

The story of one complaint

John S. Dowden, Editor

Shortly after a review of tegaserod¹ was prepared for *Australian Prescriber*, one of the editorial staff noticed an advertisement for the drug in a medical newspaper. The advertisement appeared to show a young man and a young woman complaining about their symptoms of irritable bowel syndrome. Unfortunately, the young man would not be able to get relief from tegaserod as it was only approved for women. Without studying the product information, health professionals may not have been aware of this restriction from the advertisement. I wrote to the Code of Conduct Committee to say the advertisement could be misinterpreted. I did not specify which section of the Code might have been breached, but the Australian Pharmaceutical Manufacturers Association (APMA, now Medicines Australia) identified three possible breaches.

On the day the APMA informed me the complaint would be considered, I was surprised to receive a telephone call from the manufacturer of tegaserod. Obviously the APMA had promptly informed the company of the source of the complaint.

The head of marketing politely discussed the issues I had identified. I was reassured that there had been no intention to misinform health professionals. The manager suggested that as any breach of the Code of Conduct would be a minor technicality it may be appropriate to withdraw my complaint. He also pointed out that the Code of Conduct Committee has a big workload and it would be helpful if the Committee did not have to consider inadvertent breaches.

The manager followed up his telephone call with a civil electronic mail message asking me to consider withdrawing the complaint. If other companies take this very persuasive approach it may help to explain why relatively few complaints from health professionals reach the Code of Conduct Committee.

I was on the verge of withdrawing the complaint when tegaserod started appearing in the general media. The stories hailed tegaserod as a breakthrough treatment and featured Kirstie Marshall (Olympic skier, now turned Victorian MP) as the celebrity sufferer. Unfortunately, the message that tegaserod was only approved for women with a less common form of irritable bowel syndrome was not clear. Perhaps the marketing materials did need clarification? I decided not to withdraw the complaint.

The Code of Conduct Committee found the advertisement had breached all three sections of the Code. In keeping with APMA policy², I was asked to keep the verdict confidential in case the company appealed the decision. I heard nothing more about the complaint until it was published in the annual report of the Code of Conduct Committee.³

REFERENCES

1. Tegaserod. *Aust Prescr* 2002;25:74-5.
2. Marley J. Complaints: a personal view. *Aust Prescr* 1999;22:80.
3. Medicines Australia. Code of Conduct Annual Report 2002. Canberra: Medicines Australia; 2002.

Patient Support Organisations

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State and Territory AIDS Councils

AIDS Council of NSW

9 Commonwealth Street
Surry Hills NSW 1300
Phone: (02) 9206 2000
Web site: www.acon.org.au

Northern Territory AIDS Council

46 Woods Street
Darwin NT 0800
Phone: (08) 8941 1711
Web site: www.octa4.net.au/ntac

AIDS Action Council of the ACT

16 Gordon Street
Acton ACT 2601
Phone: (02) 6257 2855
Web site: www.aidsaction.org.au

West Australian AIDS Council

664 Murray Street
West Perth WA 6872
Phone: (08) 9482 0000
Web site: www.waaid.com

AIDS Council of South Australia

64 Fullarton Rd
Norwood SA 5067
Phone: (08) 8362 1611
Web site: www.aidsCouncil.org.au

Victorian AIDS Council

6 Claremont Street
South Yarra VIC 3141
Phone: (03) 9865 6700
Web site: www.vicaids.asn.au

Tasmanian Council on AIDS and Related Diseases

319 Liverpool St
Hobart TAS 7000
Phone: (03) 6234 1242
Web site: www.tascahrd.org.au

Queensland AIDS Council (QuAC)

32 Peel Street
South Brisbane QLD 4101
Phone: (07) 3017 1777
Web site: www.quac.org.au