



19 April 2013

Senate Finance and Public Administration Committees
PO Box 6100
Parliament House
Canberra ACT 2600

By email to: fpa.sen@aph.gov.au

Dear Senator Ryan

Therapeutic Goods Amendment (Pharmaceutical Transparency) Bill 2013

Allergan Australia Pty Ltd welcomes the opportunity to make a submission to the Senate Finance and Public Administration Committees inquiry into the *Therapeutics Goods Amendment (Pharmaceutical Transparency) Bill 2013*.

Allergan Australia is a multi-specialty health care company focused on discovering, developing and commercialising innovative pharmaceuticals, biologics, medical devices and over-the-counter consumer products. We are a member of industry organisations Medicines Australia (MA), Medical Technology Association of Australia (MTAA) and Australian Self Medication Industry (ASMI).

We oppose the Bill for the following reasons:

1. The Bill relates only to pharmaceutical company interactions with registered medical practitioners. It fails to acknowledge the potential interactions with other qualified healthcare professionals including nurses, pharmacists and radiographers.
2. It makes a false assumption that doctors in general are susceptible to so-called inducements which influence their prescribing habits.
3. It relates only to regulated pharmaceutical products and therefore provides no guidance on regulated device products.
4. It wrongly categorises sponsorship of educational activities as inducements, and further, fails to take into account the positive patient benefits gained from having doctors attend such activities.
5. It does nothing to establish a legislated baseline that requires all companies to be bound to a recognised ethical standard.
6. The legislation, if enacted, not only replicates to a significant extent existing provisions of the MA Code of Conduct, but imposes an intolerable cost-of-compliance burden on industry which may have to be recovered in the reimbursement process.

We support and acknowledge international moves toward greater controls on industry interactions with healthcare professionals, along with increased transparency. As such, we welcome non-legislative transparency initiatives provided they are established to support a level playing field across all pharmaceutical and device companies and all therapeutic goods. Further, we believe that self regulation has been proven to be the most efficient way of delivering transparency.

There has been broad acceptance within the healthcare industry and Government for need to reform the existing self-regulatory arrangements. We echo and support the concern of Medicines Australia that the Bill may undermine progress of the industry Transparency Working Group and the Government Codes of Conduct Advisory Group.

We look forward to reviewing the Committee's report on this inquiry.

Yours sincerely

Glen Curran
Vice President & Managing Director