EXPLANATORY NOTES

3. Promotional Material*

For products that have a "Boxed Warning" included in their Approved Product Information, all promotional material must include the Boxed Warning or include a prominent statement drawing attention to the Boxed Warning.

3.1 Journal Advertising

Journal Advertising must conform with the requirements of one or other of the following categories. The information required for Sections 3.1.1, 3.1.2 and 3.1.3 shall appear in each publication in a type size of not less than 2 mm as measured by the font's capital letter, and should appear on a background sufficiently contrasting for legibility. The orientation of the text should be the same as that of the main text of the advertisement.

3.1.1 Full advertisement*

3.1.1.1 A full advertisement must contain the following within the body of the advertisement.

(a) The brand name of the product

(b) The Australian Approved Name(s) of the active ingredient(s)

(c) The name of the supplier and the city, town or locality of the registered office

3.1.1.2 A full advertisement must also contain either:

(d) An approved indication or indications for use together with the dosage and method of use

(e) A succinct statement of the contraindications, precautions and side effects, including any boxed warnings that may appear in the full Product Information

(f) A clear and unambiguous statement for prescribers to review the Product Information before prescribing

3.1 Care should be taken to ensure that where an advertisement consists of a double sided or multiple page copy, the information contained on each individual page is not false or misleading when read in isolation.

3.1.1.1 (b) The Australian Approved Name should appear adjacent to the most prominent presentation of the trade name.

(g) A statement to the effect that full disclosure Product Information is available on request from the Member

or

Section (f), (g) and

(h) the Product Information

3.1.1.3 A full advertisement is mandatory for the advertising of all new chemical entities or the advertising of new indications for 24 months from the date of first advertising in medical publications, or longer at the discretion of the advertiser.

3.1.1.4 The full or abridged Product Information may be included with a full advertisement. If the full or abridged Product Information is included it should be placed adjacent to the body of the advertisement. Where it is not practicable to do so, the advertisement must carry a statement in type size not less than 2 mm to the effect of the following statement.

"Please review Product Information before prescribing. In this publication, Product Information can be found ...."

At the point ..., insert the page number in the publication where the information can be found or reference to an adequately referenced product information section or advertisers index.

Product Information in any form should form a fixed part of the journal.

3.1.1.5 If a full advertisement contains a claim or statement regarding PBS availability or cost, the current PBS dispensed price* must be included with the mandatory text required for this type of advertisement as detailed in Section 3.1.1. If a specific indication is being promoted the price or prices relevant to this indication should be disclosed. If no specific indication is being promoted the price of all presentations should be listed.

3.1.1.3 The wording used to direct the reader to the location of Product Information may be varied but must contain a direction to review the Product Information before prescribing the product.

Loose leaf inserts will not satisfy the requirements of this section.

3.1.1.5 Members are encouraged to refrain from using the mandatory declaration of PBS prices in a comparative manner as simple comparisons are fraught with difficulty and may ignore complexities such as daily treatment costs or average dose costs that are not encompassed by the PBS price. Simple comparisons, without adequate explanation or clarification, could be considered misleading.

3.1.2 Reminder advertisement

3.1.2.1 A reminder advertisement is designed to remind a prescriber of a product's existence, and may contain promotional claims. The sole use of a reminder advertisement within any one issue of a publication is not permitted before 24 months from first advertising of a new chemical entity or before 12 months following a change of clinical significance made to the Product Information.

3.1.2.2 A reminder advertisement must contain:

(a) The brand name of the product

(b) The Australian Approved Name(s) of the active ingredient(s)

(c) The name of the supplier and the city, town or locality of the registered office

(d) A clear and unambiguous statement for prescribers to review the Product Information before prescribing

(e) A statement to the effect that further information is available on request from the supplier.

3.1.2.3 A reminder advertisement must also contain either:

(a) the content of Section 3.1.1.2 (d) and (e)

or

(b) the location of the Product Information within the same publication either via reference to the location of the Product Information or via a Product Information index

or

(c) the location of a full advertisement contained within the same publication via reference to an advertisers index

3.1.2.2 (b) The Australian Approved Name should appear adjacent to the most prominent presentation of the name.

3.1.3 Short advertisement

3.1.3.1 A short advertisement is designed to remind a prescriber of a product's existence, and must not contain promotional claims. The sole use of a short advertisement within any one issue of a publication is not permitted before 24 months from first advertising of a new chemical entity or before 12 months following a change of clinical significance made to the Product Information.

3.1.3.2 A short advertisement must contain:

(a) The brand name of the product

(b) The Australian Approved Name(s) of the active ingredient(s)

(c) The name of the supplier and the city, town or locality of the registered office

(d) A statement to the effect that further information is available on request from the supplier.

3.1.3.3 A short advertisement may contain:

(a) Up to 5 words describing therapeutic class*, but without the use of promotional phrases.

(b) Graphics

(c) A brief statement on P.B.S. availability* and/or Repatriation Pharmaceutical Benefit availability*.

(d) A statement of available dosage forms.

(e) A statement referring to the location of Product Information in a reference manual.

(f) The website address of the company.

No other material is permitted.

EXPLANATORY NOTES

3.1.3.2 (b) The Australian Approved Name should appear adjacent to the most prominent presentation of the name.

3.1.4 **Company Commissioned articles***

3.1.4.1 Company commissioned articles must be identified as such in a type size of not less than 2 mm.

3.1.4.2 The Member which is responsible for the insertion of the Company Commissioned Article must be clearly identified at either the top or the bottom of the Company Commissioned Article in a type size of not less than 2 mm.

3.1.4.3 Company Commissioned Articles must conform to all relevant provisions of Section 1 of this Code.

3.1.4.4 Commissioned Articles shall also conform to the requirements of Section 3.1.1 of the Code of Conduct.

3.2 **Reference Manual* Advertising**

The Board has determined that the Australian Prescription Product Guide and MIMS currently satisfy its criteria for reference manuals. For the purposes of this section, MIMS Annual, its Supplements and bi-monthly edition are regarded as one reference manual.

3.2.1 **Full advertisement - reference manuals**

Full advertisements in reference manuals shall conform with the requirements of Section 3.1.1 (a), (b), (c) and (f) of the Code. These advertisements must also include reference to the product's Therapeutic Class Number or to the page number on which the relevant Product Information is located.

3.2.2 **Short advertisement - reference manuals**

Short advertisements in reference manuals shall correspond to the requirements of Section 3.1.3 of the Code.

3.3 **Materials for use by Medical Representatives***

A major guiding principle of the Code is that, whenever a promotional claim is made for a product, it shall be accompanied by Product Information. Where multiple forms of promotion items are intended to be distributed at one time,

3.1.4 Sponsoring companies should ensure that statements by third parties which are quoted in Commissioned Articles comply with these requirements.

Independently edited supplements which publish the proceedings of a recognised congress* are not considered as Commissioned Articles. It is recommended that if a company sponsors such a supplement this should be stated clearly in the supplement.

3.3.1 Printed promotional material

3.3.1.1 Where an item of printed promotional material is demonstrated, the Product Information document must be ~~given~~ offered to an individual reviewing the promotional material, or offered to an audience in a group situation on completion of the presentation.

3.3.1.2 All Member printed promotional material must include the following information:

(a) The brand name of the product

(b) The Australian Approved Name(s) of the active ingredient(s)

(c) The name of the supplier and the city, town or locality of the registered office

(d) Full or abridged disclosure Product Information

3.3.1.3 The use of full disclosure Product Information is mandatory for promotion of all new chemical entities for 24 months from the date of first advertising, or longer at the discretion of the Member. Abridged disclosure Product Information may be used subsequent to that period.

3.3.1.4 Where it is impractical to print the Product Information on the body of the promotional material, the promotional material will carry a statement to the effect of the following in a type size of not less than 2 mm.

"Please review Product Information before prescribing. Product Information accompanies this item."

The item is then to be accompanied by a full or abridged Product Information document.

EXPLANATORY NOTES

3.3.1 This section applies to detail aids, leaflets, posters and other materials prepared by companies based on the available literature and intended for distribution to healthcare professionals, which contain promotional claims.

3.3.1.2 (b) The Australian Approved Name should appear adjacent to the most prominent presentation of the trade name.

3.3.1.2 (d) See Sections 2.1, 2.2 and 2.3

3.3.1.3 The wording used to direct the reader to the location of Product Information may be varied but must contain a direction to review the Product Information before prescribing the product.

3.3.2 Audiovisual promotional material

3.3.2.1 All audiovisual promotional material must be accompanied by a document which contains the following information:

(a) The brand name of the product

(b) The Australian Approved Name(s) of the active ingredient(s)

(c) The name of the supplier and the city, town or locality of the registered office

(d) Full or abridged disclosure Product Information

3.3.2.2 The use of full disclosure Product Information is mandatory for promotion of all new chemical entities for 24 months from the date of first promotion, or longer at the discretion of the Member. Abridged disclosure Product Information may be used subsequent to that period.

3.3.2.3 Where an audiovisual item is demonstrated, the Product Information document must be given to the individual reviewing the promotional material, or offered to the audience in a group situation on completion of the presentation.

3.3.3 Brand name reminders*

3.3.3.1 Brand Name Reminders must include the following information:

(a) The brand name of the product

(b) The Australian Approved Name(s) of the active ingredient(s)

(c) Where applicable, the notation "See Warning" or "See Boxed Warning" drawing attention to the boxed warning in the Product Information.

EXPLANATORY NOTES

3.3.2 This section applies to audiotapes and videotapes for private use by healthcare professionals or for demonstration purposes to groups of healthcare professionals.

3.3.2.1 (b) The Australian Approved Name should appear adjacent to the most prominent presentation of the trade name.

3.3.2.1 (d) See Sections 2.1, 2.2 and 2.3

3.3.3 An individual Brand Name Reminder should only be of token value and should not bring discredit to the industry. The nature of any Brand Name Reminder or its packaging must not have the capacity to be confused with a therapeutic good.

3.3.3.1 (b) The Australian Approved Name should appear adjacent to the most prominent presentation of the trade name.

3.3.3.2 Brand Name Reminders are not to contain any promotion claims/and or statements.

3.3.3.3 Where the nature of a Brand Name Reminder is such that it is demonstrably and obviously impractical to display legibly the brand name of the product and the Australian Approved Name(s) of the active ingredient(s) as required in Section 3.3.3.1, the Brand Name Reminder must be accompanied by a document containing the information specified in Section 3.3.3.1.

3.3.3.4 Where the nature of a Brand Name Reminder is such that it is demonstrably and obviously impractical to display legibly the notation "See Warning" or "See Boxed Warning" as required in Section 3.3.3.1, a Brand Name Reminder must not be used for that product.

3.3.4 Medical literature/reprints

3.3.4.1 The general tenor of any reprints of journal articles, proceedings of symposia* or summaries of literature used in promotion must be consistent with the Product Information.

3.3.4.2 Quotations from medical literature or from personal communications must accurately reflect the meaning of the author and significance of the study.

3.3.5 Computer Based Promotional Material

3.3.5.1 Computer based promotional material must comply with all relevant provisions of Section 1 of this Code.

3.3.5.2 Where an individual product is being promoted the appropriate Product Information must be offered to an individual reviewing the promotional material, readily accessible via the computer based material or offered to an audience in a group situation on completion of the presentation.

3.3.4 Healthcare professionals may request literature on subjects not covered by the Product Information such as non-approved indications. While it is not acceptable to routinely disseminate such literature where unsolicited, it is acceptable to provide such information on individual request, provided that the literature or accompanying communication clearly identifies that it refers to a product or indication not approved in Australia. If the product is approved in Australia it must be accompanied by the Australian Approved Product Information.

Reprints themselves do not need to be accompanied by Product Information, but Product Information must be included with any accompanying material (eg letter) or presentation made which makes promotional claims.

Quotations relating to medical products taken from public broadcasts or private occasions such as medical conferences or symposia, should not be reproduced without the written permission of the speaker unless subsequently published. Care should also be taken to avoid ascribing unpublished claims or views relating to prescription products to authors when such claims or views no longer represent, or may not represent, the current view of the author concerned.

3.3.5 Computer Generated Promotional Material

As a minimum, this section covers the following:-

- Promotional material designed by companies to promote their products directly to healthcare professionals and includes such promotional tools as software programs used by Medical Representatives during interchanges with healthcare professionals.

(cont...)

3.3.5.3 Where the Product Information is included in interactive d system, instructions for accessing it must be clearly displayed.

3.3.5.4 Where promotional or medical claims are included in the computer based promotional material, details of the substantiating references must be readily accessible via the computer based promotional material.

3.3.5.5 The type size and graphics used in all promotional material must be such that allows easy and clear legibility.

3.4 Television Advertising

3.4.1 Television Advertising is permitted for transmissions restricted to an audience of healthcare professionals. Television advertising must comply with all relevant provisions of Section 1 of this Code. Following the promotion, the following items must appear on one screen and are mandatory for all television advertisements irrespective of the other content of that advertisement or the length of time that the product has been advertised.

(a) The brand name of the product

(b) The Australian Approved Name(s) of the active ingredient(s)

(c) The name of the supplier and the city, town or locality of the registered office

(d) A statement to the effect:

"Please review Product Information before prescribing. Product Information and substantiating references can be obtained from (the Member) or by consulting MIMS Annual (reference) or by phoning (Telecaster's phone number)".

(Section 3.3.5 continued)

- The use by Member companies of external computer generated programs to promote their products and includes such programs as prescribing and dispensing software.

- The use by Member companies of messages on the Internet. Member companies considering the use of the Internet should refer to Section 9. dealing with Communications with the General Public and specifically the requirement of Section 9.4 which prohibits the promotion of prescription products to the general public.

3.4 The provisions of the Code as they apply to full journal advertising (Section 3.1.1) should be applied to medical television advertising.

However, it is not practical to display the approved or abridged Product Information in conjunction with a television advertisement. Hence the use of a screen containing mandatory information.

3.4.2 The MIMS Annual reference must include the Therapeut' Class numbers and may also include the page number on which the relevant Product Information is located.

3.4.3 The type must be clearly legible and appear on a contrasting background. The background may contain a pack or product shot but no other graphics.

3.4.4 The mandatory items must appear on screen for not less than 10 seconds unless the words are concurrently spoken at a clearly audible rate in a shorter time.

3.5 **Mailings***

3.5.1 Mailings must comply will all relevant provisions of Section 1 of this Code.

3.5.2 The full or abridged disclosure Product Information as applicable must be included in all mailings where promotional claims are made.

3.5.3 The use of full disclosure Product Information is mandatory for promotion of all new chemical entities for 24 months from the date of first promotion, or longer at the discretion of the Member. Abridged disclosure Product Information may be used subsequent to that period.

3.5.4 Mailings should only be sent to those categories of health professionals whose need for, or interest in, the particular information can be reasonably assumed. Requests to be removed from promotional mailing lists must be complied with promptly and no name restored except at specific request or with written permission.

3.5.5 Mailing lists should be kept up-to-date.

3.5.6 Exposed mailings including postcards, envelopes or wrappers must not carry matter which might be regarded as advertising to the general public or which could be considered unsuitable for public view.

3.5.3 Envelopes implying urgent attention should be restricted to matters relating to product recalls or important safety information.

Envelopes should not be used for dispatch of promotional material if they bear words implying that the contents are non-promotional.

Unsolicited reprints of journal articles must be consistent with the Product Information, and any covering letter should comply with Section 1.

3.6 Document Transfer Media

Unsolicited electronic transmissions or replicas thereof, must not be used for promotional purposes.

3.7 Competitions

3.7.1 Competitions must fulfil all of the following criteria:

(i) The competition is based entirely on medical knowledge or the acquisition of medical knowledge.

(ii) The prize is directly relevant to the practice of medicine or pharmacy.

(iii) Individual prizes offered are to be of low monetary value or be an item of educational material.

3.7.2 Entry into a competition must not be dependent upon prescribing, ordering or recommending of a product and no such condition shall be made or implied.

3.7.3 The conduct of competitions shall comply in all respects with relevant State and Federal regulations.

3.8 Gifts/Offers

No items shall be offered or given to healthcare professionals, their families or employees unless they are consistent with the principles contained within Sections 3.3.3 (Brand Name Reminders), 3.7 (Competitions), 10.1 (Entertainment) or 10.2 (Medical Educational Material) of this Code.

3.6 Items suggesting a requirement for urgent attention, whether by general mailing or by replicas of urgent media are not acceptable for promotional purposes.

Electronic transmissions encompass the use of facsimiles and electronic mail.

3.7 The value of prizes permitted to be used in competitions is difficult to define and needs to be assessed on an individual basis.

Prizes which might be useful in the practice of medicine but are not specific to medicine or pharmacy must not be offered.

3.9 The Use of the Internet for Pharmaceutical Information

APMA supports the right of its Members to use the Internet as a means of providing accurate and scientifically reliable information on medicines in a responsible manner for the benefit of both patients and health care professionals. However, the promotion of products covered by the Code of Conduct to the general public via the Internet would breach Section 9.4 of the Code.

The following provisions are applicable to information generated for use via Australian Internet sites.

3.9.1 Information on products covered by the Code of Conduct provided on the Internet must not be promotional if it is accessible by other than health care professionals.

3.9.2 Promotional information provided on the Internet to health care professionals must be accessible only via a secure system which will prevent access by members of the general public. Any promotional material provided to health care professionals via this medium must comply with the requirements of Section 1 of the Code of Conduct.

3.9.3 Information made available via the Internet should not make reference to other information sources or Internet sites that would be considered in breach of the APMA Code of Conduct.

3.9.4 Where an internet site includes information regarding a product, the address and identity of the Member should be provided. The intended audience should also be readily apparent on the site.

3.9.5 It should be made clear when the reader is leaving the site or being directed to a site that the Member has not developed.

3.9.6 It is appropriate for Members to link their sites to the APMA site as a means of authenticity. Such a linkage must not be used to imply that APMA endorses any part of the content of the Member's site.

3.9.3 Where reference to other information sources or Internet sites are made, Members must have taken all reasonable steps to ensure that these information sources and Internet sites comply with the provisions of the Code of Conduct.

3.10 Advertising in Electronic Prescribing Software Packages

The following provisions are applicable to advertising included in electronic prescribing software packages. Advertisements for products covered by this Code can be included in electronic prescribing software.

3.10.1 All promotional claims made must be consistent with the Australian Product Information and must comply with the requirements of Section 1 of this Code.

3.10.2 All advertisements must provide easy access to the Australian Product Information for the product being promoted.

3.10.3 Full Advertisement

3.10.3.1 Where advertisements contain promotional claims, they must contain the following within the advertisement itself or via the software package:

(a) The brand name of the product
(b) The Australian Approved name (s) of the active ingredient(s)
(c) The name of the supplier

The following must also appear, and may be provided within the body of the advertisement or elsewhere on the screen via the software package:

(d) A clear and unambiguous statement for prescribers to review the Product Information before prescribing
(e) A statement to the effect that further information is available on request from the supplier

3.10.3.2 If this information is disclosed via the software package it must appear immediately adjacent to the advertisement and must be clear and legible.

3.10.3.3 The city, town or locality of the registered office may be included in the advertisement but if not, must be readily accessible via the use of a direct link such as a hot link key.

3.10.4 Short Advertisement

3.10.4.1 Advertisements that do not contain promotional claims must still contain:

(a) The brand name of the product
(b) The Australian Approved name (s) of the active ingredient(s)

3.10.2 APMA also encourages the electronic availability of Consumer Medicine Information via prescribing software packages.

3.10.5 Where promotional claims are included in the advertisement, it must allow the ability for the identification and details of any substantiating references to be displayed in the body of the advertisement or accessed via a hyperlink or similar mechanism.

3.10.6 The type size and graphics used in all advertisements must be such that allows easy and clear legibility having regard to sizes and resolution standards of screens likely to be used.

3.10.7 All advertisements must be displayed for a sufficient period to allow for legibility and the ability to access references.

3.10.8 Consistent with current printed reference manual advertising, it is acceptable for software prescribing packages to display, at random, advertisements for products within the therapeutic class being reviewed by the prescriber at the time.

3.10.9 Lists of products may be provided in the prescribing window, in alphabetic order, by brand name, by generic name or both.

3.10.10 As prescribing software packages may include information which could be shared with patients by prescribers, the content of any advertisements, particularly graphics, must be such as to not cause any offence, alarm or concern or give rise to unrealistic expectations of benefit when viewed by members of the general public, including children. Advertisements should also not be designed to stimulate a patient's demand for the prescription of a particular product.

3.10.11 The company shall not negotiate or accept any offer from a software manufacturer to achieve a preferential presentation of its own product or a less favourable presentation of a competitor's product in a way that could reasonably be held as likely to influence the prescriber's choice.

EXPLANATORY NOTES

4. Medical Representatives

4.1 Medical representatives must only use promotional material which conforms to the provisions of Section 3 of this Code. Verbal statements made about a product must comply with the provisions of Section 1 of this Code.

4.2 Members have a responsibility to maintain high standards of ongoing training for representatives.

4.3 Medical representatives should possess sufficient medical and technical knowledge to present information on the company's products in an accurate current and balanced manner and should be cognisant of all provisions of this Code.

4.4 Medical representatives should at all times maintain a high standard of ethical conduct in the discharge of their duties.

4.5 Medical representatives must not employ any deception to gain an interview.

4.6 Medical representatives should ensure that the frequency, timing and duration of calls, together with the manner in which they are made, are such as not to cause inconvenience. The wishes of an individual doctor, or the arrangements in force at any particular establishment, must be observed by medical representatives.

4.7 Medical representatives including company agents must not use the telephone to promote products to the medical profession unless the agreement of the doctor has been obtained.

Where information about a prescription product is provided to the medical profession via the telephone it must be undertaken in an appropriate and responsible manner so as not to cause any inconvenience or concern to the healthcare professional.

EXPLANATORY NOTES

4. Companies should ensure that Medical Representatives are familiar with the provisions of the Code. Particular attention is drawn to Section 3.3 on material for use by Medical Representatives, Section 5 on Product Starter Packs and Section 6 on trade displays*.

4.3 The APMA's Medical Representatives Educational Program (MedREP) or Continuing Education Program (CEP) provides sufficient background to satisfy the general requirements of this Section.

4.5/6 Medical representatives may be used to obtain survey information in accordance with Section 8. However, the pretext of carrying out a survey to gain an extended interview should be avoided.

4.8 Wherever a promotional claim is made, the medical representative must offer the current Australian Approved Product Information.

4.9 Under no circumstances shall representatives pay a fee in order to gain access to a healthcare professional.

4.10 All medical representatives who have been employed in the Industry since April, 1983 are required to have completed the MedREP Diploma course or be currently undertaking the Continuing Education Program.

4.11 All medical representatives entering the Industry for the first time must enrol in the Continuing Education Program within the first six months of employment and must complete the Code of Conduct Module within this timeframe.

4.12 All Product Managers* must complete the Code of Conduct Module within the first twelve months of commencement of employment as a "Product Manager".

EXPLANATORY NOTES

4.8 Where promotional material is used during the interview, the Product Information which is required by the Code to accompany that material is sufficient to satisfy this Section.

5. Product Starter Packs*

Care should be exercised by Members that the distribution of Starter Packs is carried out in a reasonable manner. There are a number of State Laws which control the supply and storage of products.

5.1 Starter Packs of products may only be supplied at their request to medical practitioners, dentists and hospital pharmacists for use in accordance with Section 5.2.

Product Information and Consumer Medicine Information, when available, should be offered at the time of distribution or included in the product pack.

5.2 Starter Packs should only be supplied to medical practitioners, dentists and hospital pharmacists when required for any of the following reasons:

(a) for immediate use in the surgery for relief of symptoms, or
(b) for the use of alternative treatments, prior to a prescription being written, or
(c) for after hours use, or
(d) for gaining familiarisation with products.

5.3 Starter Packs should not exceed $\frac{1}{3}$ of the PBS primary quantity for each strength of a product. For non-PBS products, Starter Packs should be no larger than $\frac{1}{3}$ of the smallest trade pack. Where it is not practical to produce a $\frac{1}{3}$ pack, the smallest trade pack may be used.

5. Members should ensure that they are kept informed of any changes in State Laws concerning the supply of Starter Packs.

5.3 Examples of products where ⅓ may not be practical would include ear and eye drops, small aerosols, ampoules, products taken in a specific order where pack presentation dictates the order of taking of the product and packs of 15g or less of ointments and creams. Reasons such as cost or availability will not be accepted as being impractical.

State legislation may limit the quantity supplied as a Starter Pack to less than ⅓ PBS quantity in which case the legislation must be adhe red to.

Primary quantity means most commonly prescribed PBS quantity.

5.4 The maximum quantity of Starter Packs to be supplied to medical practitioner, dentist or hospital pharmacist must be at the medical practitioner's, dentist's or hospital pharmacist's discretion and should reflect their needs until the next visit by their representative. The medical practitioner, dentist or hospital pharmacist must write the quantity requested and sign the request/receipt form as required by State Legislation.

5.4 Starter Packs left with receptionists for the attention of the medical practitioner, dentist or hospital pharmacists without a signed request will be in breach of the Code of Conduct.

While the medical practitioner, dentist or hospital pharmacist are required to state the maximum number required, it is not mandatory for the company to supply that quantity. However, the company must not supply in excess of that stated by the medical practitioner, dentist or hospital pharmacist.

Members must keep all records of the request for and supply of Starter Packs for a period compliant with State legislation, in a way that they are available for inspection by appropriate inspectors.

5.5 Representatives must take adequate precautions to ensure the security of Starter Packs in their possession. Members should develop an appropriate recording system so that, if a product recall is necessary, relevant Starter Packs will be included in the recall.

5.6 Starter Packs when sent by mail or courier must be packed so as to be reasonably secure against the package being opened by young children. When mail is used to forward Starter Packs, Registered Mail must be used. There must be nothing on the packaging which indicates the nature of the contents.

5.7 Distribution of Starter Packs in hospitals must comply with individual hospital requirements.

5.8 On request, Members must promptly accept the return of Starter Packs of their products.

5.9 Primary labelling of all starter Packs distributed must comply with the current Therapeutic Goods Order on labelling. Where practical, the primary label should allow sufficient space for the medical practitioner, dentist or hospital pharmacist to write or label patient details and dosage instructions.

EXPLANATORY NOTES

6.8 Members must not offer financial incentives to healthcare professionals to visit their display stands. Such incentives would include gifts, cash payments and/or donations to charities or societies.

6.8 This section does not apply to competitions and the prizes if held according to Section 3.7.

PROVISIONS OF THE CODE

7. Travel and Sponsorship

7.1 The following applies to Members sponsoring delegates travelling FROM or WITHIN Australia to symposia and/or congresses:

- Travel may be subsidised provided the meeting is directly related to the healthcare professional's area of expertise.
- Travel should generally be by Economy or Business Class. First Class travel should only be used for international travel and then only in exceptional circumstances.
- A reasonable level of accommodation expenses may be covered.
- Expenses for family or travelling companion(s) should not be paid by the sponsoring Member.

7.2 Where attendees are being sponsored to attend symposia, meetings are to be held in appropriate centres.

7.3 The symposia's focus should be on scientific and medical matters and hospitality should be kept to a minimum level.

7.4 Where Members undertake sponsorships such support must be able to withstand public and professional scrutiny, and conform to professional standards of ethics and good taste.