of a number of federal channels, on the YouTube portal, on the official Company's websites of a medicine Company was distributing promotional materials of OTC medicine which, in complainant's view, violate Clause 4.3 of the AIPM Code of Practice in regard to non-compliance with restriction of existence of recommendations from persons who in connection with their fame are capable of encouraging the pharmaceutical product's use.

II. Decision of the Special Panel.

Special Panel declared violation of Clause 4.3 of the AIPM Code.

III. Special Panel recommendations and sanctions:

- to stop the use and distribution of the advertising materials, which violate AIPM Code;
- to make changes in the advertising materials in accordance with the AIPM Code and the Special Panel decision;
- to oblige employees of the company to complete an online training session on the Code.