



Pub. Ref. C130628

## Anonymous Complaint Relating to an Alleged Inappropriate Sales Practice

### **Background**

In June 2013, IFPMA received an anonymous complaint from an employee of a pharmaceutical company relating to an alleged inappropriate sales incentive for prescription medicines in Jordan. It was alleged that the company verbally instructed the employee to condition sponsorship of healthcare professionals to international congresses on the basis of fulfilling certain prescription quotas.

Prior to submitting this complaint to IFPMA, the complainant sought action through the company's internal complaint reporting procedures. The company processed and investigated that internal complaint and could not corroborate the alleged activities. As a precautionary measure, refresher training was provided in the areas of professional conduct, company code of conduct, and relevant legislation.

IFPMA did not receive any physical evidence (e.g. emails, documents, promotional material, etc.) relating to this complaint.

### **IFPMA Adjudication**

The primary issue in this complaint related to Article 7.2 of the IFPMA Code of Conduct. In relevant part, that Article provides:

... Member companies may sponsor healthcare professionals to attend Events provided such sponsorship is in accordance with the following requirements:

... Any sponsorship provided to individual healthcare professionals must not be conditional upon an obligation to prescribe, recommend, purchase, supply, administer or promote any pharmaceutical product.<sup>1</sup>

IFPMA handles all complaints according to the procedures defined in Annexes 1 and 2 of the IFPMA Code of Practice. A complaint is forwarded by the IFPMA Secretariat to an independent Adjudication Group if a complaint is "validated." A complaint is valid when it:

appears to be a genuine matter and submitted in good faith,  
provides sufficient information to enable the complaint to proceed,  
concerns a country where this operating procedure applies, and  
was not already under investigation by one of the member associations.<sup>2</sup>

The goal of the validation step is to ensure that a complaint is not frivolous or predatory. The complaint, which did not include physical evidence, was forwarded to all relevant parties because it met the baseline requirements outlined above. The Adjudication Group determined that the company **did not breach** the IFPMA Code of Practice because the complaint lacked substantial evidence (e.g. written instructions of the alleged inappropriate sales incentive) to indicate otherwise and appropriate action was taken by the company.

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<sup>1</sup> See, Article 7.2 IFPMA Code of Practice, 2012, available at [http://www.ifpma.org/fileadmin/content/Publication/IFPMA\\_Code\\_of\\_Practice\\_2012.pdf](http://www.ifpma.org/fileadmin/content/Publication/IFPMA_Code_of_Practice_2012.pdf)

<sup>2</sup> *Id.* at Annex 1 Article 2.2; *Id.* at Annex 2.