

**Review of the Medicines Australia Code of Conduct
Consultation Submission Form – Cover Sheet**

Please complete the form below and attach it to your submission.

On request Medicines Australia will keep the identity of an individual respondent confidential however, submissions that do not have this form attached will not be accepted.

1. Does this submission reflect the views of the organisation or individual?

- An individual An organisation/company

If the submission reflects the views of an organisation/company please include the details of the organisation at Q2

2. Contact Details

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3. My submission is confidential/not confidential

- Confidential Not confidential

4. Medicines Australia can include my name, and where relevant the name of the organisation or company I represent, with my submission on the Medicines Australia website at the conclusion of the submission period.

- Yes No

5. Medicines Australia has permission to quote from my submission in any reports prepared about the review of the Code of Conduct. (If you do not agree to your submission being quoted, the issues you raised in your submission may be referred to. However, no direct quote would appear.)

- Yes No

Name: (Please print) Danika Hall

Signature: _____

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Review of the Medicines Australia Code of Conduct 'Submission Template'

1. General Comments

Please provide your responses in the relevant spaces in the template. It is not necessary to comment on all provisions of the Code. You are not limited to the space provided in the template. You also have the opportunity to include any general comments on the Code in the template.

Content of the Code:

The Centre for Health Initiatives is a strategic research initiative of the Faculty of Health and Behavioural Sciences at the University of Wollongong. One of the primary areas of the Centre's research is the influence of the mass media on health behaviours. In particular, the Centre has made a significant contribution to knowledge and policy development in relation to alcohol advertising. The Centre has also been involved in research into the effects of pharmaceutical advertising directly to consumers with colleagues in academic institutions in New Zealand and the United States.

A current project of the Centre is considering the extent and nature of disease awareness advertising by pharmaceutical companies in Australia, as well as consumer responses to such advertising. While much of this work is ongoing, we would like to share with you some findings that we hope will inform revisions to Section 9 of the Code of Conduct - Relationship with the General Public, in particular, Sections 9.4 (Promotion to the General Public), and 9.5 (Patient Education). We plan to undertake further research to determine the educational value of pharmaceutical company sponsored disease state awareness websites (relevant to Section 9.6.2) and hope that this information will be available for the next Code of Conduct review.

We would be delighted to provide copies of published research as it becomes available and hope that it is helpful in informing the current and future reviews of the Medicines Australia Code of Conduct.

2. Specific Comments (Sections of the Code – eg 1.1)

Please provide your responses in the relevant spaces in the template. It is not necessary to comment on all provisions of the Code. You are not limited to the space provided in the template. You also have the opportunity to include any general comments on the Code in the template.

Section 9 Relationship with the general public

Provision number	Comment
9.4 Promotion of Prescription Products to the General Public	<p>Despite this provision of the Code, we believe there is growing evidence of ‘unbranded product advertisements’ in Australia. Supporting this comment is a range of case studies which demonstrate that pharmaceutical advertisers are using branding techniques such as campaign names, logos, colours and fonts to convey the identity of a product without actually naming it (see Hall and Jones 2007). An example of a branding technique is Pfizer’s tiger character which is used to symbolise Viagra. This character has appeared concurrently in advertising to the general public and general practitioners (Hall and Jones 2007).</p> <p>We have recently conducted a systematic content analysis of disease awareness advertising in popular Australian magazines utilising independent coders (Hall et al. in prep). Of the modest sample of nine pharmaceutical company-sponsored advertisements found, four were categorised as ‘unbranded product advertisements’ as per the definition in the ANZTPA draft Advertising Code (ANZTPA 2005).</p> <p>We believe that Medicines Australia should recognise the existence of this form of advertising, and provide specific regulation or, alternatively, strengthen current provisions to prevent it.</p>
9.5 Patient Education	<p>Our research considers disease awareness advertising, and we have noted some concerning trends in this area.</p> <p>Firstly, the pharmaceutical industry appears to be increasingly engaging in what is termed ‘condition branding’, (see for example Angelmar et al. 2007; Parry 2003). This is of concern for regulators (see comments in Section 9.4), but also for consumers. Condition branding can potentially increase consumer fear and anxiety, as well as unnecessary visits to doctors (Hall 2008). Furthermore, the practice of condition branding has been positioned within the pharmaceutical industry as a form of corporate social responsibility whereas it clearly acts as a profit generating function (Hall and Jones 2008a).</p> <p>Secondly, a range of organisations provide patient education including the government and disease support groups. Our research indicates there is potential that consumers will misperceive condition branding and disease awareness advertising by pharmaceutical companies as community service announcements (Hall et al. in prep), see also Mackenzie et al. (2007). We recently conducted an intercept survey to determine consumer responses to</p>

	<p>disease awareness advertisements. Preliminary findings indicate that consumers are unaware of the commercial motive of pharmaceutical advertisers and, despite clear corporate branding, often perceive the advertiser to be a government or non-profit organisation. We believe that consumers should be made aware of the commercial intent of disease awareness advertising sponsored by the pharmaceutical industry so that they can evaluate the material more objectively. A possible solution would be mandatory upfront disclosure on disease awareness advertisements so that it is clear to consumers that the advertisers make product(s) to treat or prevent the condition advertised (Hall et al. in prep). However, the use of such a disclosure would require research and testing as it may act as a form of advertising similar to DTCA and have other adverse effects.</p> <p>Thirdly, our content analysis has shown that pharmaceutical company sponsored advertisements are more likely to provide consumers with information on the prevalence and treatment of disease than information on the risk factors or prevention. Other research that compared responses to disease awareness advertisements in Australia with responses to DTCA from New Zealand found that consumers perceived there was insufficient information regarding the disease/condition in the more emotive and visually dominant advertisements (Hall and Jones 2008b).</p> <p>Some of the concerns expressed above were previously raised in a review of the therapeutic goods legislation (Galbally 2000). The review called for a Code of Practice with clear parameters to be developed specifically for disease awareness advertisements, such that the potential benefits for consumers would be increased and the potential costs decreased.</p> <p>Medicines Australia has the opportunity to improve the quality of disease awareness advertisements by providing more detailed guidelines to pharmaceutical advertisers specific to this area. The Medicines and Healthcare products Regulatory Agency (MHRA 2003) provides such in the UK, as does the Pharmaceutical Research and Manufacturers of America (PhRMA 2005).</p>
9.6.2 Use of the Internet	<p>We have noted the increasing prevalence of disease awareness websites provided by pharmaceutical companies, and believe this area will require increasingly rigorous monitoring. The Centre plans to conduct an analysis of these websites as preliminary searches have found they use branding techniques such as those outlined in the comments for Section 9.4. We believe that pharmaceutical companies should be encouraged to use a web accreditation and monitoring process such as Health on the Net (HON) which is used by the Australian Government and many other providers of quality internet health information. HON, a non-profit organisation, “is the leading organization promoting and guiding the deployment of useful and reliable online medical and health information, and its</p>

	appropriate and efficient use" (Health on the Net Foundation 2008). Alternatively, Medicines Australia could include similar principles as used by HON within its Code of Conduct (available at http://www.hon.ch/HONcode/Conduct.html)
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