

MCAC 03 2014

COMPLAINT BY BAYER HEALTHCARE (PTY) LTD

AGAINST PHARMA DYNAMICS

Adjudication:

20th February 2014

Committee Members

3 MCA Panelists (1 Legal)

1. Contravention of clauses 7.3 & 20.8 of the Marketing Code –
 - a. Links from the www.philthelegend.com has a direct link to the product Dynafil on the Pharma Dynamics website
 - b. Pharma Dynamics is to remove all links on www.philthelegend.com to Dynafil information within 7 working days of receipt of adjudication panel decision.

2. Contravention of clause 22.1 of the Marketing Code.
 - a. www.edu-cate.co.za, a website for use by Healthcare Professionals.
 - b. Access to the information intended for Healthcare Professionals, but not for the general public, must be password protected.
 - c. Password protection should be implemented within 7 working days of receipt of adjudication panel decision.

3. In terms of Clause 57.5.7 of the Marketing Code, Pharma Dynamics is to pay Bayer R22 500.00 (the lodging and adjudication fees incurred by Bayer) within 30 days of receipt of adjudication panel decision.

4. Considering this is a first transgression, no additional fine to be levied provided these rulings are complied with.