

Pharma Code and Pharma Cooperation Code in 2024

Annual report of the Code Secretariat

Introduction

For many years, the Swiss pharmaceutical industry has applied internationally coordinated (see IFPMA¹, EFPIA²) self-regulation that goes beyond the law with the Pharma Code (PC³) and the Pharma Cooperation Code (PCC³). Pharmaceutical companies can voluntarily agree to abide with these codes (see lists of signatories⁴). The supporting organisation for pharmaceutical self-regulation in Switzerland is scienceindustries, whereby its Code Secretariat is responsible for the implementation of the codes. It follows the principle of non-adversarial conflict resolution in the case settlement and thus primarily takes on a mediating role. In 2024 too, its neutral assessment was always accepted by the parties involved in individual cases and the Code-compliant state was quickly restored in each case.

Implementation of the Pharma Code

The number of proceedings dealt with in connection with the PC decreased slightly (2024: 100; 2023: 103), while the number of reports from competitors fell more significantly (2024: 29% / 29 cases; 2023: 38.2% / 39 cases). One company reported itself (2023: 1). Once again, no proceedings were classified as potentially hazardous to health and therefore as serious.

The average duration of proceedings decreased to 6.7 days in 2024 (2023: 8.1 days).

In 2024, 100 proceedings were opened, which corresponds to the long-term average. The 72 proceedings in 2021 appear to have been an exception due to the pandemic. Of the 100 proceedings, 91 (91%, 2023: 91.2%) were concluded after the advertising in question was corrected or the infringement was acknowledged and measures were implemented. In 9 cases (9% / 2023: 8.8%), no conduct in breach of the Code was identified. In four cases, there were delays due to the complexity of the issues (duration of proceedings > 40 days). As in the previous reporting year, no company had to be warned for not submitting the requested statement on time.

The Code Secretariat did not carry out any mediation in 2024 (2023: 1), but was informed of 10 bilateral settlements (2023: 5), which means the double amount compared to 2023.

In the reporting year, 79 pharmaceutical companies (2023: 91) sent a total of 13,460 specimen copies (2023: 12,581) of their promotional material and information; 99.1% of these were sent electronically (2023: 96.9%). Only 120 specimen copies reached the Code Secretariat by post. 23 companies now send their specimen copies to the Code Secretariat via the new Sharepoint set up in 2024.

Identified violations of the Code

In total, 30 (2023: 34) different PC sections were examined as part of the 100 (2023: 103) procedures mentioned above. In 21% of cases, only one section was in dispute (2023: 25%); 10% involved two sections (2023: 9.7%) and 69% of cases involved three to eight sections (2023: 65.3%; 3 to 8 sections). The PC sections that were frequently objected to are listed below:

- Principle of professional promotion (PC 24.1): decrease to 12 violations (2023: 20).
- Unsubstantiated advertising claims and incorrectly cited references (PC 24.2): slight decrease to 79 violations (2023: 82)
- Promotional materials that did not contain all the minimum information on the medicinal product required by the PC (PC 24.4, 24.5): sharp decrease to 8 violations (2023: 23).
- Incomplete or inadmissible literature references (PC 25, excluding PC 25.1, 25.4.3, and 25.7): slight increase compared to the previous year with 19 infringements (2023: 15).
- Missing indication that references can be requested from healthcare professionals (PC 24.2, 25.1, 25.4.3, and 25.7): remained almost the same with 50 violations; these were systematically sanctioned for the first time in 2022 (49 cases in 2023).

¹ [IFPMA](#)

² [EFPIA](#)

³ The provisions of the two codes are referred to in the Annual Report by "PC" and "PCC" with the relevant section number.

⁴ [Signatories of the Pharma Code](#) / [Signatories of the Pharma Cooperation Code](#)

- Reports of unqualified superlatives and comparatives (PC 25.8, 25.9): slight increase with 16 violations (2023: 10).
- Ban on gifts (PC 15.1, 15.2 and PC 15.3): Increase to 8 violations (2023: 1, only related to PC 15.2).
- Promoting medicinal products or indications not yet authorized (PC 23.1, 23.2): sharp decrease to 5 violations (2023: 13).
- Differences between the promotional claims and the medicinal product information as approved by Swissmedic at the time of authorisation (PC 23.3): slight decrease to 6 violations compared to 8 in 2023.

The shift to more objectionable sections per case is due to the fact that a frequent objection (lack of indication that references can be requested) led to a violation of four different sections: PC 24.2, 25.1, 25.4.3 and 25.7. As in previous years, it can also be stated for 2024 that the violations of the PC that were objected to in each case could not be qualified as gross. The threat of forwarding a case to the competent state authority (PC 75.10) was again not necessary in 2024.

Support for further education and training events (section 3 PC)

In recent years, there has been an increase in interventions by companies and the Code Secretariat in the implementation of the requirements for supporting continuing and further education events. In order to provide organisers and professional associations in particular with a simple guide, a "Checklist for pharmaceutical companies and organisers to check whether events for the purpose of postgraduate medical training or continual medical education may be supported" was published in 2023.

Although this has well been taken into consideration, there are still repeated discussions, particularly with regard to the conference venue and the conference location. In 2024, the Code Secretariat again reviewed a large number of training and further education events on its own initiative and at the request of companies or event organisers to determine whether they meet the requirements of self-regulation and based its assessment on the long-established international benchmarks (in particular IP-CAA⁵ and e4ethics⁶).

The Code Secretariat has also compiled a list of cases to supplement the checklist. This summarises important individual case decisions made by the Code Secretariat and is intended to serve as a decision-making aid for PC signatories when assessing a specific request for support. The Code Secretariat was and is also in regular contact with numerous organisers and professional associations, with the mutual aim of ensuring that events are organised in accordance with the Code, so that support for meaningful continuing education by the industry ultimately remains possible in the interest of patients.

Implementation of the Pharma Cooperation Code

Between 20 and 30 June 2024, the signatory companies of the PCC disclosed the pecuniary benefits granted in 2023 to healthcare professionals (HCP - primarily doctors and pharmacists), healthcare organisations (HCO - primarily hospitals and specialist organisations) and patient organisations (PO) on their websites for the ninth time. This involved compensation granted directly or indirectly for cooperation in connection with prescription-only medicinal products in human medicine. All companies submitted their data on time.

The Code Secretariat compiled the figures for the 64 PCC signatory companies and arrived at the following picture for Switzerland by the end of July 2024: a total of CHF 242.3 million in transfers of value (ToV) were disclosed for 2023. In 2022, the figure was CHF 216.7 million, which corresponds to an increase of CHF 25.6 million. At CHF 8.1 million, slightly more benefits were paid to HCP than in the previous year (CHF 7.4 million). ToV to HCO also increased to CHF 128.3 million compared to CHF 120.3 million in the previous year. ToV for R&D services increased significantly from CHF 89 million in 2022 to CHF 106 million in 2023.

With an increase of 0.7 million in 2023, cooperation grants to HCP remained at a comparable level to 2022. Once again, there was a certain shift from direct support for HCP to HCO. Cooperation grants to HCO increased accordingly by more than CHF 8 million to a good CHF 128 million. Grants for research

⁵<https://www.ipcaa.org/public/international-healthcare-congress-guidelines/>

⁶<https://www.ethicalmedtech.eu/e4ethics/about-e4ethics/>

and development increased significantly by CHF 17 million in 2023. In this area, the picture of grants from individual companies fluctuating sharply from year to year was once again confirmed, which can be explained, among other things, by the varying intensity of activities in the area of clinical research.

To ensure as much transparency as possible, disclosure should be made on an individual basis, i.e. by naming the person who received a benefit, which for reasons of data privacy requires the recipients to agree to the disclosure. Overall, the average consent rate in relation to HCP increased once again in 2023, from 92.4% to 94.9%. The median rate was as high as 100%, which means that half of the PCC signatory companies were able to report HCP consent rates of 100%. The average consent rate for HCO also increased further, from 97.2% to 98%. The median here was again 100%. Overall, the consent rates once again developed in a positive direction, with a few companies able to achieve even better values. There are some significant discrepancies in the consent rates among the individual companies, which do not appear to be fully comprehensible. Five companies that achieved an HCP consent rate of less than 80% for the reporting year were therefore listed by name on the scienceindustries website (for reporting year 2022: 9 companies) and asked to identify measures to increase their consent rates. This shows a welcome development, as the number of companies that had achieved less than 80% was almost halved.

scienceindustries was again in contact with affected parties and interested media regarding the disclosure and explained the transparency initiative of the pharmaceutical industry.

Inquiries and training on the Pharma Codes

In 2024, the Code Secretariat responded to over 330 written or telephone inquiries in accordance with section 8 PC / section 6 PCC (previous year: around 240). Of these, 294 related to the PC and 35 to the PCC. The introduction of Sharepoint led to some additional correspondence, which was not included in the inquiry statistics. The significant increase in inquiries is partly due to the area of support for further education and training events. These inquiries meant a large additional advisory effort. In 2024, the Code Secretariat again conducted two online training courses on promotional activities for healthcare professionals with a total of 96 participants and two on pharma compliance with a total of 63 participants. In addition, scienceindustries, in its capacity as the self-regulatory body of the Swiss pharmaceutical industry, gave presentations on various topics and answered media inquiries.

Code Secretariat

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