



THE UNIVERSITY OF
NEW SOUTH WALES



St Vincent's Hospital

A facility of St Vincent's & Mater Health Sydney

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MARS/PRISM:

Mr Scott Gregson
General Manager, Adjudication
Australian Competition and Consumer Commission
470 Northbourne Avenue
Dickson ACT 2602

Dear Mr Gregson,

Medicines Australia Revised Code of Conduct,

I write as an independent member of the Medicines Australia Code of Conduct committee, representing ASCEPT (Australasian society of experimental and clinical pharmacologists and toxicologists). I am currently the chairman of the PHARM (pharmaceutical health and rational use of medicines committee), an expert ministerial committee of the Minister of Health and Ageing, that advises the Minister on the achievement of Quality Use of Medicines (QUM) in Australia, a component of the National Medicines Policy.

I am pleased to support Medicines Australia's view that the new edition of the Code of Conduct should come into operation on 1 January 2006, which will be three years from the introduction of the current edition. In developing the new edition I can confirm that Medicines Australia has consulted widely with all interested stakeholders and has engaged in considerable dialogue with a broad range of organizations to ensure that the changes proposed will be supported. I have examined the Code closely myself and responded personally to the request for comment and suggestion as well as advising ASCEPT of my views so that organization may respond also.

I support the view that there are a number of important improvements to the Code in this revised edition and that these changes strengthen the Code in the interest of ensuring responsible promotion of prescription medicines.

Some of the important changes are:

- 1) Detailed reference to the National Medicines Policy and QUM in the Preface to the Code which sets the framework in which promotion must sit. This was at the suggestion of PHARM.
- 2) Strengthening of the regulation that restricts placement of advertisements in prescribing software to those areas that are only intended for prescribers. This was in response to a specific complaint as well as concerns expressed from a number of contributors to the Review. The restricted placement will assist companies to ensure that they meet their obligations not to advertise prescription medicines to consumers.

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CANBERRA

- 1 DEC 2005

3) New provisions regarding advisory boards, which was lacking in the current edition of the Code, to ensure that their functions are more clearly aligned to provision of clinical advice and that they are governed by clear statements of purpose

4) Amendments to the requirements for Starter Packs, flowing from the Galbally Review. It is particularly important that these changes are implemented quickly in readiness for the States and Territories repealing their legislation in favour of relying on the Code of Conduct to regulate supply of starter packs

5) The three advertising principles from the Therapeutic Products Advertising Code, which will be the overarching Code under the Trans-Tasman Joint Therapeutics Agency, which is scheduled to commence on 1 July 2006. This provides a strong link between the MA self-regulatory Code and the overarching Code which will be underpinned in legislation.

I support Medicines Australia (MA) desire that the new Code to be fully implemented in readiness for the commencement of the new Joint Agency. It would be unworkable for the implementation of new MA Code to be delayed until close to, or after, the commencement of the new Agency.

In summary, I support MA's application for interim authorization.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ric Day', with a stylized, cursive script.

Richard Day