

Marketing Code Authority issues new code of practice for the marketing of health products

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The Marketing Code Authority has released an updated Code of Marketing Practice (v11) and Guidelines (v9). These became effective on the 22nd June 2018. The objective of the Code is to ensure the independence of healthcare practitioners in making treatment choices in the best interests of patients and consumers.

The Code is applicable to the promotion of medicines (including complementary medicines), medical devices and IVDs to all healthcare practitioners and consumers. Whilst the Medicines and Related Substances Act 101 of 1965 (the Medicines Act), regulates the advertising of these product, the legal provisions fall short of the ethical measures needed to ensure the independence of health practitioners and the provision of accurate and scientific information to consumers, patients and prescribers.

The Code provides standards and guidance on interactions with healthcare professionals, for the provision of information about products and for the thornier subjects such as attendance at conferences, sponsorships and other activities associated with product promotion.

The Marketing Code Authority (MCA) has called for regulations to be published which would render the Marketing Code enforceable across the entire industry. The MCA has also proposed prohibiting practices that directly incentivise the prescription or use of health products – a practice which is not in the interest of patients.

Code enforcement provisions, including fines and other sanctions, empower the MCA to adjudicate on complaints and implement sanctions in the event of a breach of the Code. Whilst the MCA has jurisdiction only over its members, it will accept a complaint from any person or company against a member. Should a complaint relate to a contravention of the legislation rather than a breach of the Code, the matter may be reported to the Regulator.

The importance of promoting the independence of healthcare practitioners in their prescribing or dispensing of healthcare products for patients, cannot be over-emphasised. The continuing potential for unethical marketing of healthcare products to HCPs, patients and consumers, will impact directly on the quality of care received by patients, who should be the primary focus of marketing efforts.

To download a copy of the Code: www.marketingcode.co.za

For further information contact info@marketingcode.co.za

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Medicines and Related Substances Act 101 of 1965, General Regulation 42 and Regulations relating to Medical Devices and IVDs Regulation 21.

PSSA SG Super Seminar topics to be presented

- 'Apps'olutely – what's in store?
- Drugs in sport – latest on doping, taking supplements.
- Back to the future – current topics – future trends.
- Functional Medicine Pharmacy – fact or fiction?
- Being successful in a multigenerational/multicultural society.....and more

