



# Redrafted proposals still contain loopholes for disguised advertising

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The European Commission has today released a redrafted version of the Information to Patients proposals<sup>1</sup>. These legislative proposals include modifications to the regulations governing advertising of prescription medicines in the European Union.

“This document contains loopholes that open the door to advertising of prescription drugs to the public disguised as “patient information”. The rewritten proposals may be misinterpreted and misused, although they represent an improvement on the original version introduced by the Commission in December 2008”, says Teresa Alves, Coordinator at Health Action International (HAI) Europe.

## What are the problems?

- Printed materials prepared by the pharmaceutical companies could be made available at pharmacies and physicians' practices; similarly summaries of frequently asked questions on a particular product can be prepared by the manufacturer and made available;
- Pharmaceutical companies would still be allowed to refer medicinal products in information materials on health and diseases, provided no reference is made to a specific product. However, evidence from awareness campaigns by the pharmaceutical industry in the Netherlands shows that even when unbranded, information on health conditions can be framed to support drug treatment and to increase the sales of a particular product.
- The implementation of clearance procedures at national level before the dissemination of materials would be problematic. The Food and Drug Administration (FDA) in the USA has had difficulties in monitoring pharmaceutical promotion due to lack of resources. Similar resource difficulties and deficiencies in monitoring would be expected in most EU member states.

## Why worry about it?

A body of research evidence has shown that pharmaceutical promotion has a negative effect on the quality of prescribing and medicine use. This negative effect is associated not only with information quality, but also with choices concerning which products are and are not promoted.

Promotion of pharmaceutical products, whether disguised or not has been shown to lead to higher expenditures for medicines without any additional benefits to health or health care quality. It also raises serious public health concerns as it stimulates widespread use of new drugs before their potential for harm is fully known.

HAI Europe supports consumer and patient rights to independent, relevant, unbiased and comparative information about health, medicines and treatment.

<sup>1</sup> (amending Directive 2001/83/EC on the Community code relating to medicinal products for human use).

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PRESS RELEASE

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