

Canada

Got code? Got answers

your insider's guide to pharmaceutical support

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Canada 
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Overview

In today's environment, planning a meeting or conference can present several challenges and meeting professionals have the overwhelming task of keeping up with issues far beyond logistics that can impact the success of their events. The voluntary codes for interactions with healthcare professionals (code of conducts/ethics) certainly rank as one of the most complex subjects facing our industry.

Take a look around the world and you will find just as many codes. Europe has a code of ethics as do the UK and France. Australia, New Zealand, Japan and Canada also have their own codes.

The issue of acceptable marketing to health care professionals is continuing to gain traction in the U.S. In fact, several States are getting into the act too! The first state to enact a ban on gifts from pharmaceutical companies to healthcare practitioners was Minnesota. In recent years, a number of other states have passed similar legislation:

- Vermont
- Washington, D.C.
- West Virginia
- California
- Massachusetts
- Minnesota
- Nevada

Vermont's disclosure requirement law dates back to 2001. In 2004, the District of Columbia and West Virginia adopted requirements for the reporting of drug manufacturers' marketing expenses, much like those adopted by Vermont and Maine. The California legislature passed a similar law in 2004. Nevada passed a law that requires pharmaceutical companies to adopt a marketing code of conduct governing the practices and standards for the marketing and sales of their products. These activities must not interfere with the independent judgment of healthcare professionals, and must benefit patients and the practice of medicine.

Several pharmaceutical companies have followed suit, with self-imposed spending limits, such as:

Bristol-Myers Squibb (BMS) Company, who according to their 2007 compliance report, adopted a limit of \$2500 annual per physician. GlaxoSmithKline and Pfizer followed BMS at the \$2,500 level. Merck adopted a \$2,000 annual limit, and Allergan a \$1,500 yearly spending limit.

For the first time since 2002, The Pharmaceutical Research and Manufacturers of America (PhRMA) recently revised their own code on interactions with healthcare professionals and announced that effective January 1, 2009 the distribution of non-educational items to healthcare professionals will be prohibited. This includes small gifts, such as pens, notepads, mugs, and similar "reminder items" with company or product logos on them, even if they are practice-related.

Legal Disclaimer

This document does not constitute legal advice. It is intended only to provide an overview of the Rx&D Code of Conduct as it applies to persons or organizations involved in organizing healthcare related events. This document does not represent the views of Rx&D and the reader should refer to the Rx&D Code of Conduct and contact Rx&D directly for more information, or contact a lawyer if legal advice is required.

“Regarding company-sponsored events, there is a major change: Resorts are deemed inappropriate venues for consultant and speaker-training meetings. Previously, resorts were discouraged, but not prohibited. As in the previous code, modest meals are appropriate, but companies should not provide recreational or entertainment events in conjunction with any type of meeting or interaction with healthcare professionals. Fees paid to speakers and consultants should be fair market value and companies should cap the amount they pay annually to any individual speaker”

(meetingsnet.com – July 17, 2008)

The spotlight has intensified over the last few years and we can expect that the industry will see more legislation requiring member companies to comply with the ethics codes with a push for more transparency, more disclosure and less subsidy.

“The primary value of the code is the focus on the medical profession and patient care rather than giveaways that will ultimately not benefit anyone. A secondary value of the codes is that everyone has an opportunity to reexamine their meetings to ensure the focus really is on education for medical professionals. Taking a healthy look at the competition and content of a meeting should be a strategic focus for every organization.”

**Lauren Kramer-Whelan, CMP,
principal of Meeting Priorities LLC – PCMA Convene April 2008**

With opportunities for corporate sponsorships radically changing, and a growing movement to tighten interactions with health care professionals, the Canadian Tourism Commission (CTC) and its partners recognize the impact that such restrictions can have on meetings. We want to work with the medical association community to ensure the sustainability of future meetings and provide you with practical solutions.

What follows is a brief description of the Canadian code (Rx&D), a list of frequently asked questions that you may have when holding a meeting in Canada, a comparative chart of the U.S and Canadian codes and more importantly, a section on overall practical solutions.

What is Rx&D?

Canada's Research-Based Pharmaceutical Companies (Rx&D) is a national association representing over 20,000 men and women who work for more than 50 research-based pharmaceutical companies in Canada.

Member companies have voluntarily agreed to adhere to a code of conduct/ethics that guide their interaction with physicians and healthcare professionals. Rx&D is also a member of the International Federation of Pharmaceutical Manufacturers Associations (IFPMA), a non-governmental organization that represents pharmaceutical manufacturers associations in 51 countries around the globe (excluding the USA)

Members of Rx&D share the mission to improve the health of Canadians through the discovery, development, manufacture, and distribution of innovative prescription medicines. Implicit in this mission are commitments to undertake and promote research, to product stewardship, to ensure that healthcare providers and patients receive the education and information to use Rx&D members' products and services appropriately, and for members to observe their social responsibilities and role to improve the health and social environments that Canadians enjoy.

The RX&D code of conduct was launched in January 2003 and was revised as recently as January 2008. It is important to note that compliance with the code is enforced by members and is not a federal law in Canada.

Guiding principles

- The health and well-being of patients and all Canadians is our first priority.
- All interactions with health care professionals are to be conducted in a highly professional, business like, and ethical manner.
- All product information provided to health care professionals must be accurate and fair balance.
- Clinical trials are developed to further science.
- All Members must adhere to the Code and its intents as a condition of membership.
- No monetary or other consideration is to be given to health care professionals for the purpose of gaining access or influence.
- The purpose of Continuing Health Education (CHE) is to provide balanced and unbiased education to health care professionals.
- The only acceptable form of hospitality for health care professionals is modest meals and/or refreshments.
- Grants, donations and service-oriented items are never to be provided to health care professionals to promote specific prescription medicines
- Members' sales representatives may not participate in marker research, clinical studies, advisory boards, and/or consultancy arrangements.
- Advisory boards and consultants are only to be used to gather scientific or commercial guidance.

Member companies

Currently, the Rx&D code is more comprehensive and restrictive than that of the U.S. One of the key differences being that branding of an individual drug is not permissible on convention related items (versus pharmaceutical company or companies).

Abbott Laboratories Limited
Actelion Pharmaceutiques Canada
AEterna Zentaris Inc.
Ambrilia Biopharma
Amgen Canada Inc.
Asetellas Pharma Canada, Inc.
AstraZeneca Canada Inc.
Axcan Pharma, Inc.
AXIA Research, Inc.
Bayer Inc.
Bellus Health Inc.
Biogen Idec Canada Inc.
Boehringer Ingelheim (Canada) Ltd.
Bristol-Myers Squibb Canada Inc.
CCPE (Council for Continuing Pharmaceutical Education)
Charles River Laboratories
DRAXIMAGE

Eli Lilly Canada Inc.
EMD Serono Canada Inc.
E-Z-EM Canada Inc.
Genome Canada Inc.
GlaxoSmithKline Inc.
Hemosol BioPharma Inc.
Hoffmann-La Roche Limited
i3 Canada
Inimex Pharmaceuticals Inc.
Janssen-Ortho Inc.
LEO Pharma Inc.
Lundbeck Canada Inc.
Medicago
Medicure Inc,
Merck Frosst Canada Ltd.
Merck-Frosst Schering Pharma Partnership (MFSP)
NeuroImage Inc.
Novartis Pharmaceuticals Canada Inc.

Nucro-Technics Inc.
Oncolytics Biotech Inc.
Paladin Labs Inc.
Patheon Inc.
Pfizer Canada Inc.
Procter & Gamble Pharmaceuticals Canada, Inc.
Purdue Pharma
Quintiles Canada
Ropack Inc.
Sanofi-Aventis Canada
Sanofi Pasteur Limited
Schering-Plough Canada Inc.
Servier Canada Inc.
Shire Canada Inc.
Solvay Canada Inc.
Theratechnologies Inc.
Wyeth Pharmaceuticals

Frequently asked questions

Here are some Questions & Answers specifically about the Rx&D Code that you may have and want to share with your exhibitors.

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| Q1. Can our association be held accountable for non-compliance of the code by exhibitors? | A1. No, associations are not held accountable but should encourage compliance of the code with member pharmaceutical companies exhibiting or sponsoring the event. |
| Q2. Who should my exhibitors direct their questions to regarding their sponsorship or exhibits? | A2. Each pharmaceutical company has a compliance officer or department that can review and ensure compliance of the code on a specific sponsorship or exhibiting opportunity. If in doubt, the member company can contact Rx&D directly. |
| Q3. Can we design and hang banners and meter boards that list our annual corporate members and partners? | A3. Yes, as long as no specific product is mentioned or promoted, only the company names. |
| Q4. Can we design and hang banners and meter boards that disclose the scientific meeting grantors and sponsors? | A4. Yes, as long as you only recognize/display company names with a simple “thank you” statement for their support as in “these lectures are made possible by the corporate support of.....” |
| Q5. Can we distribute corporate member/partner booth marker signs, pins and ribbons to exhibitors? | A5. Yes, company names only on the signs - no product mentions, and these pins and ribbons can not be given as gifts to health care professionals. |
| Q6. Can we hang corporate member or meeting sponsor signs over specific sponsor’s exhibit booths? | A6. Yes, but no product mentions. |
| Q7. Can we place corporate member or meeting sponsors floor decals next to sponsor’s booths? | A7. Yes, but no product mentions. |
| Q8. Can we include product ads or strictly educational program promotional ads with grantor logo in the program book? | A8. Yes if they comply with the codes and guidelines of Rx&D |

- Q9. Do printed materials have to include prescribing information if referencing a specific product?
- A9. Yes and the information must form an integral part of the advertisement, direct mail package or other electronic or printed promotional materials in question.
- Q10. Can I produce tote bags/registration bags for my convention in Canada?
- A10. Yes, but the code seems to indicate that it must be supported by multiple sponsors, not a single sponsor! Again no product mention, only company name. A “green” bag is a great idea too, to reduce your carbon footprint.
- Q11. Can exhibitors discuss all of their products in their booths on the exhibit floor?
- A11. Yes! Exhibitors can discuss their full complement of products and services, so long as all of the collateral materia for each of the products and services their sales representatives are discussing is in their booth on the exhibit hall floor.
- Q12. Can a pen have a product name on it and be placed in a tote bag?
- A12. No. Pens are not permissible under the Rx&D code and as of January 2009 under the revised PhRMA code, pens are no longer allowed as giveaways.
- Q13. What about badge lanyards? Can I approach a company and ask them to underwrite the cost of them?
- A13. Yes. As long as the company name is on the lanyard and not a specific product name.
- Q14. We always have a “convention notebook”. Is it OK to get that sponsored?
- A14. No. Convention notebooks or notepads are not permissible under the Rx&D code. Under the revised PhRMA codes (as of January 2009) it seems that convention notebooks are also not advisable as giveaways because they “may foster misperceptions that company interactions with healthcare professionals are not based on informing them about medical and scientific issues”.

Comparative Chart

The following chart highlights the key differences between Rx&D and PhRMA as it relates to unrestricted educational grants, support, gifts or service-oriented items, third party education and hospitality. We invite you to review each code in its entirety on the organization's respective websites:

www.canadianpharma.org and www.phrma.org

Item	Rx&D	PhRMA	Difference	Notes
Unrestricted Educational Grant/Support	<p>Unrestricted educational grants. Where members make an unrestricted educational grant to any organization for the purpose of convening a Continuing Health Education (CHE) event, conference or other activity, there cannot be any involvement of the company in the planning and convening of the activity. Also, members should ensure that acknowledgement of their support is done in an appropriate manner, for example: This event was made possible/or was supported by an unrestricted educational grant from Company X.</p> <p>There should be no use of the members' name and/or logo on conference materials such as tote bags, kit folders, etc. Also there should be no statements in the program to the effect that the breakfast, coffee-break, lunch, or dinner was sponsored by Company X.</p> <p>Members must ensure that such support is not undertaken for product promotional reasons, and is not directed to product promotion purposes. Acknowledgement by the recipient organization of such support must be restricted to an appropriate statement of support and the corporate name and logo of the donating company.</p> <p>The educational program must be the main focus of, and reason for sponsoring or participating in an event. (code 4.a)</p>	<p>Continuing medical education (CME) or other third-party scientific and educational conferences or professional meetings can contribute to the improvement of patient care and therefore, financial support from companies is permissible. Since the giving of any subsidy directly to a healthcare professional by a company may be viewed as an inappropriate cash gift, any financial support should be given to the conference's sponsor who, in turn, can use the money to reduce the overall conference registration fee for all attendees.</p> <p>In addition, when new companies underwrite medical conferences or meetings other than their own, responsibility for and control over the selection of content, faculty, educational methods, materials, and venue belongs to the organizers of the conferences or meetings in accordance with their guidelines.</p>	<p>U.S. code allows for use of a singular company or brand name (medicine) on conference materials (e.g. registration badges, shuttle buses for transportation to the convention center and meeting hotels, lanyards, tote bags) when used by the association to underwrite overall cost of executing the meeting.</p>	

Throughout the chart, member(s) refers to pharmaceutical companies.

Item	Rx&D	PhRMA	Difference	Notes
<p>Gifts, Educational, Practice or Service-Oriented Items</p>	<p>Members must not offer to any healthcare professional, or to any member of a health-care professional's clinical/administrative staff or family, any gift – in cash or in kind, or any promotional aid, prize, reward, or any other item any of which is intended for personal/family benefit, or pecuniary (monetary) advantage.</p> <p>The definition of an “acceptable service-oriented items” are those whose primary goal is to enhance the health care practitioner’s or patients understanding of a condition or its treatment.</p> <p>Members may not distribute calendars, clocks, magnets, notepads, pens, pad holders, tote bags, post-it-notes, etc. to healthcare professionals. Members can offer verbatim reprints of scientific and medical reprints of papers with the company and logo, but without any drug name or logo.</p> <p>The Code does not prevent members from developing service-oriented items that do not meet the definition outlined in the Rx&D code, for example, golf balls and tee shirts. However, such items can only be distributed internally, that is, to employees. External distribution, including at convention booths, would constitute a contravention of the Code.</p>	<p>As of January 2009, providing items for healthcare professionals’ use that do not advance disease or treatment education – even if they are practice-related items of minimal value (such as pens, note pads, mugs and similar “reminder” items with company or product logos) – may foster misperceptions that company interactions with healthcare professionals are not based on informing them about medical and scientific issues. Such non-educational items should not be offered to healthcare professionals or members of their staff, even if they are accompanied by patient or physician educational materials.</p> <p>Items intended for the personal benefit of healthcare professionals (such as floral arrangements, artwork, music CD’s or tickets to a sporting event) likewise should not be offered.</p> <p>Please refer to section # 10 of the PhRMA Code for further information.</p>		

* Distribution of service-oriented items should not be carried out for promotional purposes (Code 11.1)

** Acceptable service-oriented items may bear the corporate name and logo of the donor, but must not bear the name of any medicine. For a complete list of items, please refer to section (Code 11.2)

Item	Rx&D	PhRMA	Difference	Notes
<p>Convention/Clinic displays</p>	<p>The main purpose of such displays must be the presentation of accurate information about the product(s) on display (Code 5.1)</p> <p>The fee a member pays for exhibit space must not include additional donations to the association holding the convention. Additional donations must be reported as such, but can not be directed at any product promotion</p> <p>A qualified member from the company must be on-site at an exhibit from set-up to tear-down.</p> <p>Giving out CEPs at convention/clinic displays is not permitted (Code 5.1.5)</p> <p>Sponsorship of Member-specific social functions is not permitted (Code 5.1.9)</p> <p>If a member sponsors a public relations event associated with a convention, the cost of that event must not exceed the cost of a single exhibit</p>	<p>Does not specifically address</p>	<p>For displays issue is not addressed in the U.S. code, for hospitality regulations are very similar for both with exception of brand (medicine) logo vs. company logo.</p>	<p>Neither Code specifically addresses or prohibits the use of posters, banners, ribbons, floor decals, hanging signs, or other methods of promoting the location of a specific exhibitor booth. Please see notes on General Advertising and PAAB and CAMP Codes and Guidelines on General Advertising below.</p>

Item	Rx&D	PhRMA	Difference	Notes
<p>Third-Party Educational or Professional Meetings Hospitality</p>	<p>The primary objective of the hospitality should be to create the appropriate venue and interaction (Code 7.B.1)</p> <p>During interactions with health care professionals, Members may only provide refreshments/meals to participants that are modest in content and cost. In all instances, the provision of refreshments/meals must be clearly incidental. No other form of hospitality or entertainment is to be provided. (Code 7.B.1.2)</p> <p>A maximum of five (5) health care professionals is permitted, per interaction. Although there may be more than one Member representative in attendance, the number of health care professionals cannot be increased to result in larger grouping. (Code 7.B.1.3)</p>	<p>Financial support for meals or receptions may be provided to the CME sponsors who in turn can provide meals or receptions for all attendees.</p> <p>A company also may provide meals or receptions directly at such events if it complies with the sponsoring organization's guidelines. In either of the above situations, the meals or receptions should be modest and be conducive to discussion among faculty and attendees, and the amount of time at the meals or receptions should be clearly subordinate to the amount of time spent at the educational activities of the meeting.**</p>		<p>**Emphasis on modest and subordinate re: PhRMA placed by author of document</p>

Practical solutions

Hopefully by now, we've answered most of your questions when it comes to Rx&D! Our goal in this section is to provide you with practical solutions and ideas to drive revenue from new and existing sources and still offer sponsorship opportunities to respect members' right to comply.

Exhibits

- Have you considered selling two year exhibit packages? e.g. 1 Canada, 1 U.S and provide discount or hold price steady.
- Work with your General Service Contractor to set up glass cases that you can offer to exhibitors at an additional cost to showcase their new products. These can be placed throughout the convention center and if they are rolling out a "hot" item, they may purchase multiple cases.
- A "cyber center" will provide a great personal service to meeting attendees, allowing them to check their email throughout the meeting. While not new to most of you, this is an opportunity for a sponsor to have their corporate logo on the screen in front of attendees.
- An exhibitor can make a first impression by advertising their welcome message to attendees on banners that can be hung in the baggage claim area of the airport.
- Maximize an exhibitor's exposure at the convention center by hanging a welcome banner in the convention center's lobby.
- What about WiFi Hotspots? Locate them on the exhibit hall floor to increase traffic during exhibit hours. They allow attendees to connect their laptops or wireless PDA's to the Internet.
- A lead retrieval/attendee swipe card system, which is used by all attendees as they walk through the exhibit hall. This replaces business cards to provide contact information. Each card features the sponsoring companies name and will be seen every time the card is swiped.
- A Virtual Exhibition can be a premier resource to search companies that will be at your meeting.
- For your "top" supporters, consider hanging a booth sign showing their booth location with a "Thanks to our Platinum Supporter" message.
- See attendees reading exhibiting company's messages as they ride the escalators! Place specially designed company decals on the escalator medians at the convention center.

- Electronic signage: To maximize company visibility, sell digital signs which are displayed in freestanding panels with a screen that will play the exhibitors personalized message (video and text) with sound. The digital signs are strategically placed in high-traffic areas of the convention center to maximize sponsors exposure.
- “You are here” exhibit hall maps that can be will be placed in key locations on the exhibit hall floor. Each sign will have a view of the exhibit hall floor, as well as the most up-to-date Exhibitor List to take away. The maps will include company logo and booth number. Lists can accommodate two product advertisements.

Hospitality

- Sponsorship of an Opening Reception is a great opportunity for company recognition. Does the event have a printed program? Offer that to your exhibitors as a sponsorship - the back cover is sure to be noticed by attendees.
- If posters are an element of your meeting, offer them as a support or sponsorship opportunity! Many attendees browse posters throughout the meeting and you can recognize the sponsor with signage well-placed throughout the poster area(s). Add coffee cups and napkins with the company logo if there is a “Meet the Author” time period during poster viewing.

Education

- Packaging of audio sessions and abstracts on CD ROMs or flash drives – sponsorship would allow packaging on the outside to promote the company. As a value-added benefit, attendees would need to stop by the sponsors booth to pick up the coupon to redeem a complimentary copy.
- Sponsorship of entire tract at a meeting; (e.g. advances in HIV treatment).
- A wireless mouse that allows doctors to operate a PowerPoint presentation without going near the computer with a built-in laser pointer.
- USB flash memory drives are the kind of item most tech-savvy people can’t have too many of. Prescribing information can be stored on the drive, and through a new technology, the file is automatically updated every time the information changes. Physicians need only to be connected to the Internet.

- Corporate Symposia: Programs that do not compete with the educational content of your association program that are planned and conducted by the corporate community in conjunction with the association. Corporate symposia provide meeting attendees with additional educational/informational opportunities in addition to the formal/structured learning opportunities presented by the association. The program content and/or product information presented during the corporate symposia program are the sole responsibility of the corporate supporter presenting the program.
- Do attendees track “CME” (Continuing Medical Education) credits electronically? If so, offer the CME Pavilions as a support opportunity to exhibitors. Remember that such things as screen savers and mouse pads can not be offered as additional support opportunities to exhibitors in conjunction with this opportunity, but you can recognize the company through signage.

Sponsorship

- Partner with the local affiliate association to increase attendance and thus increasing revenue opportunity.
- Offer gift certificates to a medical bookstore
- Consider selling banner ads to exhibitors - websites have become the most popular sources for attendees to retrieve their meeting information.

Other ideas

- Instead of having to carry around a half-dozen plugs for on-the-go or at-work charging of the portable electronics, offer a universal docking station.
- Convention center kiosk panel - sell 3-sided, backlit kiosk panels for exhibiting companies to promote their products outside of the exhibit hall. Place the kiosks strategically in central locations throughout the hall to ensure maximum visibility for your exhibitors and heavy exposure on peak days in the convention center.
- Customized key cards for the headquarters or other designated hotels can be designed with a company’s logo (not a product name).
- If your meeting has an interactive technology room or other advanced audiovisual technology, consider offering that as a corporate support opportunity. The opening PowerPoint slide can read: “This advanced/interactive technology brought to you by ‘Company ABC’please visit them at booth 123”.

- Using a shuttle bus system? Do the shuttles have a video system? Approach an exhibitor to help you offset the cost of your transportation system and in turn they can play a promotional CD on the shuttles.
- Shuttle buses wraps and headrests are also another great promotional/support opportunity to help offset the cost of your transportation system.
- Don't forget to partner with your sales associates to sell advertising space in all of your printed materials for your program such as your preliminary program, program book, abstract book.
- Do you have an online "meeting planner"? You can offer that as a sponsorship/support opportunity!
- What about a water station as a support opportunity? Supply logo-labeled water bottles that will be distributed to attendees at the entrances to the exhibit hall or registration area. For a "green" alternative, consider water coolers with logo covers.

Excerpted from Meetings and Conventions Magazine, January 2008, p. 63-68

Looking ahead

With the on-going changes taking place within the pharmaceutical industry and the added responsibility to educate yourself, your exhibitors and sponsors, the CTC and its partners are committed to keeping you abreast of the latest developments on this issue.

As we strive to be your primary resource, our in-market sales team is here to help answer your questions and provide support.

**For further information on the codes,
please go to:**

Rx&D: www.canadianpharma.org

PhRMA: www.phrma.org

Europe: www.eucomed.org

France: www.snitem.fr

Japan: www.jfmda.gr.jp/e

United Kingdom: www.abhi.org.uk

Australia/New Zealand: www.miaa.org/au

Medical Devices Industry code: www.medec.org

American Medical Association:

www.ama-assn.org/ama/pub/category/8288/html

Health Industry Group Purchasing Assn: www.higpa.org

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