



16 April 2013

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

**Re: Therapeutic Goods Amendment (Pharmaceutical Transparency) Bill 2013**

Dear Sir/Madam,

At the core of AbbVie is a belief that the world needs a new approach to address today's health issues – from life-threatening illness to chronic conditions. Launched in 2013, following separation from Abbott Laboratories, AbbVie represents a new biopharmaceutical company that combines the expertise and stability of a long-standing pharmaceutical company with the focus and innovative spirit of biotech.

Our existing portfolio of biologics and other compounds addresses some of the world's most complex, unmet medical needs. With a patient-centred approach we have been instrumental in changing the lives of thousands of patients here in Australia across multiple disease areas. Diseases in which AbbVie plays a crucial role in assisting patients include arthritis, psoriasis, Crohns disease, Parkinson's, prostate cancer and HIV/AIDs.

In order to better serve the patients that rely on our products, AbbVie regularly engages with health care professionals. For this reason, we thank the committee for the opportunity to be able to comment on the proposed Bill.

As a generator of innovative products AbbVie believes it has a responsibility, as part of its commitment to addressing the health needs of our patients, to ethically and responsibly engage with health care professionals treating patients prescribed our products. Such engagement may include the provision of medical education, providing support in the application of our products and as part of our rigorous Pharmacovigilance requirements. Any such engagement is strictly governed by the Medicines Australia Code of Conduct (the Code).

Medicines Australia has operated a Code of Conduct since 1960. The intent of this Code is to govern the conduct of members and ensure that the pharmaceutical industry fulfills its obligations under the National Medicines Policy, notable the need for an ethical industry in Australia. This obligation has ensured the Australian pharmaceutical industry has embraced a culture of openness and transparency. As a result of this culture, the Medicines Australia Code of Conduct has been recognised by the Australian Government as a highly successful model of industry self-regulation.



To ensure that the Code continues to keep pace with community expectations Medicines Australia, and its member companies, commits significant resources to ensure the Code provides a contemporary governance model for the industry. Every two years the Code is reviewed by a committee of Medicines Australia and external parties and is updated to ensure the industries commitment to openness and transparency continues to evolve. Upon completion of these reviews the Code is then submitted to the ACCC for validation.

In 2012 the 17<sup>th</sup> Edition of the Code of Conduct was developed and submitted to the ACCC for scrutiny. This new Code has again sought to responsibly raise the level of transparency governing the industry. New sections of the Code require companies to disclose, in aggregate, payments to doctors and consumer groups. In addition, this edition of the Code again commits the industry to ensuring that all of our engagements with healthcare professionals and health consumer organisations are conducted in an ethical and responsible manner.

As part of the review process the ACCC highlighted some additional transparency provisions that should be considered in the next iteration of the Code. These recommendations were in response to a number of issues raised through its public consultation process. These changes include additional scrutiny around the relationship between industry and healthcare professionals.

In response to these comments Medicines Australia swiftly moved to create a Transparency Working Group. This Group has been tasked with investigating how the Code may be amended to ensure this level of transparency is delivered in a responsible and measured way. This working group includes representatives of industry, health consumer organisations and healthcare professionals. The approach adopted in this circumstance reflects long held practices and beliefs held by Medicines Australia and member companies around the responsible conduct of our industry.

This Bill seeks to supplant the work already being conducted by industry, in partnership with health consumers and healthcare professionals, in a manner that is unnecessary, inequitable and poorly drafted. The pharmaceutical industry has proven itself responsible and capable of self-regulation. The existing process for maintaining an industry in line with community expectation should be allowed to continue. For this reason AbbVie urges the Committee to reject this Bill.

Yours sincerely

**Kirsten O'Doherty**  
**General Manager**