



# Special Panel Decisions

Procedure for Review of Complaints and Disputes Regarding  
Violations of the AIPM Code of Practice

# 2023

ASSOCIATION OF INTERNATIONAL  
PHARMACEUTICAL MANUFACTURERS

АССОЦИАЦИЯ МЕЖДУНАРОДНЫХ  
ФАРМАЦЕВТИЧЕСКИХ ПРОИЗВОДИТЕЛЕЙ

## Case summary (part 1)

- Special Panel reviewed materials with information about a non-registered Rx medicine published by 3rd parties on websites without restricting access. At the time of the dispute, the materials were available. One of the publications contains the medicine trade name, photos of the packaging and a video developed by the Company and explaining the mode of action of the medicine.
  
- Published materials are contained on the following resources that do not have access restrictions:
  - 1) Website “Mosmedpreparaty.ru”;
  - 2) Website “Ridus.ru”
  - 3) Website of the online media "Lenta.Ru“
  
- When analyzing the statements contained in the publications, the Special Panel saw signs of promotion of Rx medicines, as well as the presence of wording that contradict the evidential base and guarantee a positive effect, which does not comply with the requirements of the legislation of the Russian Federation and the Code, according to which promotion of Rx medicines is not allowed for a wide audience.
  
- The materials of the ethical dispute confirm the fact that the Company did not take measures aimed at correcting, deleting and / or restricting access to the publications specified in the decision, even after receiving notifications from the AIPM member company about the presence in the public domain on the Internet of an unethical and/or inaccurate information regarding the Company’s Rx medicine.
  
- Special Panel considers it necessary in the case when the company becomes aware of the dissemination by 3rd parties in Internet publications, electronic media and other sources of information on the Internet of incorrect and / or unethical information about medicine in respect of which the company is the holder of the MA , the company must take measures in response to such information, taking into account the requirements established by law, in order to prevent harm to the life and health of patients, as well as misleading them by providing false and / or incorrect information that does not comply with the prescribing information / package leaflet for medical use and scientific data .
  
- Special Panel established the Company's inaction in relation to unethical and/or inaccurate information disseminated by 3rd parties on the Internet related to Rx medicines used within the healthcare system.

**Case summary (part 2)**

- Company supported the holding of an event for HCPs at the Clinical Diagnostic Center with the involvement of a 3rd party who organized the event and laid out materials about the Company's Rx medicine.
- According to the explanations of the Company and the 3rd party, measures were taken to control compliance with the requirements of the Code in terms of ensuring the closure of the place of public access for the duration of the event (clause 3.3.4 of the Code), as well as restricting public access to materials on Rx medicines (clause 4.1.1 of the Code). Special Panel paid particular attention to the fundamental principle of the Code, according to which AIPM member companies and any persons acting on their behalf accept and undertake to comply with the requirements of the Code.

**Decision of the Special Panel:**

- Part 1.
- Based on the submitted materials on the dispute, as well as information published on the Internet, the Special Panel did not recognize a violation of Section II of the Code.
  - At the same time, the Special Panel recognized the fact of violation by the Company of the fundamental principles of the Code, expressed in the inaction of the Company in relation to the unethical and/or inaccurate information published by the 3rd person. According to the fundamental principle of the Code, AIPM member companies, realizing their high social responsibility to society, following not only the letter, but also the spirit of the Code, should strive to observe the rules of fair competition in their activities and to refrain from harming the image, position, or economic interests competitors through inappropriate and improper conduct.
- Part 2.
- Special Panel did not recognize the violation by the Company of paragraph 4.4.1 of the Code.

**Recommendations & Sanctions of the Special Panel:**

- ⊙ Company shall take measures to remove and/or correct unethical and/or inaccurate information contained in publications about the Company's Rx medicine by contacting representatives of the relevant Internet resources, as well as other publicly available resources.
- ⊙ Company to continue to take measures to ensure the restriction of access to materials on Rx medicines provided during the organization and / or financing of events by the Company.
- ⊙ To oblige the Company's employees involved in the preparation, dissemination, monitoring, control over the dissemination of information about the Company's Rx medicines to complete online training on the Code.