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Conflict of interest: none declared

Dental notes

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Relationships between health professionals and industry: maintaining a delicate balance

The level of prescribing that occurs in the average dental practice is not usually such that it attracts the attention of pharmaceutical companies' marketing departments. However, we are large consumers of restorative materials, medicaments and other products. We rely on a good working relationship with dental supply companies who not only offer access to these products, but are also often involved in research related to them. It is most likely that dentists are not aware of the influence that advertising,

'special offers', personal visits by company representatives, endorsements and trade shows have on our purchasing habits.

What dental practitioners purchase or prescribe should always be done on the basis of available scientific evidence with patients' interest utmost in our minds. In fact, in the majority of practices it is not the dentists who purchase these items, but rather the practice manager on the advice of the dentist, advice that may not be consistently available. Situations of conflict and duality of interest may well be relatively common in the dental profession, and these should be acknowledged and dealt with in an open manner. Currently, the Australian Dental Association is developing a policy to advise its members where these conflicts and dualities of interests arise.

Medicines Australia Code of Conduct: breaches

Medicines Australia has a Code of Conduct to guide the promotion of prescription drugs by pharmaceutical companies in Australia. A new edition of the Code has recently been approved.¹ Complaints are considered by the Code of Conduct Committee and the results are published in its annual report. The report for 2006–07 is available on the Medicines Australia website.²

This year's report contains detailed information about 41 complaints. In fourteen cases no breach of the Code was found.

Table 1 shows the 27 complaints in which at least one breach of the Code was found. As usual, most of the complaints were made by rival pharmaceutical companies, but 12 were made by health professionals.

Most of the breaches were for using misleading information in promotional material. Some of the larger fines were imposed on companies that had allowed the public to be exposed to their promotions. Two complaints related to a company which sponsored the national conference of a patient support

group. An article, originally drafted for health professionals, but published in Reader's Digest, clearly breached the Code. Another breach, identified by several complaints, was offering a 'money-back guarantee' to patients being treated for erectile dysfunction.

The information in the report reveals some of the sophisticated strategies companies can use. One company had used a public relations consultant to manage a campaign about a medicine which had yet to be approved in Australia. This included sponsoring a journalist to attend an overseas conference about the drug. Issuing a media release on an unapproved drug was considered to be promotional activity which breached the Code. The Committee had to grapple with what constitutes excessive

hospitality. One company was fined for providing a function that was not 'simple or modest', while a function at the Crown Towers in Melbourne was ruled to be 'not extravagant'. Perhaps the new requirement for companies to disclose the cost of their promotional functions will help the Code of Conduct Committee decide what is appropriate.

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The story of one complaint

John S Dowden, Editor

An advertising campaign for vardenafil encouraged men with erection difficulties to seek treatment. The advertisement included the product logo and the name of the company. The imagery, of an upright banana, was also used in the advertising to health professionals. As part of this parallel campaign, doctors and pharmacists were informed that the company would offer a money-back guarantee to patients.

I made a complaint to Medicines Australia as I believed that the advertising to the public would stimulate demand for a particular product and the money-back guarantee could be seen as an inducement. Complaints were also made by two pharmacists and the Australian Consumers' Association.

The Code of Conduct Committee considered my complaint within a month and sent me its decision within six weeks. The ruling was in an extract of the minutes of the Committee's meeting. This showed that there had been a severe breach of the Code of Conduct, but I was asked to keep the ruling confidential in case there was an appeal. As there was no

appeal the complaint was finalised and details appear in the Code of Conduct Annual Report.¹

The Code of Conduct Committee considered that the advertising campaign could have breached nine sections of the Code, however only one breach was confirmed. A majority of the Committee considered that the campaign brought discredit to the industry. This was not because the banana images were in poor taste, but because a money-back guarantee was considered to decrease the value of prescription medicines.

The Code of Conduct Committee did not fine the company for the severe breach, but ordered it to immediately cease the promotion offering the money-back guarantee. Corrective letters had to be sent to all health professionals who received the promotion and corrective advertisements had to be placed in health professional journals which had published advertisements about the money-back guarantee.

Reference

1. Medicines Australia Code of Conduct Annual Report 2006/2007. Canberra: Medicines Australia; 2007. <http://www.medicinesaustralia.com.au> [cited 2007 Nov 12]

Table 1

Breaches of the Code of Conduct July 2006 – June 2007

Company	Drug		Sanction imposed by Code of Conduct Committee
	brand name	generic name	
Abbott Australasia	Lucrin	leuprorelin	Withdraw material Corrective letter \$10 000 fine
Alcon Laboratories	DuoTrav	timolol maleate/ travoprost	Cease program \$10 000 fine
Allergan Australia	Lumigan	bimatoprost	Withdraw material Corrective letter \$15 000 fine

AstraZeneca	Crestor	rosuvastatin	Withdraw promotional materials Corrective letter \$75 000 fine reduced on appeal to \$40 000
	Nexium	esomeprazole	Withdraw materials \$75 000 fine
Bayer Healthcare	Levitra (four complaints)	varденаfil	Withdraw money-back guarantee offer Corrective letters Corrective advertisement
Boehringer Ingelheim	Buscopan	hyoscine	Withdraw material \$25 000 fine reduced on appeal to \$10 000
	Mobic	meloxicam	Withdraw materials Corrective letter \$25 000 fine
CSL Limited	Biostate	factor VIII	\$5000 fine dropped on appeal
	Behaviour of company representative		Withdraw training material \$15 000 fine
GlaxoSmithKline Australia	Rotarix	rotavirus vaccine	Withdraw materials Corrective letter \$25 000 fine
	Tykerb	lapatinib	Provide no media releases until medicine registered \$40 000 fine
Janssen-Cilag	Pariet	rabeprazole	Withdraw material \$100 000 fine
	Pariet	rabeprazole	Withdraw material Other sanctions covered in previous breach
Merck Sharp & Dohme	Fosamax Plus	alendronate	Withdraw materials
Octapharma	Octanate	factor VIII	Withdraw materials Corrective letter \$100 000 fine reduced on appeal to \$10 000
Pfizer Australia	Celebrex	celecoxib	Withdraw materials \$100 000 fine
	Celebrex	celecoxib	Article not to be published again for general public \$100 000 fine
	Xalacom	latanoprost/ timolol maleate	Withdraw material Corrective letter \$50 000 fine
Roche Products	Hospitality		\$75 000 fine
Sanofi-Aventis	Stilnox	zolpidem	Withdraw materials \$5000 fine
Schering	Betaferon	interferon beta-1b	Withdraw materials Corrective letters \$150 000 fine
	Betaferon	interferon beta-1b	Withdraw materials Letter to Multiple Sclerosis Society \$100 000 fine
	Angeliq	drospirenone/ oestradiol	Cease distribution of trade packs