

Australian Medical Association Limited

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AMA

04/206

Mr Scott Gregson

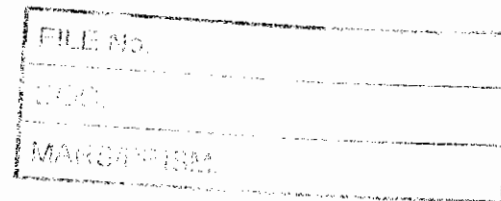
The General Manager

Adjudication Branch

Australian Competition & Consumer Commission

PO Box 1199

DICKSON ACT 2602



Dear Mr Gregson

Application for revocation and substitution (A90994-6) lodged by Medicines Australia Inc

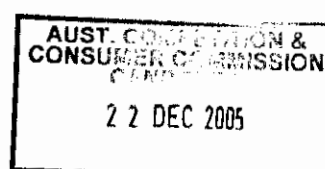
Thank you for extending an invitation to the AMA to make a submission in relation to the Medicines Australia application for authorisation of Edition 15 of its Code of Conduct.

The AMA supports the Code as a guide to the standards for the ethical marketing and promotion of prescription pharmaceutical products in Australia. It complements the legislation requirements of the Therapeutic Goods Regulations and the Therapeutic Goods Act.

The AMA considers the Code to be effective in regulating the marketing of prescription products to health professionals, and in defining the relationship between the pharmaceutical industry and the general public, and supports the new provisions in Section 3, particularly those relating to advertisements in electronic prescribing software. The AMA is opposed to the use of advertising and promotional material in prescribing software because of its potential to interfere with the doctor-patient relationship during consultations.

The AMA has previously expressed concern to Medicines Australia about the lack of distinction between education of consumers versus promotion to consumers, and the capacity of the Code to deter breaches by pharmaceutical companies. The AMA considers education as an integral component of the safe and quality use of medicines, however remains opposed to any form of direct to consumer advertising, and intends to keep a watching brief on breaches of the Code of Conduct in relation to direct to consumer advertising over the next 12 months.

The AMA considers that the Code is of significant public benefit, including consumer protection, through the setting out and enforcement of standards of conduct for the marketing of prescription products, and encourages the quality use of medicines and rational prescribing practices. The AMA supports the provisions in Section 6 and 10 of the Code in relation to involvement in educational symposia, congresses and satellite meetings, and relations with health care professionals, and notes that no substantial amendments to this section have been made in Edition 15.



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On this basis, the AMA considers there to be little detriment to competition and the public interest resulting from Edition 15 of the Code, and supports the application from Medicines Australia for its authorisation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Robyn Mason', with a stylized flourish at the end.

Dr E. Robyn Mason
Secretary General

19 December 2005