

**GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS AND FERTILIZERS
DEPARTMENT OF PHARMACEUTICALS**

LOK SABHA
STARRED QUESTION No. †191
TO BE ANSWERED ON THE 29th July, 2022

Unethical Marketing Practices

†*191. SHRI HEMANT SRIRAM PATIL:

Will the Minister of **CHEMICALS AND FERTILIZERS** be pleased to state:

- (a) whether the Government has taken note of any unethical marketing practices adopted by the pharmaceutical companies to increase their sale of medicines and their unethical collusion with doctors;
- (b) if so, the details thereof;
- (c) the details of the steps taken by the Government to prevent such unethical practices and collusion;
- (d) whether the Government proposes to formulate a law in this regard; and
- (e) if so, the details thereof and the time by which such law is likely to be implemented?

ANSWER

**MINISTER IN THE MINISTRY OF CHEMICALS & FERTILIZERS
(DR. MANSUKH MANDAVIYA)**

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF STARRED QUESTION NO. 191 FOR REPLY ON 29.07.2022

(a) to (c): Yes, Sir. The Government has put in place a Uniform Code for Pharmaceutical Marketing Practices (UCPMP) for Pharmaceutical companies, which is in operation since 01.01.2015, to prevent unethical practices by the pharmaceutical companies.

This is a voluntary code which governs the conduct of pharmaceutical companies in their marketing practices, duly covering the various aspects such as medical representatives, textual and audio-visual promotional materials, samples, gifts, etc. Further, the code establishes relationship with healthcare professionals, wherein the provisions related to travel facilities, hospitality and cash or monetary grants to physicians or their families have been elaborated. The code also details the mode of operation of the code, responsibilities of the Pharmaceutical Associations in constituting the Ethics Committee for Pharmaceutical Marketing Practices (ECPMP) for handling the complaints and Apex Ethics Committee for Pharmaceutical Marketing Practices (AECMPMP) for review, procedure of lodging a complaint, procedure of handling of complaints by the Pharmaceutical Associations and various penalty provisions. The code is adopted by the all the major associations of pharmaceutical companies.

The Department on various instances has reviewed implementation of the voluntary code.

Besides UCPMP, there exists sufficient and enforceable legal regime to counter, control and dis-incentivize the unethical marketing practices such as “Indian Medical Council Professional Conduct, Etiquette and Ethics) Regulations, 2002” under the Indian Medical Council Act, 1956, provisions available under Income Tax Act, Drugs and Cosmetics Act, Prevention of Corruption Act, etc.

(d) & (e): There is no proposal to formulate a law in this regard.
