

Committee for pharma marketing practices



A high-level committee has been set up to regulate the promotion of pharmaceutical products.

Key facts

- The Government has set up a five-member committee chaired by Dr VK Paul, NITI Aayog member (health) to create a legal mechanism to address the issue of pharmaceutical companies giving incentives to promote their drugs and products.
- The members of this committee include department of pharmaceuticals S Aparna, Union health secretary Rajesh Bhushan, and Central Board of Direct Taxes (CBDT) chairman Nitin Gupta.
- The joint secretary (policy) from the department of pharmaceuticals is the member secretary of this committee.
- The committee was set up based on the recommendation of the Union Minister of Health and Family Welfare, Chemicals and Fertilizers, Mansukh Mandaviya.
- This committee will examine the Uniform Code of Pharmaceutical Marketing Practices (UCPMP), Indian Medical Council Regulations, 2002 and CBDT rules, which are involved in the regulation of marketing practices of pharma companies.
- The **UCPMP**, which was unveiled in 2015, aims to prevent unethical practices of the pharma companies by regulating their marketing, including sample distribution and gifts. The code also governs hospitality and cash or monetary grants to physicians and their families. It is voluntary and not enforceable.
- The **Indian Medical Council Regulations, 2002** details misconduct by medical professionals, including accepting gifts from drug companies and commissions from laboratories.
- The **CBDT rules** require pharma companies to file details on how much they spend to promote their products. The Supreme Court had held that gifts to medical practitioners by pharmaceutical companies is not allowable expenditure under the Income Tax Act, 1961.
- The Committee will look to harmonize all codes, rules and regulations concerning the malpractices in the pharmaceutical sector.
- These rules are currently implemented by different entities of the government.
- It will also examine the requirement of legally enforceable mechanisms to regulate marketing practices by studying global best practices.
- The high-level committee will be submitting its report in 90 days.