



French National Order of Pharmacists – Central Council of Section B – Industrial Pharmacists

FAQ

Location of information activity by canvassing or prospecting



QUESTION:

Must one consider that the information activity by canvassing or prospection can be carried out only where the healthcare professional practises (consulting rooms, dispensing pharmacy or healthcare establishment, etc.) to the exclusion of any other location, except for special cases like conventions, organised meetings, symposia, etc.?



POSITION/ANALYSIS OF THE FRENCH NATIONAL ORDER OF PHARMACISTS AND OF THE “HAS” (FRENCH HIGHER AUTHORITY FOR HEALTH):

Further to enquiries from Chief Pharmaceutical Officers concerning the location of medical promotion, Section B consulted the HAS which has replied as follows:

- [The Charter on information by canvassing or prospection with the aim of promoting medicinal products](#) is intended to set, for all locations, the conditions of information on proprietary medicinal products by canvassing or prospection with the aim of promotion. The scope of the charter covers all forms of information, regardless of the media used, by canvassing, prospection or incitation which aim to promote the prescription, dispensing or use of proprietary medicinal products by any professional authorised to prescribe, dispense and use these medicinal products.
 - Reminder: [the Charter signed by the CEPS \(French Economic Committee for Healthcare Products\) and the LEEM \(French Pharmaceutical Companies' Professional Organisation\)](#) refers in its preamble to the fact that "*the aim of the Charter is to set, for all locations, the conditions of information on proprietary medicinal products by canvassing or prospection with the aim of promotion*" and goes on to refer to two possible locations for "the activity of information by canvassing or prospection": the location of practise or the healthcare establishment.
- In November 2014 the HAS organised a meeting of the signatories to the Charter in order to clarify certain points of the document. The minutes of this meeting are available in the report on the drafting of the reference document which is on the HAS's website. Concerning the wording "*for all locations*" which appears in the preamble to the Charter, the signatories confirmed that [the locations considered are many, provided that they are suitable for information by canvassing or prospection aiming to promote medicinal](#)

products under the conditions set forth in the Charter. Consequently, the locations concerned are those referred to in the Charter (consulting rooms and healthcare establishments) but also dispensing pharmacies, conventions or any other location provided that it is a place of practise of an information activity by canvassing or prospection aimed at healthcare professionals prescribing, dispensing or using medicinal products (including remote contacts).

- Reminder: [the HAS's Questions/Answers document](#) provides the following answer to the question on the meaning of the wording "in all locations" in the preamble to the Charter and in the Context chapter of the certification reference document : *"The locations considered are many provided that they are suitable for promotional information whose conditions are set forth in the Charter (place of practise and healthcare establishment) but also dispensing pharmacies, conventions, certain training establishments for healthcare students (including universities) provided that it is a place of practise of an information activity by canvassing or prospection aimed at healthcare professionals prescribing, dispensing or using medicinal products, including remote contacts".*



EN PRATICE:

- Consequently, even if the signatories have excluded no location provided that a promotional information activity takes place there, neither the Charter nor the certification reference document nor the Questions/Answers document provide for the possibility of a promotional information activity in locations other than:
 - The healthcare professional's location of practise;
 - Locations dedicated to this activity, at least temporarily, within the framework of professional, scientific or promotional events under the conditions provided under the regulations.

In addition, it must be remembered that people performing a promotional information activity can pay for meals only if one of the following two conditions is met:

- The meal is covered by a hospitality convention within the framework of a professional, scientific or promotional event;
- The meal is paid for under the exceptional conditions defined by the Charter (impromptu nature of the occasion and connected to the visit).

It is the companies' responsibility to remind their employees that the rules defined by the establishments or the professionals in the context of the current health crisis cannot be circumvented by organising contacts in nearby locations.

- Reminder: in its section on ethics [the certification reference document](#) indicates under title "3.2. Rules on the organisation of an information activity by canvassing or prospection in all locations of a health professional's practise":
" E32. Persons performing an information activity by canvassing or prospection with the aim of promoting medicinal products under the responsibility of and with the assistance of their superiors shall contact the

health professionals in order to enquire as to the rules for the organisation of meetings which have been set by the professional (schedule, duration, frequency, location), in addition to the conditions of access and movement within the various locations where the activity is performed; those rules and conditions must be observed.

The monitoring tools used by the company shall enable the company to at least ensure that these rules are known to the persons performing an information activity by canvassing or prospection aiming to promote medicinal products.

The company shall ensure that these rules are observed by the person performing a promotional information activity, especially during the visits involving two people together.

Comment:

When the promotional information activity is performed remotely, the healthcare professional visited must give his assent to this form of meeting".



KEY WORDS: location, promotion, information, canvassing, prospection, medicinal products



Reference documents:

- [Charter on information by canvassing or prospection aiming to promote medicinal products](#)
- [HAS Questions/Answers](#) on the certification of the information activity by canvassing or prospection aiming to promote medicinal products (HAS = French Higher Authority for Health)
- [Certification reference document](#) for the information activity by canvassing or prospection aiming to promote medicinal products.