



IPHA's Revised Code of Practice for the Pharmaceutical Industry

March 2021

In January 2021, in addition to revising the Self-Care Advertising Code (see our article [here](#)), the Irish Pharmaceutical Healthcare Association (**IPHA**) released the latest edition (edition 8.5) of its [Code of Practice for the Pharmaceutical Industry \(Code\)](#), which will take effect on 1 March 2021 and applies to prescription-only medicines.

Various scandals within the pharmaceutical industry over the last few years involving pharmaceutical companies, doctors and hospitals, sparked a push to strengthen the existing Code.

KEY CHANGES

The Code has adopted new provisions and enhanced existing ones. Here are some of the most notable changes:

1. INCLUSION OF THE EFPIA ETHICAL PRINCIPLES

As a member of the European Federation of Pharmaceutical Industries and Associations (**EFPIA**), the IPHA has incorporated the EFPIA's ethical principles into the revised Code.

2. TRANSFERS OF VALUE DISCLOSURES

Since 2016, interactions between IPHA member companies, healthcare professionals (HCP) and healthcare organisations (HCO) must be publicly disclosed. Such interactions include direct/indirect financial support (Transfers of Value (ToV)), whether for promotional purposes or otherwise, in connection with the development and sale of prescription-only medicines. The revised Code:



3. FURTHER REQUIREMENTS REGARDING PATIENT ORGANISATION (PO) FUNDING

Where IPHA member companies provide support (financial and non-financial) to patent organisations, the Code states that:



HAVE A WRITTEN AGREEMENT

companies must have in place a written agreement which includes the amount and purpose of the funding, and which provides descriptions of significant indirect support and significant non-financial support.



INCLUDE AMOUNT/PURPOSE OF FUNDING

mandatory use of the EFPIA standardised disclosure template for the disclosure is required.



MUST DETAIL SELECTION CRITERIA FOR REPS

when choosing representatives from the patient organisation to attend conferences, clear selection criteria must be in place.

4. DEFINITIONS



MEDICAL EDUCATION

The Code redefines “medicinal education” as “education related to human health and diseases and specific non-promotional training related to medicines. Medical education may include materials and activities.”



PRESS RELEASES

The Code has redefined the term “press releases” as “a statement about a newsworthy matter which is provided to the press by a company concerned with the matter. Companies are responsible for the content of any press release, including quotations and interviews, whose distribution is facilitated by them.”

Most notably, the Code states that press-releases must be non-promotional communications both in content and purpose.

The Code also sets out new criteria for both press releases to the general media and to the medical media.

5. OTHER KEY CHANGES

- Publication of the findings of the Code Council and the Appeals Board (i.e. the number and context of complaints & referrals) will now include upheld and non-upheld complaints. Upheld decisions will be published in full, whereas unless requested by the respondent non-upheld decisions will not.
- Companies hosting recordings on digital platforms must ensure any product claims made by speakers are “adequately substantiated” and that references are available upon request.
- The Code includes a new annex on the organisation and conduct of Advisory Boards.

EFFECT OF THE CODE

While not a legally binding document, abiding by the Code is considered best practice. All members of IPHA, as a condition of their membership of the Association, are signatories to the Code. Non-IPHA member companies may also choose to become signatories to the Code.

Where a person or body is concerned that the promotional activities of any signatory to the Code may be in breach of the Code, a complaint may be submitted to IPHA for consideration.

Given the imminent implementation of the revised Code, we recommend those companies involved with promotional activities and interactions with HCOs and HCPs under the Code's remit, familiarise themselves with its revisions.

SUBMIT A COMPLAINT TO IPHA

Where a person or body is concerned that the promotional activities of any signatory to the Code may be in breach of the Code, a complaint may be submitted to IPHA for consideration.



CONTACT US

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