



**Royal
Pharmaceutical
Society
of Great Britain**

Law and Ethics Bulletin

Gifts and Inducements

Pharmacists are advised that there are legal restrictions on the activities that pharmaceutical companies can undertake to promote medicines. These restrictions are set out in the Medicines (Advertising) Regulations 1994 as amended. There are also legal restrictions on what health professionals can ask for or accept.

A pharmacist who accepts inappropriate or expensive gifts may be considered to be in breach of the Medicines (Advertising) Regulations 1994. In addition, the RPSGB revised Code of Ethics, due to be implemented on 1 August 2007, states that pharmacists must not ask for or accept any gift, financial reward or inducement that may affect, or be perceived to affect, their professional judgement.

Pharmaceutical companies can only offer gifts which are inexpensive and relevant to the practice of medicine or pharmacy. Examples include stationery items (pens, Post-it notes etc), relevant books or software and clinical items (peak flow meters or tissues). Items for personal benefit are prohibited.

Pharmaceutical companies can provide medical and educational goods and services which enhance patient care or benefit the NHS and maintain patient care as long as the arrangements are not an inducement to prescribe, supply, administer, recommend, buy or sell any medicine.

Companies holding or sponsoring scientific meetings may offer appropriate hospitality to health professionals. However, the hospitality offered must not be excessive and must be limited to what is required to support the main purpose of the meeting and can only be provided for professional attendants. An example of inappropriate hospitality is where this is extended to a spouse or partner who does not qualify as an attendant in their own right. It should be the educational programme that attracts delegates, not the hospitality or venue.

The Association of the British Pharmaceutical Industry Code of Practice for the Pharmaceutical Industry sets out standards for all aspects of the promotion of medicines to health professionals for prescribing. The Code also covers some non-promotional activities. The advertising and promotion of non-prescription medicines is regulated by the Proprietary Association of Great Britain through its Codes of Advertising Practice. The PAGB Consumer Code covers advertising and promotional activities aimed at the public while the PAGB Professional Code applies to advertising aimed at persons qualified to prescribe or supply, and administrative staff,

where the objective of the advertising is to impact sales and/or recommendations to the public. All the self-regulatory Codes reflect and extend beyond UK law which is enforced by the Medicines and Healthcare products Regulatory Agency.

Queries, concerns or complaints should be raised directly with the appropriate industry self-regulatory body, the Prescription Medicines Code of Practice Authority (020 7930 9677; www.pmcpa.org.uk) or for over-the-counter medicines the Proprietary Association of Great Britain (020 7242 8331; info@pagb.co.uk). The legal requirements are enforced by the Medicines and Healthcare products Regulatory Agency (020 7084 2000; www.mhra.gov.uk)