

Indian govt notifies new marketing code to restrain unethical practices for pharma industry

The Uniform Code of Pharmaceutical Marketing Practices (UCPMP) 2024 states that the complaints of violation of code will be handled by the 'Ethics Committee for Pharma Marketing Practices' in each association. This committee will comprise of three to five members and will be headed by the chief executive officer (CEO) of the board.

The Union government on Tuesday, March 12 notified Uniform Code of Pharmaceutical Marketing Practices (UCPMP) 2024, which will curb pharmaceutical companies from extending personal benefits to healthcare professionals or their family members. The restricted benefits include gifts, travel facilities, hospitality, cash or monetary grant, when it comes to the marketing activities.

The code states that the complaints of violation of code will be handled by the 'Ethics Committee for Pharma Marketing Practices' in each association. This committee will comprise of three to five members and will be headed by the chief executive officer (CEO) of the board.

The appointment to the committee will be approved by the Board of Association which will have to be posted on the website, the Department of Pharmaceuticals added.

The code states that the CEO of a pharmaceutical company will be responsible for adherence to the uniform code. A self-declaration will have to be submitted by the executive head of pharma companies within two months of the end of every financial year to the association. It shall be uploaded on the association website or directly on UCPMP portal of the Department of Pharmaceuticals.

The Department of Pharmaceuticals pointed out that pharma companies, distributors, agents, wholesalers or retailers should not offer gifts for personal benefit of any healthcare professionals or their family members. The Department of Pharmaceuticals last brought out UCPMP in 2014.

The companies or its representatives should not extend travel facilities inside or outside the country including rail, air, ship, cruise tickets or paid vacations to healthcare professionals or their family members.

The travel facilities should also not be provided to healthcare professionals for attending conferences, seminars, workshops etc., unless the person is a speaker. Hospitality facilities like hotel stay, expensive cuisine, resort accommodation, etc to healthcare professionals or their family members should also not be extended by pharma companies, if they are not a speaker.

The department added, “No pecuniary advantage or benefit in kind may be offered, supplied, or promised to any person qualified to prescribe or supply drugs by any pharma cos/ agent/distributors, wholesalers, retailers, etc.”

They have also been told that they should not be paying cash or monetary grants to any healthcare professional or their family members.

The code also stressed that free samples of drugs shall not be supplied to any person who is unqualified to prescribe such a product.

Penal provision

The code pointed out that each company should maintain details such as product name, doctor’s name, quantity of samples given, date of supply of free samples to healthcare practitioners, etc. Also, the monetary value of samples distributed by the company should not cross 2% of its domestic sales of the company per year, it further stated.

On the penal provision, the code says that "Once it is established that a breach of the Code has been made by an entity, the Committee can propose either to suspend or expel the entity from the Association. Or reprimand the entity and publish full details of such reprimand."

The entity found breaching the code shall be required to issue a corrective statement in the same media (and other suitable media) which was used to issue promotional material: textual or audio-visual. It should also share the details of the proposed content, mode and timing of dissemination of the corrective statement with the committee for the prior approval, the code stated.

The entity will also have to submit details of the action taken by it to recover money or items, provided in violation of the code, from the concerned personnel to the committee. Additionally, the details of the action taken in this regard must be submitted by the entity to the committee in writing.

"In cases where disciplinary, penal, or remedial action lies within the domain of any agency or authority of the Government in accordance with the statute, the Committee may send its recommendations to such agency or authority through the Department of Pharmaceuticals," it added.

News Source:

<https://www.cnbctv18.com/healthcare/indian-govt-new-marketing-code-restrain-unethical-practices-pharma-industry-19257161.htm>