

# Got Code? Got Answers...

an insider's guide to  
pharmaceutical support.

Canada



### **Disclaimer**

This information is provided as a courtesy for those responsible for producing a healthcare-related conference or congress, or an exhibit component therein, in Canada. It is meant to inform these individuals of significant developments related to the Rx&D Code of Ethical Practices. This Client Alert is not intended as legal advice nor is it a complete explanation of all aspects of the subject discussed. Therefore, it should not be relied on to determine a course of conduct with respect to a specific situation. Planners and exhibitors seeking clarification should refer to the Rx&D Code of Ethical Practices or contact Rx&D Member Companies directly for more information, or solicit professional guidance from a lawyer if legal interpretation is required.

Canadian Tourism Commission - Commission canadienne du tourisme

**[www.meetings.canada.travel](http://www.meetings.canada.travel)**

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# Overview

For well over two decades, the subject of what constitutes appropriate practices when marketing pharmaceutical products to health-care professionals has been an evolving one for the pharmaceutical industry. In response to the heightened awareness of the ethical implications associated with healthcare-related marketing, an increasing number of states and countries, as well as the pharmaceutical companies themselves, have developed and adopted industry-driven codes of ethics.

Reflective of the pharmaceutical industry's growing commitment to transparency and ethics-based marketing, both the Canadian Rx&D Code of Ethical Practices and the U.S PhRMA Code on Interactions with Healthcare Professionals have been revised on an ongoing basis to appropriately reflect the pharmaceuticals industry's evolving commitment to transparency and ethics based marketing. This holds the pharmaceutical communities to a very high standard of practice. However, since there are variances in the respective Codes from destination to destination, these regulations can be confusing for planners who are hosting, or the exhibitors who are participating in these medical meetings, conventions and educational events.

In collaboration with Canada's Research-based Pharmaceutical Companies (Rx&D), the Tourism Industry Association of Canada and the Canadian Tourism Commission have prepared this reference to provide practical guidance for planners of medical conferences and educational events. In addition to an overview of the Rx&D Code of Ethical Practices, it answers some of the frequently asked questions about hosting meetings and educational events in Canada.



# Canada's Rx&D Explained

Rx&D is the association of leading research-based pharmaceutical companies dedicated to improving the health of Canadians through the discovery and development of new medicines and vaccines. The association's community represents 15,000 men and women working for over 50 member companies and it invests more than \$1 billion in research and development each year to fuel Canada's knowledge-based economy. To ensure this critical work is being conducted in a highly ethical manner, all Rx&D Members agree to adhere to the Code of Ethical Practices when working in partnership with governments, healthcare professionals (HCPs) and other stakeholders.

The Eight Guiding Principles of the 2012 Code of Ethical Practices serve as a basis for ethical decision-making in the pharmaceutical industry through the provision of a common and consistent framework.

**These eight principles have been streamlined in an effort to eliminate redundancy within the Code:**

1. The health and well-being of patients and all Canadians is the first priority.
2. All interactions with Stakeholders are to be conducted in a professional and ethical manner. Members must be cognizant of potential conflicts of interest and manage them appropriately.
3. All interactions shall be in accordance with all applicable laws and regulations.
4. Members must adhere to the Code in both the spirit and the letter and, as such, must ensure that all relevant personnel and agents acting on their behalf are trained in the requirements of the Code and abide by it.
5. Members are committed to engaging relationships that are trustworthy and credible.
6. All clinical (phase I-IV) trials and scientific research sponsored or supported by Members will be conducted with the intent to develop knowledge that will benefit Canadians and advancement of science and medicine. Members support transparency in the presentation of research and study results.
7. Members will ensure that Canadian Stakeholders have access to education and information about the appropriate uses of our products and services. All product information provided to Stakeholders must be accurate and fair balanced.
8. Members will not give or offer any payments or inducements that are either unlawful or improper, directly or indirectly, to any individual stakeholder.





## Code-Speak

The Code of Ethical Practices is the cornerstone of Rx&D's commitment to ethics and compliance and a key component of their business practices. The Code guides business conduct and governs all interactions with stakeholders including health care professionals, other stakeholders and governments. All Rx&D members are required to understand and comply with the Code and follow its guidelines in the workplace and the business community.

The Code of Ethical Practices has evolved in tandem with changes in the environment within the pharmaceutical industry in Canada. The newly revised Code, which took effect March 31, 2012, is part of an ongoing effort to ensure that stakeholders (including health care professionals, stakeholders and governments) receive accurate and objective information about Rx&D members' products and services in a manner that ultimately benefits patients and enhances the practice of medicine.

The Rx&D Code that was in effect before March 2012 largely applied to relationships between sales representatives and Health Care Professionals (HCPs), however, the scope of the revised Code of Ethical Practices 2012 has been expanded to include all member employees interacting with stakeholders including HCPs, other Stakeholders and government for the purpose of commercializing prescription medicines, excluding medical devices and over-the-counter products. The Code now includes newly-introduced definitions of these sectors to ensure clarity. Additionally, a new element of the Code, which was instituted to reflect current practices, outlines new guidelines as to the Dissemination of Scientific Information. This term refers to any activity which is directed to a Stakeholder to disseminate information relating to pharmaceutical products. A related revision, of particular interest to meeting professionals involved with healthcare events/exhibits, is that the Code's definition of advertising as it relates to pharmaceutical products now aligns with Health Canada's definition.

# Cracking the Code – FAQs

Medical conferences and congresses serve as important forums for scientific exchanges and the education of physicians, medical scientists and other health care professionals. These events provide opportunities for learning, sharing expertise and staying informed about developments in clinical practice, health sciences and health innovations, including new medicines and medical technologies.

Rx&D members are committed to upholding Canada's high ethical standards and legislative requirements. As such, any interaction with stakeholders including healthcare professionals, other stakeholders and governments – including their participation in medical conferences and/or congresses – is strictly governed by the Code of Ethical Practices. The primary purpose of these exchanges should be the provision of accurate and objective information about Rx&D Member products and services. As they have evolved over the years, these higher standards have altered the landscape for those involved in managing health-care conferences/congresses or participating in them via an exhibit component, particularly with respect to the opportunities available for corporate sponsorship traditionally associated with these events.

A number of the recent changes to the Code of Ethical Practices will provide international conference planners greater access to the Canadian market while maintaining Canada's high ethical requirements and legislative standards. Newly-incorporated provisions of the Code replace previous requirements that may have served to discourage conference planners from hosting medical conferences and congresses in Canada.

## Some of the changes include:

- The creation of a distinct section in the Code on conferences/congresses, providing a one-stop reference for medical conference planners.
- Better harmonization between the marketing guidelines established within the Code and those established by the federal government, while still maintaining the highest ethical standards.
- The inclusion of specific guidelines impacting international conferences/congresses held in Canada. These events are welcomed and encouraged as it is recognized that Canadian Stakeholders need to be educated and informed about development in the health research, health sciences, clinical practices and their professions on an international level.



## Who can participate at international conferences/congresses that are held in Canada? What special considerations exist for these international events?

International affiliates (non-Canadian) of Rx&D Members may host or participate in scientific exchanges with Canadian and non-Canadian HCP's attending these events. These international affiliates must respect applicable Canadian laws/regulations and to abide by the Rx&D Code. International affiliates -parent companies, subsidiaries or divisions of Rx&D Members based outside of Canada - must adhere to the same provisions as the Rx&D Members themselves. It is the responsibility of each Member to ensure compliance of their International Affiliates as any incidents of non-compliance could result in an infraction for the Member.

## Can events be sponsored? How can this support be appropriately acknowledged?

**Donations:** Members can make financial or in-kind donations to organizations involved in promoting activities such as artistic, charitable, cultural, community, educational, humanitarian, health, philanthropic, and sporting activities. Such support must not be undertaken for product promotional reasons, and is not directed to product promotion purposes. It is acceptable to acknowledge corporations for their support, provided that specific pharmaceutical products are not mentioned; for example, a "thank you" statement indicating "these lectures are made possible by the corporate support of..."

**Sponsorship:** Members can sponsor conferences and congresses organized by academic societies and professional associations or organizations that are held in Canada. The program must have a medical, scientific or educational dimension to it and sponsorship should not influence the content of the program.

The request for sponsorship must be made in writing and must include all details of the funding requested through a variety of sponsorship levels (platinum, gold, etc.; the dates, times and duration of the event; the program content; and the educational/scientific value of the event). The Member providing the support must respond to the request in writing, outlining the nature of the funding provided, clearly indicating to the requesting party what the Member is supporting. It is acceptable to acknowledge corporations for their support and denote the level of support (e.g. Platinum Partner, Gold Partner, etc.) and display their corporate logo on sponsor boards. In fact, acknowledgment of sponsorship by Members should appear on all program-related materials. As noted above, this exposure should be documented in writing as it forms part of the sponsorship package. This form of acknowledgement should not mention specific pharmaceutical products.



## Who can rent trade show booths at International Conferences/Congresses?

Rx&D Members and international affiliates (non-Canadian) may exhibit in the areas of the event designated for that purpose. Any booth fees paid must not include built-in membership fees or donations to any association. Gifts, offers or enticements to encourage a Stakeholder to visit a display are prohibited by the Code as is the provision of meals or refreshments at the display.

A representative of the member company must be present at the booth at all times while the trade show floor is open.

Exhibitors may not distribute samples or provide meals and refreshments, including water, coffee, etc., at their booth. However, they may provide unaltered reprints of scientific or medical papers as handouts at the booth. Product branding at the trade show booth itself is permitted but is subject to advertising guidelines provided by Health Canada, the PAAB, ASC and other relevant bodies.

Promotional and educational material available at the booth must be consistent with the approved product monograph(s).

## Does the Code include specific standards that govern international affiliate exhibitors?

**Yes. These requirements are summarized as follows:**

- If Company X materials (international affiliate) are used at conference and a product is not approved for sale in Canada, the materials used at the conference must emanate from the parent company (Company X Inc.) and should be labeled with a legible disclaimer, \* Product X (chemical name) is not available for sale in Canada\*, or similar text, as approved by the Canadian affiliates regulatory and/or medical department – disclaimer should be legible and in proportionate size to the material displayed or presented.
- If the product's indication/s differs from those contained in the approved Canadian product monograph, the material used at the booth should be labeled: \*The information contained herein does not necessarily reflect the content of the approved Canadian product monograph.\*
- No reference at the booth or in the materials distributed should be made as to the availability of unauthorized drugs through the Canadian Special Access Program or any off-label use.
- All drug product material should be submitted to the Canadian affiliates' regulatory and/or medical department for review and approval.
- Questions from Canadian HCP's regarding availability of a drug prior to market approval or for not-approved-in Canada indications are to be referred to Canadian medical personnel.
- Product branding, where permitted by the conference/congress must follow the guidance frameworks for promotion provided by Health Canada, the Pharmaceutical Advertising Advisory Board and other relevant bodies including Advertising Standards Canada. As such, sponsorship of conference/congress items through the level chosen is permitted.
- Individual member companies cannot distribute branded items at conferences/congresses.

## What can exhibitors do to attract visitors to the booth?

It is acceptable to post wayfinding signage and booth marker signs to help attendees find their way to a member's booth. However, pins, buttons, refreshments or other giveaways may not be used to entice attendees to visit a booth. Wayfinding signage could include the names of specific pharmaceutical products or the company brand.

## Can stakeholders attend social functions at the event?

All stakeholders, including exhibitors, may attend social functions intended for all delegates as part of the event, but Rx&D Members cannot host social functions intended for stakeholders.

## Can the event organizer be held accountable for non-compliance of the Code by exhibitors?

No. Members of Rx&D are responsible for their own conduct. It is also the responsibility of each Rx&D Member to ensure compliance of their International Affiliates, where applicable, as any incidents of non-compliance could result in an infraction for the Member.

## To whom should international affiliate exhibitors direct their questions regarding their sponsorship or exhibits?

International affiliates must contact their Canadian affiliates for any questions they may have regarding sponsoring or attending a conference in Canada.



## Can banners, signage or meter boards acknowledging corporate supporters be displayed?

Yes, banners, signage or meter boards can acknowledge corporate supporters. Product branding where permitted by the conference or congress must follow the guidance framework for promotion provided by Health Canada Guidelines. This means that signage or meter boards could feature corporate brand or product specific name. Individual Rx&D Members cannot distribute branded items produced by them at a congress or conferences.

## Can we hang corporate member or meeting sponsor signs over specific sponsor's exhibit booths? Can we place corporate member or meeting sponsors floor decals next to sponsor's booths?

Yes.

## Can we include product ads in the event program or strictly educational/scientific content?

Ads may be included but they are subject to promotion guidelines provided by Health Canada, the PAAB, ASC and other relevant bodies.

## Do printed materials have to include prescribing information if referencing a specific product?

Printed materials are subject to promotion guidelines provided by Health Canada, the PAAB, ASC and other relevant bodies. If printed materials differ from the approved Canadian product monograph, the material should be labeled: \* The information contained herein does not necessarily reflect the content of the approved Canadian product monograph.\*

## Can we produce attendee tote bags/registration bags for my convention/congress in Canada?

Yes. Multi-sponsor bags are permitted and could feature corporate brand or specific product name.

## Can international exhibitors discuss all of their products in their booths on the exhibit floor?

Yes. International affiliates may discuss their full complement of products and services but should be aware that there are requirements specific to products that are not approved for sale in Canada. These standards are addressed in the earlier question regarding specific standards for Affiliated International Exhibitors.



## Can a company underwrite the cost of badge lanyards?

Yes, corporate brand or specific product name is permitted.

## Can branded pens, pins or other items be included as part of an attendee tote bag?

No. The following are some examples of (but are not limited to) items that would be considered to be in contravention of the Code if provided to Stakeholders:

- Agendas, pocket diaries, bookmarks, calendars, desk clocks;
- Subscriptions to publications;
- Diaries, fridge magnets, kit folders;
- Mouse pads, note pads, Post-it notes, script pads;
- Office supplies such as paperweights, pens & penholders, plastic portfolios;
- Stress/rehabilitation balls, back supports, stirrup covers and similar so-called patient aids;
- Stationery items such as patient appointment cards containing patient information;
- Product-bearing advertising;
- Tote bags and bags with a corporate logo (single sponsorship)





Description	Interpretation	Relevant Excerpts from the Code
Donations	<p>Members can make donations, financial or in-kind to organizations involved in promoting activities such as artistic, charitable, cultural, community, educational, humanitarian, health, philanthropic, and sporting activities.</p> <p>It is acceptable to acknowledge corporations for their support, provided that specific pharmaceutical products are not mentioned.</p> <p>e.g. A “thank you” statement indicating “these lectures are made possible by the corporate support of...”</p>	<p>12.2.1: Members must ensure that such support is not undertaken for product promotional reasons, and is not directed to product promotion purposes.</p> <p>Acknowledgement by the recipient organization of such support must be restricted to an appropriate statement of support and follow the guidance frameworks for promotion provided by Health Canada, the PAAB, ASC and other relevant bodies.</p>
Sponsorship of educational and scientific conferences	Members can sponsor conferences and congresses organized by academic societies and professional associations or organizations and held in Canada.	10.1.3.1: Members may sponsor Canadian third-party educational or professional conferences and congresses, under the following conditions:
	The program must have a medical, scientific or educational dimension to it and sponsorship should not influence the content of the program.	10.1.3.1.1: The responsibility for and control over the selection of content, faculty, educational methods, materials, and venue belongs to the organizers of the conference or congress in accordance with their guidelines.
		10.1.3.1.2 The primary purpose of the event must be scientific, medical and/or educational in nature.
		10.1.3.1.3 The audience may consist of Stakeholders, including patients or public.
	The request for sponsorship must be made in writing and must include all details of the funding requested through a variety of sponsorship levels (platinum, gold, etc...). (e.g. the level of support, dates, times and duration of the event, the program content, and the educational scientific value of the event).	10.1.3.2.1 The request for sponsorship must be received in writing, and must include all details of the funding requested through a variety of sponsorship levels (platinum, gold, etc...). Objective evidence of the educational value of the event is required (for example, an agenda or scientific program) that clearly describes the educational purpose, content, meeting start and finish times and duration of educational sessions.
	The member must respond in writing noting specifically what the member is supporting.	10.1.3.2.2 The Member providing the support must respond to the request in writing, outlining the nature of the funding provided, clearly indicating to the requesting party what the Member is supporting.
	<p>It is acceptable to acknowledge corporations for their support and denote the level of support (e.g. platinum, gold, etc.).</p> <p>In fact, all sponsorships should be disclosed and should accurately reflect the level of involvement (e.g. Gold, Platinum, etc.). Acknowledgment of sponsorship by Members should appear on all program-related materials.</p>	10.1.3.2.6 Where conferences and congresses are sponsored in whole or in part by a Member, such sponsorships should be appropriately disclosed and accurately reflects the nature of the Member's involvement. Acknowledgment of sponsorship by Members should appear on all program related materials.
	Conference proceedings may constitute promotional material and could be subject to the Code requirements.	10.1.3.2.7 Where Members are involved in the sponsorship and/or distribution of reports on conferences and congresses, these reports might constitute promotional material and thus would be subject to the requirement of the Code. Names of the sponsoring Members should be clearly indicated.

Description	Interpretation	Relevant Excerpts from the Code
Product branding at conferences, trade shows and events	Branded pens, pads, pins or other items that are indicated in Section 15.2.3 of the Rx&D Code cannot be distributed.	10.1.3.2.5 Product branding where permitted by the conference or congress must follow the guidance frameworks for promotion provided by Health Canada, the PAAB, ASC and other relevant bodies. As such, sponsorship of conference or congress items through the sponsorship level chosen is permitted. Individual Members cannot distribute branded items at a conference or congress.
Trade Shows Booths/ Exhibit Halls	Members may exhibit in the areas of the event designated for that purpose.	10.1.3.2.3 It is appropriate for the Member to set up a booth or display in the exhibit hall of the conference or congress.
	Any booth fees paid by the Member must not include membership fees or donations to any association – donations are addressed in other sections of the Code and must be reported separately.	In doing so, a Member must respect the conditions set out in Section 11 of this Code. Gifts, offers or enticements provided by a Member to encourage a Stakeholder to visit a display are prohibited.
	A representative of the member company must be present at the booth at all times while the trade show floor is open.	10.1.3.2.4 As per Section 16.3.4 of this Code, a Member is not allowed to distribute samples at a conference or congress.
	Members may not distribute samples or provide meals and refreshments at their booth.	10.1.3.2.5 Product branding where permitted by the conference or congress must follow the guidance frameworks for promotion provided by Health Canada, the PAAB, ASC and other relevant bodies. As such, sponsorship of conference or congress items through the sponsorship level chosen is permitted.
	The member may provide unaltered reprints of scientific or medical papers as handouts at the booth.	Individual Members cannot distribute branded items at a conference or congress.
	Product branding at the trade show booth itself is permitted but is subject to advertising guidelines provided by Health Canada, the PAAB, ASC and other relevant bodies.	11.2.1: At least one qualified representative of the Member must be on site during congress hours.
	Information on or at the booth must be consistent with the product monograph(s).	11.2.2 Promotional and educational material available at the display must be consistent with the approved product monograph(s). Reprints of scientific and medical papers may be distributed at the display, provided they are reprinted verbatim, and are not presented in a manner which differs in any way from the approved product monograph(s).
	It is acceptable to post wayfinding signage and booth marker signs to help attendees find their way to a member's booth. However, pins, buttons, ribbons or other giveaways may not be used to entice attendees to visit a member's booth.	11.2.3 The fee a Member pays for exhibit space must not include additional donations to the association or other entity holding the congress, unless additional donations are reported as such.
	Member employees may attend social functions intended for all delegates as part of the event, but members cannot host functions or attend exclusive social functions.	11.2.5 Provision of meals and refreshments at the display is prohibited.
		10.1.3.2.9 As it relates to particular sponsorship, Member-specific social functions are not permitted. However, Member employees can participate in activities that are part of conferences and congresses if they are incidental to these events and are not organized by Member companies.
International Conferences and Congresses Held in Canada	Parent companies, subsidiaries or divisions of Rx&D members based outside of Canada must adhere to the same provisions as the Canadian Rx&D Members themselves.	10.3.1.1: International affiliates (non-Canadian) of Members may host or participate in scientific exchanges with Canadian and non-Canadian Health Care Professionals attending these events. These international affiliates must respect applicable Canadian laws and regulations and this Code.



# Good to Know – Helpful Links

Conference planners, for questions or interpretations re the Rx&D Code please contact:

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## Link to Rx&D Code of Ethical Practices

Pharmaceutical companies please contact your local Canadian affiliate.

A listing of current Rx&D member companies can be accessed at:

<https://www.canadapharma.org/en/about/Membership.aspx>

The complete policy detailing Health Canada's definition of advertising is available for review at:

[http://hc-sc.gc.ca/dhp-mps/advert-publicit/pol/actv\\_promo\\_vs\\_info-eng.php](http://hc-sc.gc.ca/dhp-mps/advert-publicit/pol/actv_promo_vs_info-eng.php)

Links to PAAB Code and ASC Codes:

[http://www.paab.ca/en/paab\\_code/code/](http://www.paab.ca/en/paab_code/code/)

<http://www.adstandards.com/en/standards/thecode.aspx>



# Abide by the Code

## Sample Sponsorship Prospectus for International Meetings Convening in Canada

Generate a high-profile presence supporting the Annual Meeting of the ABC Society of America

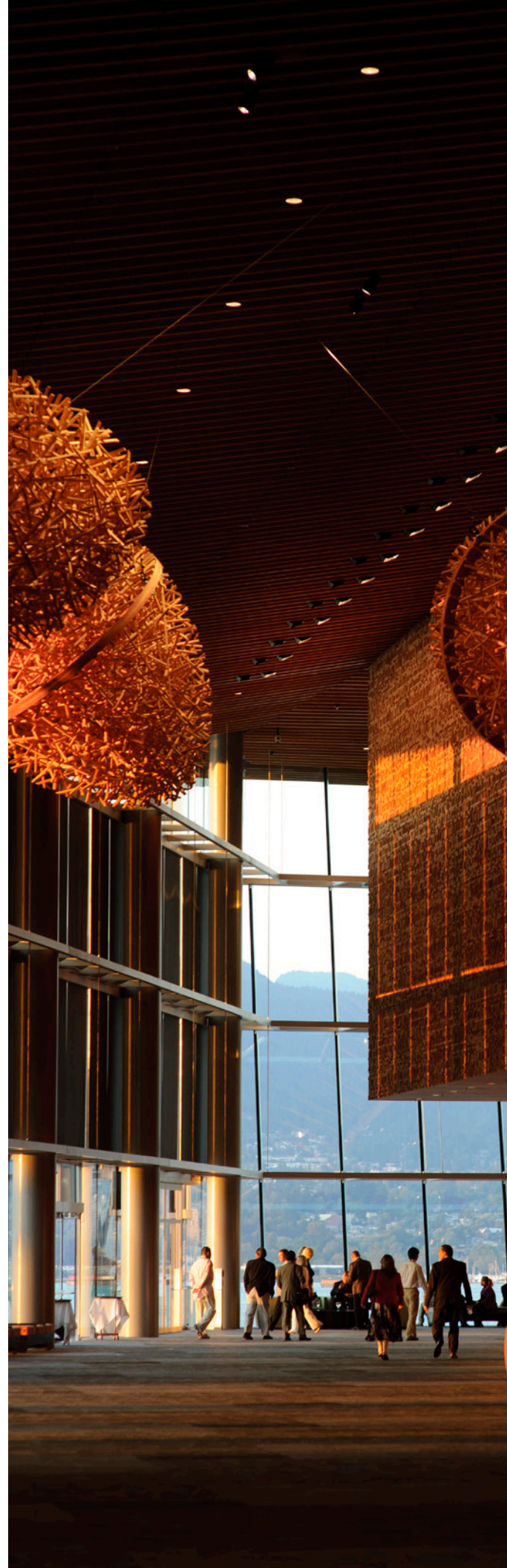
**All supporters receive the following package ensuring comprehensive recognition:**

- Signage in the convention center and headquarter hotels (including static clings)
- Acknowledgement at the Opening Reception (Gobos projected on the walls for Double Platinum, Platinum, Gold; Signage for all levels)
- Acknowledgement in the Final Program, ABC Society News
- Thank you on the ABC Society website
- Exhibit booth highlighted on floor plans
- Acknowledgement on the meeting application
- Carpet Decal and support level
- VIP Supporter Lounge

## Commercial Support Policy

- Unless pertaining to the exhibit hall, trade names or product-group messages may not be used on any materials designated as an ABC Society support opportunity.
- The “Note: “produced by the supporter” indicates that supporters are responsible for the purchase, production, and delivery of items.
- A signed Letter of Agreement containing language stipulated by the Accreditation Council for Continuing Medical Education (ACCME) is required.
- ABC Society of America must approve all artwork prior to the production of supported items.
- Written authorization from the supporter is required before ABC Society will accept inquiries or provide information to agents and third parties.

ABC Society of America is committed to meeting the needs of its potential supporters. Please contact Joseph M. Planner, Director, Meeting Services, with questions, or to discuss the opportunities.





## Supporting ABC Society automatically designates you as a Patron!

### Levels

#### Diamond

- Acknowledgement at the Opening Reception (Gobos projected on the walls)
- Complimentary pre (2) and post meeting (2) registration lists
- Complimentary attendee registrations (10)
- Invitations to the Leadership Reception (10)
- VIP Supporter area at reception
- Complimentary full page, four color ad in the Exhibit Guide
- Meeting room suite on the exhibit floor
- Complimentary Learning Lounge session in the Exhibit Hall
- Acknowledgement at the ID Training Directors
- Digital Capture Coupons (500)
- Recognition on the Mobile Website
- Two “Thank you” tweet announcements, with an invite to the supporters’ booth

#### Platinum

- Acknowledgement at the Opening Reception (Gobos projected on the walls)
- Complimentary (1) pre and post meeting (2) registration lists
- Complimentary attendee registrations (6)
- Invitations to the Leadership Reception (6)
- VIP Supporter area a reception
- Bag insert or provide giveaway; i.e. hand sanitizer (supporter must produce and provide)
- Complimentary full page, four color ad in the Exhibit Guide
- Digital Capture Coupons (250)
- Recognition on the Mobile Website
- One “Thank you” tweet announcements, with an invite to the supporters’ booth

### Gold

- Acknowledgement at the Opening Reception (Gobos projected on the walls)
- Complimentary (1) pre and (1) post meeting registration lists
- Complimentary attendee registrations (4)
- Invitations to the Leadership Reception (4)
- VIP Supporter area a reception
- Complimentary half page, four color ad in the Exhibit Guide
- Digital Capture Coupons (100)

### Silver

- Acknowledgement at the Opening Reception (Signage)
- Complimentary (1) post meeting registration list
- Complimentary attendee registrations (2)
- Complimentary quarter page, four color ad in the Exhibit Guide
- Invitations to the Leadership Reception (2)

### Bronze

- Acknowledgement at the Opening Reception (Signage)
- Complimentary attendee registration (1)
- Invitation to the Leadership Reception (1)

### Boutique items (companies can also consider the following additional opportunities):

- Thank you on the cyber café
- Overflow Café
- Hotel key card recognition
- Poster Receptions
- Mobile Website



