

PMCPA Social Media Guidance Training

February 2023



Welcome & agenda

- Introduction
- Principles for Social Media Activities

Transparency and Responsibility

- Overarching considerations:

Pharmacovigilance, General Applicability of Laws / Regulations / Codes

- Guidance

Links, Mentions, Tagging, Posting, Correcting factual inaccuracies, Corporate News, Professional Profiles, Job Advertising, Disease Awareness, Patient Support, Meeting Advertisements, Pipeline, Influencers, Clinical Trials

- Summary

- Close



Introductions

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Social Media

Social media allows users to communicate and interact/engage in real time including posting, liking, commenting and sharing.

In general, social media platforms are digital channels that are used to reach or interact with as many individuals as possible and are considered to be aimed at the public.



Overall Company Considerations

- Pharmaceutical companies should establish procedures to review and monitor their activities, content, and materials on social media to ensure compliance with relevant codes and applicable laws including monitoring of adverse events.
- The Joint Note for Guidance on social media and digital channel (EFPIA/IFPMA) states that for digital channels owned by the pharmaceutical company, you should have processes to monitor, moderate and potentially delete any inappropriate comments in a timely manner to the extent permitted by the data protection regulations and applicable laws and codes.

Pharmaceutical companies are encouraged to have social media community guidelines in place and also internal SOPs governing social media activity. They are important to help the company protect its community as well as the company.



Today's training and case examples

- The guidance and this training focuses on what pharmaceutical companies should be aware of when considering activities on social media.
- Laws, regulations, Code requirements applicable to other platforms/media also apply to social media.
- Content, target audience and use of the platform are relevant factors to determine applicable rules, not the media as such.
- Cases highlighted are to illustrate certain principles in relation to the guidance - not all the rulings of breaches/no breaches in each case will be presented
- The full cases can be viewed on our website



Principles



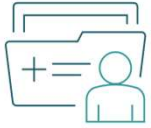
Key questions to consider before carrying out any social media activity:

- What is the objective of the activity?
- What content will be made available?
 - Is the content promotional or non-promotional?
 - Is the content related to medicines?
 - Does the medicine have a marketing authorisation/is the indication covered by the marketing authorisation?
 - Is the content related to educational information for the public?
 - What information is linked to and therefore forms part of the content?
- Who is the audience (for example, public, health professionals, media, investors) and is the content suitable and appropriately signposted for that audience?
- Are there licence variations between Great Britain (GB) and Northern Ireland (NI)?
- Has access been limited to the appropriate intended audience? Is interaction with the social media activity limited or controlled, and if not how does this affect the risk of the activity?
- Is the audience expected to respond or participate in discussion?
- Is the role of the pharmaceutical company clear?
- How is the content reviewed, approved and maintained?
- What are the arrangements for pharmacovigilance obligations?
- Why could it not be considered as promotion to the public?
- Is it in line with company guidance, is the company guidance clear and consistent with all applicable codes, laws and regulations?

Principles: Transparency

- Companies should always be transparent about the communications, activities and materials they produce, publish, sponsor, fund, or support on social media.
- This includes when a third party acting on its behalf carries out any such activities
- The **involvement** of the pharmaceutical company should be **clearly** and **prominently** stated, and users should be aware of such involvement at the **outset**.





CASES AUTH/3349/5/20 and AUTH/3350/5/20

The complainant was concerned that it was not immediately obvious that a podcast video on a patient organisation's YouTube channel was sponsored by pharmaceutical companies; the companies involvement had only been revealed at the end of the 33-minute video.



Alliance screenshots: The Panel **queried whether the font size was sufficient to be obvious to the viewer** in screenshots provided by Alliance.

Complainant's screenshots: The **declaration was missing** from the text below the video on the landing page and on the banner on the patient organization website linking to the video.

When the complainant viewed the video Alliance's sponsorship had not been declared such that viewers would have been aware of it at the outset.

Breach: 27.9 (2019 Code)



Principles: Responsibility

- A pharmaceutical company is responsible for all material disseminated/activities carried out by it on any social media channel.
- Pharmaceutical companies may also have responsibilities when interacting on social media accounts owned by other companies.
- This includes activities by third parties acting on their behalf even if that third party acts contrary to the instructions which they have been given.





CASE AUTH/2921/12/16

Grünenthal voluntarily admitted that a video, certified for internal use only, had been uploaded to YouTube and constituted promotion of Palexia to the public.



Agency submitted a shortened version of the **edited** video for a pharmaceutical marketing award with Grünenthal's consent.

On winning and without Grünenthal/agency knowing, the director provided a copy to the actor who subsequently uploaded it to YouTube.



Difference between putting examples of pharmaceutical promotional material on an advertising agency's website, in a section clearly labelled in that regard and putting the same on YouTube, an open access website.

A POM had been promoted to the public.

Breach: 26.1, 26.2, 9.1

No Breach: 2 (2016 Code)

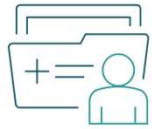


Contracts with third parties should cover in detail the governance of the activity including:

1. Relevant ABPI Code requirements
2. Relevant company policies & procedures
3. Ownership and control including use of and potential withdrawal of materials both during and after the contracted period.

Pharmaceutical companies are strongly advised to preview social media content from their contracted parties in relation to their contracted activities and of course are responsible for certification of the content as required by the ABPI Code





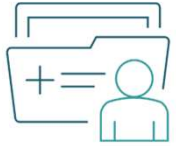
CASES AUTH/3349/5/20 and AUTH/3350/5/20



The Panel noted that whilst a written agreement between the parties, which referred to the need to declare the companies' sponsorship, was in place, it was not clear within the agreement that sponsorship must be clearly acknowledged and apparent from the start and, **on balance, a breach of Clause 27.3 (2019 Code) was ruled.**

Given the importance of transparency, the Panel considered that written agreements should be unequivocal about the requirements regarding declarations of sponsorship.





CASE AUTH/3226/7/19

The complainant alleged that a DuoResp Spiromax advertisement on the BMJ hosted website included prescribing information that was over 2 years out-of-date.



July 2017 - job archived

July 2019 – viewed by complainant.



It appeared to the Panel that having given instructions for the removal of the advertisement, Teva did not have a robust follow-up procedure to ensure that it had been withdrawn.

The company had only recently required its media buyers to check with digital publishers that relevant material had been removed.

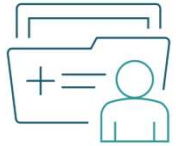
The advertisement contained out-of-date prescribing information which was not in line with the current SPC.

Breach: 9.1, 2 (2019 Code)

APPEALED

[As part of its appeal in this case Teva provided further clarification about the advertisement and its placement']





CASE AUTH/3226/7/19 APPEAL



Publisher made an error in leaving advertisement online for longer than the six-month contract period.

Teva expected compliance with the agreed period to be the responsibility of the publisher and would not routinely check the following month's journal to ensure its advertisements had not been placed in breach of its agreement.



The Appeal Board noted the advertisement had remained published for two years.

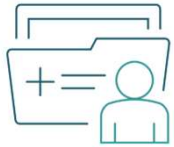
The Appeal Board considered that Teva did not have a robust follow-up procedure

Neither Teva nor its third party media agency had taken any steps to ensure the advertisement was taken down after the contracted period.

The advertisement seen in July 2019 contained out-of-date prescribing information.

Breach: 9.1, 2 (2019 Code) The appeal on this point was unsuccessful.





CASE AUTH/3583/11/21

The complainant alleged that the creative agency/ALK-Abelló had breached the Code by placing advertisements for an allergy medicine on Instagram.



- 2017** - ALK-Abelló Global contracted the UK based agency
- 2020** - Contract ended
- 2021** - Agency posted on Instagram



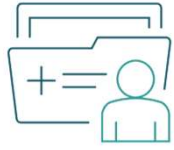
In the Panel's view, although the contract between the parties had ended, the agency was still considered a third party to ALK-Abelló in relation to the material at issue.

The Panel considered that ALK-Abelló had been badly let down by its third-party agency which appeared to have acted contrary to the written agreement between the parties resulting in a POM being promoted to the public.

Breach: 3.2 (2021 Code)

APPEALED [Further particulars came out at the appeal]





CASE AUTH/3583/11/21 APPEAL



At the cessation of the contract, ALK-Abelló Global had received confirmation from the creative agency that all copies of the promotional imagery produced by it during the contract had been returned/deleted.



The Appeal Board noted the above and considered that given the contract had ended over 16 months prior to the creative agency's Instagram post, the agency had not acted with ALK-Abelló's authority in this instance.

The Appeal Board considered that in the particular circumstances of this case, ALK-Abelló had not promoted a POM to the public.

No Breach: 3.2 (2021 Code)

The appeal on this point was successful.



Principles: Responsibility

Pharmaceutical companies may also be held responsible for its employee's activities via their personal social media accounts if:

- 1) It could be reasonably perceived that the employee is representing the company

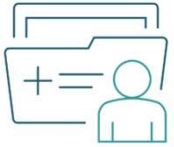
AND / OR

- 2) the company has instructed, approved or facilitated the individual and the activity

Pharmaceutical companies should assume that the Code would apply to all work-related, personal social media posts by their employees unless, for very clear reasons, it could be shown otherwise.

No exceptions depending on which part of the business, ie finance, medical or commercial has issued or engaged/interacted with a post.





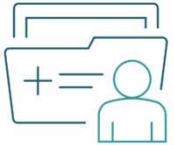
CASE AUTH/3533/7/21



The complainant provided a screenshot of LinkedIn posts 'liked' and shared by a named senior UK company employee using his/her personal account

- One post referred to abicipar, nAMD and how the study data could meet an unmet need. **Breach: 3.1 (2019 Code)**
- *'Allergan is excited to announce that the FDA has approved Allergan's sBLA for BOTOX (onabotulinumtoxinA) for its 10th therapeutic indication'* and invited readers to click on a link for further information. The link took readers to information headed 'Manage Your Child's Upper Limb Spasticity with BOTOX'. **Breach: 26.1, 4.1, 4.9 ,14.1 (2019 Code).**
- The Panel noted: **lack of clear guidance for UK employees**, the **seniority of the employee** and considered that in **promoting medicines prior to the grant of its marketing authorisation**, including to members of the public, Allergan had brought discredit upon, and reduced confidence in, the pharmaceutical industry.
Breach: 2 (2019 Code)





CASE AUTH/3533/7/21



- In the same case, another post was about chronic migraine, and specifically talked about its prevalence in the US (disease awareness).

The post linked to a US-based disease awareness website which according to Allergan contained no product mention.

The Panel queried Allergan's submission noting that the post referred to learning more about treatment options.

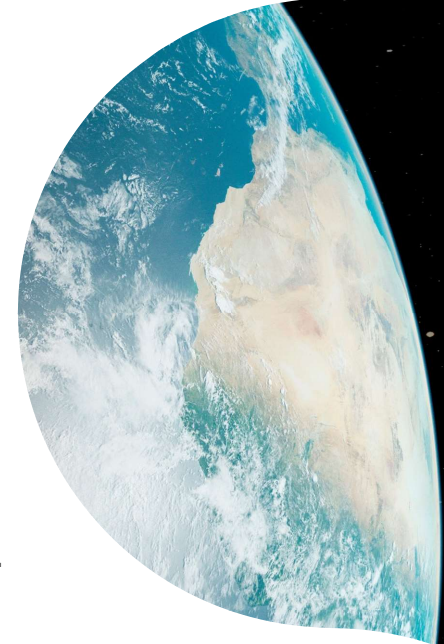
Nonetheless, the Panel did not consider that the complainant had established that the LinkedIn post was promotional and that in 'liking' the post, the Allergan employee had promoted any medicine.

No Breach: 26.1. (2019 Code)



Principles: Responsibility

- If placed on social media platforms **inside the UK**, its likely the UK Code would apply unless it can be clearly demonstrated that it did not apply.
- If a **UK-based** or **UK company employee** interacts / engages with a post, or a **UK audience is directed to it**, it would typically bring the activity within scope of the ABPI Code.
- It is an established principle under the ABPI Code that UK pharmaceutical companies are responsible for the activities of overseas affiliates where those activities come within the scope of the ABPI Code.

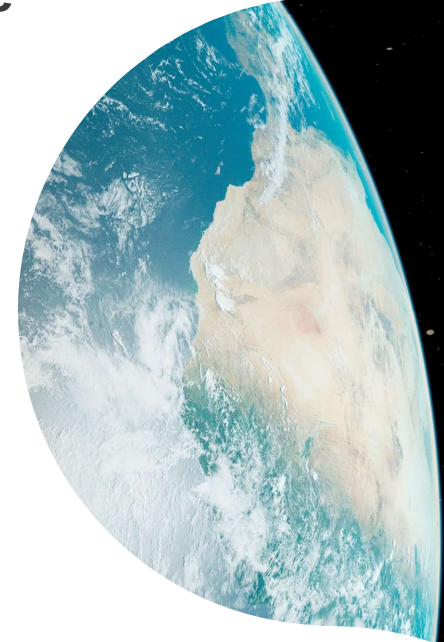


Principles: Responsibility

When do posts placed on social media platforms **outside the UK** fall within the scope of the ABPI Code?

Clause 1.2 states if it was placed there by:

- ✓ A UK company or with its authority or
- ✓ An affiliate of a UK company or with its authority and makes specific reference to the availability or use of the medicine in the UK





CASE AUTH/3444/12/20

'We're proud to announce top-line data from our Phase 3 trial of TAK-620 (maribavir) in transplant recipients with refractory /resistant cytomegalovirus (CMV) infections. Learn more here: [link].



Employee working in a **global role, but physically located in the UK**, used his/her **private LinkedIn account** to share and 'like' a post published on the Takeda Pharmaceuticals Global LinkedIn account managed from Japan.



The Panel noted that Takeda had been badly let down by its employee who had shared and 'liked' the LinkedIn post resulting in an investigational medicine being promoted prior to the grant of its marketing authorisation.

Breach: 9.1 (2019 Code)

The company had the requisite UK social media policy supplement in place and the employees had been trained and assessed on it.

The Panel considered that in the particular circumstances of this case a ruling of a breach of Clause 2 was not warranted.

No Breach: 2 (2019 Code)





CASE AUTH/3405/10/20

Videos of UK health professionals and/or UK patients which appeared on the Leo Pharma Global YouTube channel.



The Panel noted that most of the videos hosted on the Global YouTube channel referred to by the complainant made no reference to the availability or use of a Leo medicine in the UK and were therefore not within the scope of the Code.

Leo UK also hosted some of these videos, or parts of them on its own UK sites and channels and the company acknowledged that those on Leo UK websites and channels would be within the scope of the Code.



Overarching considerations



Considerations: **Pharmacovigilance**

- Clause 12.9, 26.4, 26.1 and 9.2
- Pharmaceutical companies should implement policies and/or procedures on social media platforms to ensure they meet their pharmacovigilance responsibilities.
- If the company (or an individual or third party on its behalf) becomes aware of an adverse event associated with a company product, it must be reported.
- It is recommended that comments underneath advertising/communications and direct messages to company owned or sponsored social media accounts are monitored for pharmacovigilance; alternatively, they can be restricted on certain social media channels.

Considerations: **Law, Regs, Code**

ABPI CODE:

- Clauses 1-10 (overarching requirements)
- Identify audience then refer to the applicable sections of the Code
- Assume product name particularly alongside indication will be seen as promotional
- It is possible that a product could be promoted without its name or indication being mentioned
- Proactive activity mentioning product / indication more likely to be considered promotional, as opposed to reactive reference information
- The ABPI Code distinguishes between the public and patients prescribed a particular medicine in limited circumstances. **Both are ultimately still members of the public.**

Considerations: **Law, Regs, Code**

ABPI CODE:

- Proactive provision of information by a pharmaceutical company about the unauthorised use of a medicine is very likely to be seen as promotion and in breach of the ABPI Code.
- There are exemptions set out in the supplementary information to Clauses 3.1 and 11.1 of the ABPI Code
- UK legal requirements only refer to products with or without a marketing authorisation with no further distinction.

Considerations: Law, Regs, Code

EFPIA CODE ANNEX 2 Principles for the use of digital channels states:

- A company owning the social media page or site is responsible for the content, for example, **any mention of a POM is likely to be considered promotional**
- **Study publication alerts** re. medicinal product directed at the public via social media to alert HCPs are likely to be considered promotion to the public (i.e. prohibited)



European Federation of Pharmaceutical
Industries and Associations

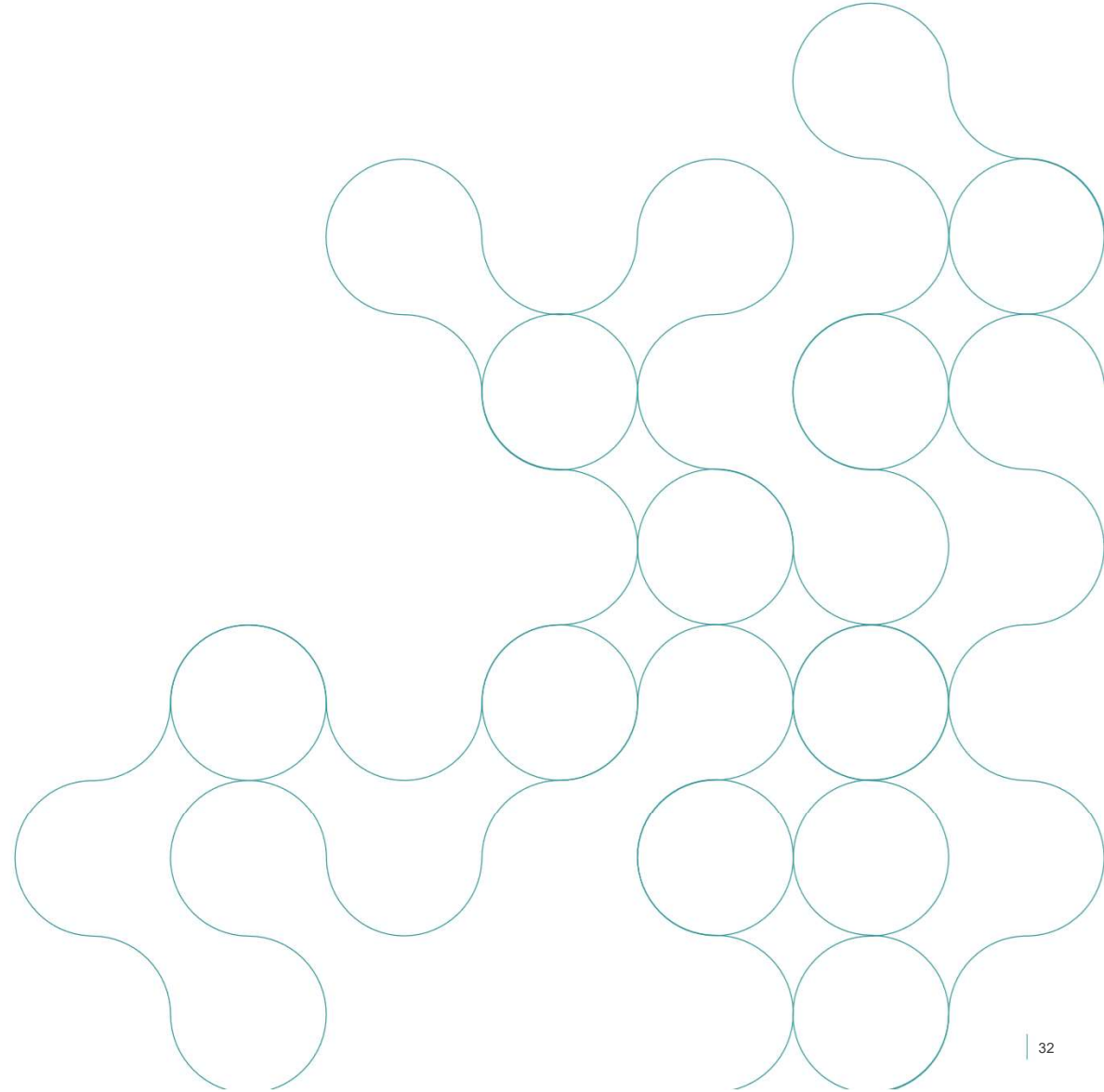
Considerations: Law, Regs, Code

LAW:

- Particular attention is drawn to the overarching requirement for UK activity to comply with Part 14 (Advertising) of the Human Medicines Regulations 2012.
- **Promoting a POM to the public is prohibited by UK law (as well as by European law), as is the advertising of a medicine which has not received a marketing authorisation.**
- Complaints are investigated by the MHRA on their own merits looking at the facts of the case and whether the content of concern is considered an advertisement for a medicinal product under the Regulations – ie something that is designed to promote its prescription, supply, sale or consumption. It is an offence for any person to be in breach of the Regulations.



Guidance



Links

- Will be regarded as being part of the post
- Companies must ensure that the linked content is appropriate and does not promote a POM to the public

Links in company posts should :

- ✓ Be appropriately named
- ✓ Be clear whether the link is to pharmaceutical company material/website or non-company material/website

Linked material:

- ✓ Should be clear regarding the intended audience and if the pharmaceutical company had any involvement in it.
- ✓ Include instructions for those who are not the intended audience in order to direct them to relevant information where required.



CASE AUTH/3438/12/20



Employee posted on his/her personal LinkedIn account 'So proud of the whole Pfizer team. What an amazing achievement #vaccines #proud' [link to BBC article]



Any material associated with a social media post, for example a link within a post, would be regarded as being part of that post.

The linked BBC article was headed 'Covid-19: Pfizer/BioNTech vaccine judged safe for use in UK'.

Code prohibits the use of the word safe without qualification

Breach: 7.9 (2019 Code)



Mentioning other accounts & tagging

- Exercise caution about the effect of tagging others and thus directing readers to the associated social media account
- Account(s) mentioned should be appropriate
- Permission might not be required to mention different stakeholders in company posts, but care must be taken to ensure that they are mentioned respectfully and only brought into relevant discussions.
- Chronology may be taken into consideration





CASE AUTH/3431/11/20

Employee's Instagram post included a photograph with a clinician stating, *'Exciting meeting with @[named health professional] and the team at @[named clinic] today!'* and included three hashtags related to Juvederm.

Clinician's Instagram post, using the same photograph, stated, 'Lovely to see @[named Allergan employee] this lunchtime ... Allergan (the makers of Botox and Juvederm) have been our partners for years ...'. Followed by hashtags including #botoxandfillers and eight hashtags stating 'botox' followed by a named geographical area



The Panel noted that the employee's Instagram post included a tag to the clinician which if clicked appeared to take readers to his/her clinic's account which could be viewed without having to follow that account. Whilst no indication was included within the HCP's post, the indication of Botox was widely known to the public

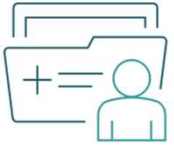


The Panel considered that in tagging the clinician and directing readers to the clinician's clinic's social media account, the Allergan employee had promoted a prescription only medicine (Botox) to the public.

Breach: 26.1 (2019 Code)

APPEALED





CASE AUTH/3431/11/20 - APPEAL



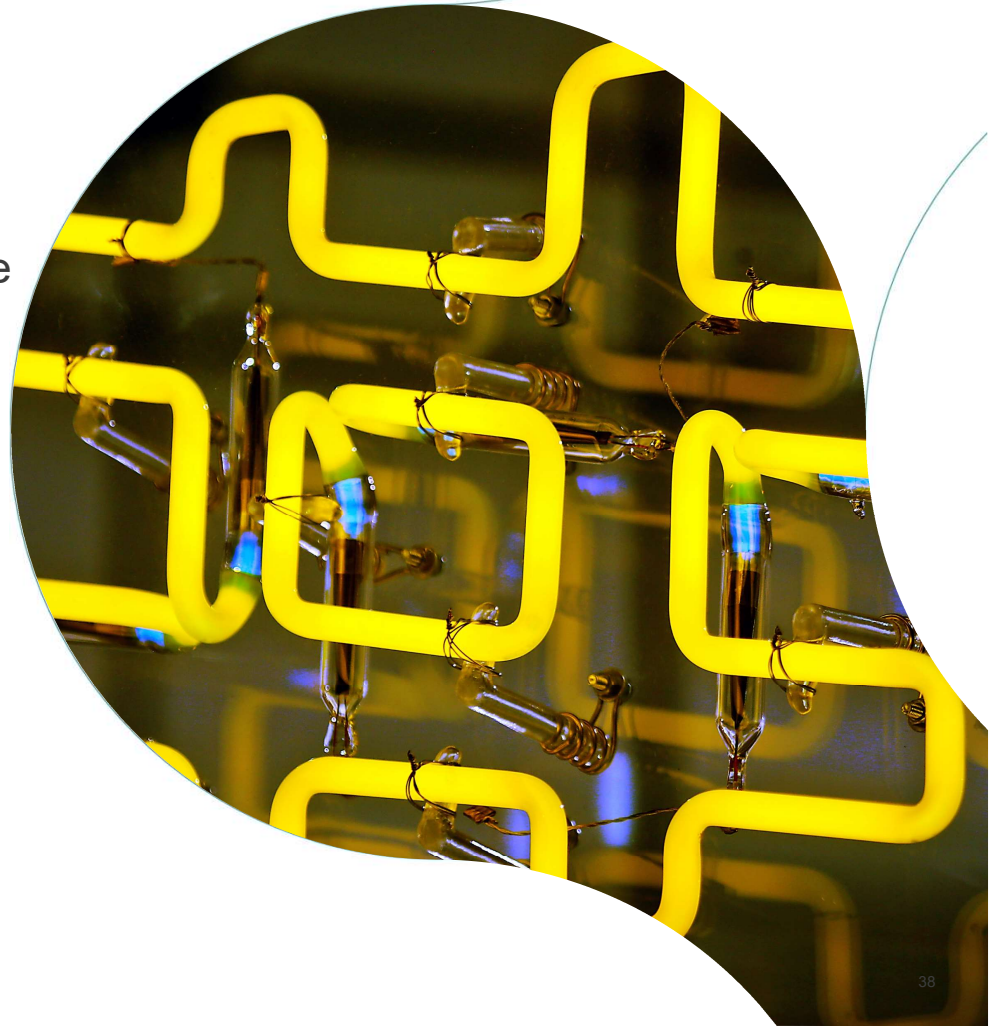
- The Appeal Board noted that 'Botox' had become synonymous in popular culture as a cosmetic treatment to reduce facial lines and wrinkles.
- It was not clear whether the clinician's post was posted before or after the Allergan employee's post linking to his/her account.
- Likely only to be in breach of Clause 26.1 if there was evidence to show that the promotional content appeared on the linked account at the point the linkage was made by the Allergan employee.
- The Appeal Board considered that in this case there was insufficient evidence regarding the chronology of events.
- On this narrow ground ruled no breach of Clause 26.1

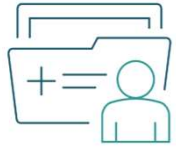
The appeal on this point was successful.



Hashtags (#)

- Exercise caution
- Hashtag and associated feed should be appropriate
- Choosing a hashtag that contained a claim for a POM would likely constitute promotion





CASE AUTH/3431/11/20



'Brotox: To soften fine lines and wrinkles, a shoutout to @[named person] who had come to the clinic for some subtle Brotox' followed by a number of hashtags including #Brotox and #botox.

The second LinkedIn post 'liked' by the same Allergan employee discussed booking an appointment at one of the group's clinics and included the hashtag, #Botox.

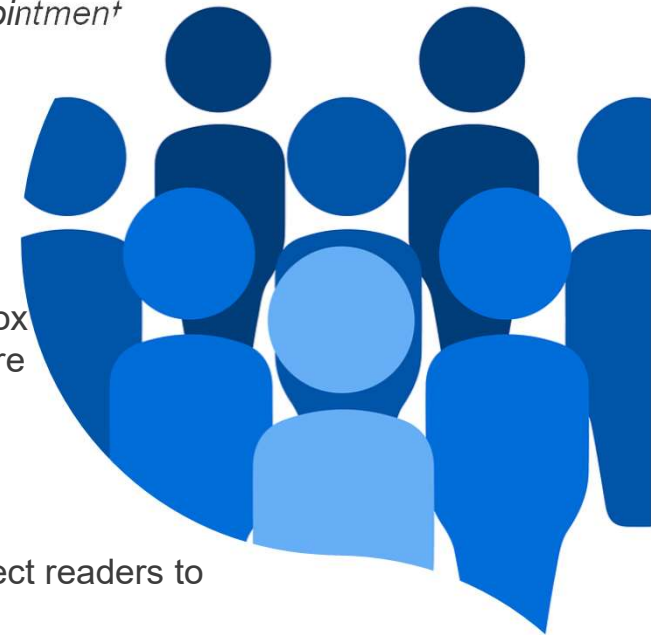


Posts by a clinician but 'liked' by a company employee



The first post referred to Botox and its indication and included reference to #botox and #Brotox which would direct readers to their related hashtag feeds which were likely to contain posts that promoted Botox. In 'liking' the post the employee had distributed the information to the public and endorsed the term 'Brotox' which trivialized use of a POM.

Second post, mention of Botox in itself was promotional. The hashtag would direct readers to the Botox hashtag feed which was likely to contain posts that promoted Botox



Breach: 26.1, 9.1 (2019 Code) **Unsuccessfully appealed**

Correcting factual inaccuracies

- Difficult area and is a question of company policy
- Cross-referencing to SPC/ PIL/eMC
- Cross-referring to a particular section of such documents might be less acceptable
- Could refer to company's reference information
- Reference information must not be presented in such a way as to be promotional in nature.

NOTE: This is a limited additional use for reference information – a proactive use rather than a reactive use and is limited to correcting specific published misinformation or inaccuracies about POMs published on social media and not in relation to general misinformation a company is aware of.



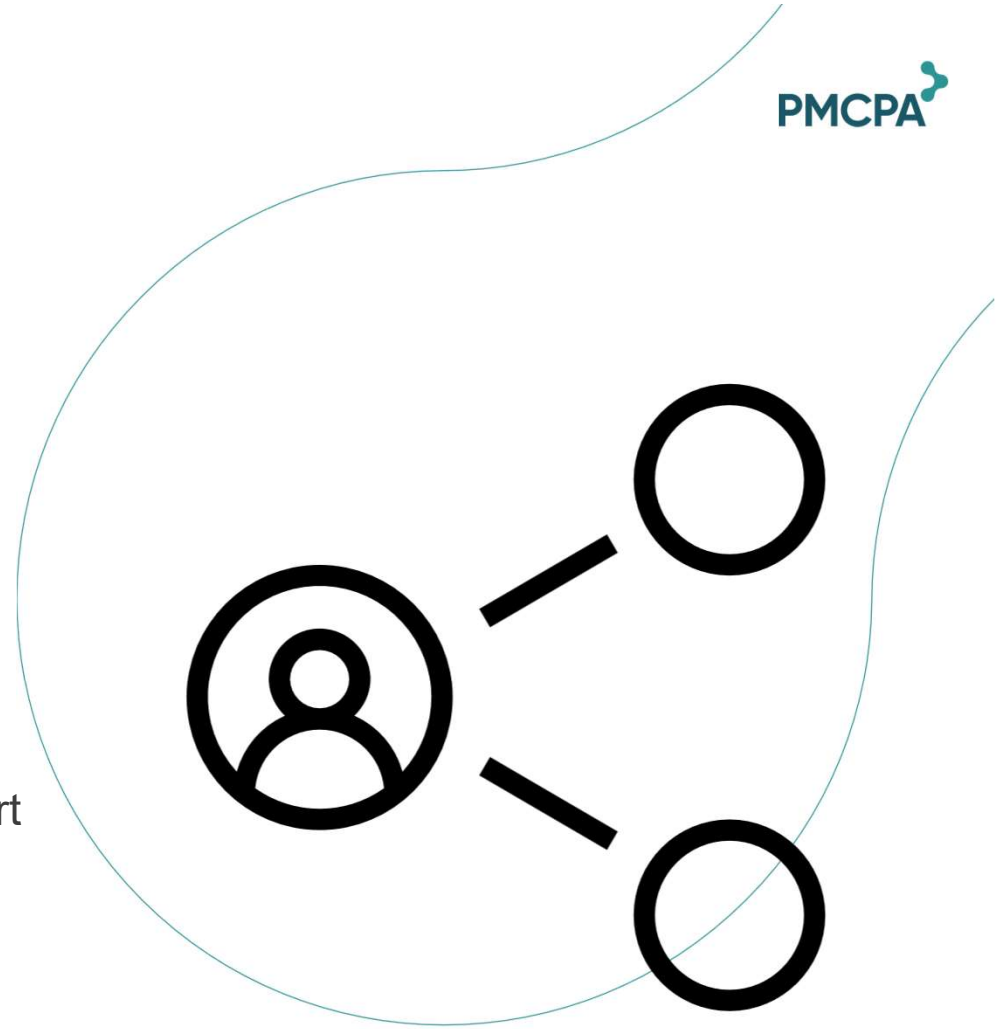
This Photo by Unknown Author is licensed under CC BY

Posting/Sharing/Re-sharing

Posting information is the proactive provision of information directly on a social media platform through the creation of content.

Sharing / re-sharing:

- Companies must ensure that the shared/reshared content (post and any linked content):
 - is in line with the ABPI Code and
 - is approved/certified if necessary
- Engaging with a post e.g. 'like' on LinkedIn might alert one's connections to the content; considered to be a type of 'sharing/re-sharing'.





CASE AUTH/3167/2/19

PMCPA³

Tweet by a HCP who had attended a Novartis meeting stated, *'So many terrific talks at the @NovartisUK Haematology Masterclass meeting on recent advances in MPN, AML, CAR, ITP, AA, CML (attached pic of [name] giving an excellent plenary talk) and many more. Haematology is such an exciting field – can't wait for next year!!'*



Retweeted by Novartis UK

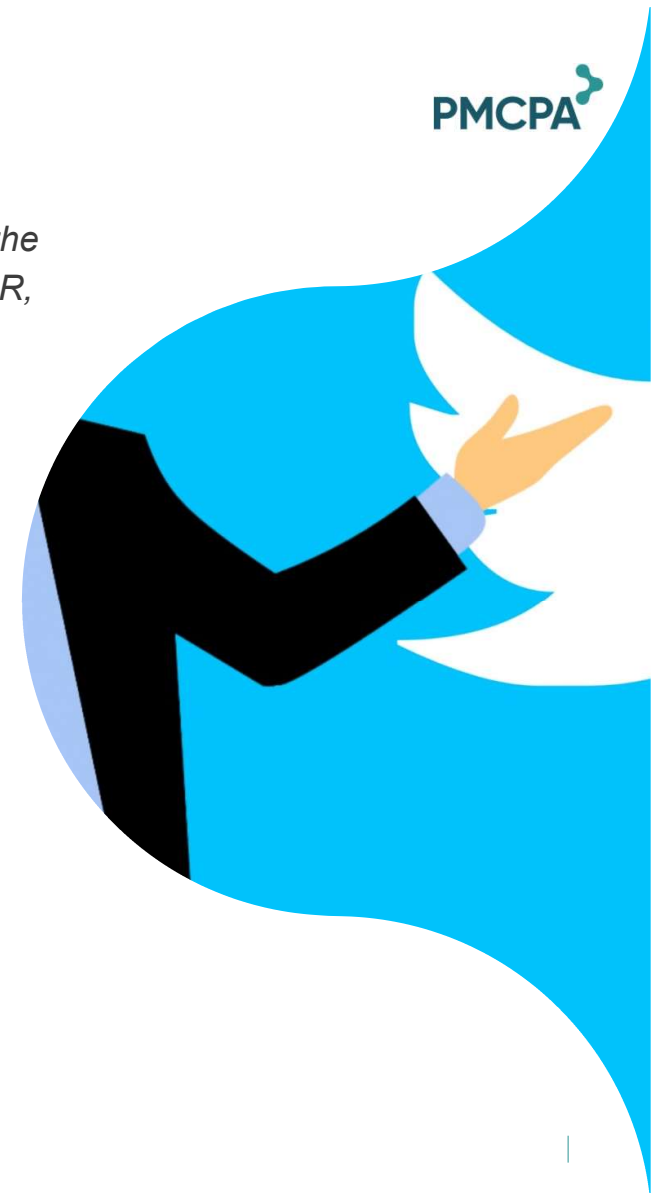


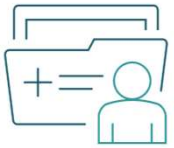
Complainant made a number of allegations including alleged promotion to the public



Retweet made no direct/indirect reference to a specific POM nor was a POM visible in the photograph

No Breaches ruled (2016 Code)





CASE AUTH/3248/9/19

PMCPA³

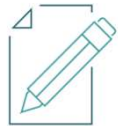
Voluntary admission regarding an employee re-tweeting 9 tweets made by an HCP about Forxiga following a congress



Original tweets posted by health professionals



Retweeted by a UK-based AstraZeneca global employee using his/her personal account



Promoted Forxiga for an unlicensed indication, advertised a POM to the public, and the material was not certified. Furthermore, SOP might have been difficult for some employees to understand

Breach: 3.2, 9.1, 14.3, 26.1 (2019 Code)





CASE AUTH/3579/11/21



*'I'm blessed! 26.5 years after terminal cancer diagnosis' followed by the bold heading **'Once terminal, Now controllable'** beneath which was a photograph and the text *'[named patient advocate] was diagnosed with chronic myeloid leukemia and was running out of time when he enrolled in a clinical trial studying Gleevec, a targeted therapy ...'**



Original LinkedIn post made by a patient advocate and mentioned Novartis' product (by US brand name)



Post re-shared by representative of another pharma company



Novartis UK based employee then 'liked' the shared post



Second Novartis UK based employee liked and commented 'Glivec is a lifesaver drug' on the original post

Breach: 5.1, 6.1, 6.2, 14.4, 26.1, 26.2 (2021 Code)



Signposting vs Posting/ Sharing/Re-sharing

Signposting:

- Points to information
- Describes the nature of the information & who it is for
- Should enable the viewer to decide if it will be relevant for them and choose to find out more
- The signpost must not directly or indirectly promote a POM.
- Requires validation before accessing further information
- For example, signposting can be used to invite health professionals to register for a meeting

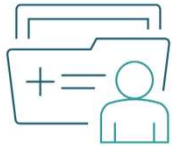


Meeting Advertisements

- Can signpost to meetings on social media
- Must highlight the intended audience
- The signpost must be non-promotional
- Ensure company involvement transparent and promotion is not disguised
- Following validation, further information about the meeting can be provided

Example: Company account LinkedIn targeted post which states 'For UK health professionals only. Register for a PharmaXYZ promotional webinar on the management of Type II diabetes in primary care. PharmaXYZ medicines will be promoted [link to a registration page where the individual must confirm that they are a UK health professional and can register their interest to receive further details about the webinar].





CASE AUTH/3361/6/20



Advertising of a meeting on LinkedIn by Merck Sharp & Dohme UK. The post invited UK health professionals and other relevant NHS stakeholders to join a panel of experts discussing the management of type 2 diabetes in patients with established cardiovascular disease. It was stated that the promotional meeting had been organised and funded by Merck Sharp & Dohme, whose products would be discussed.



Advertisement for a company promotional meeting, clearly identified as such

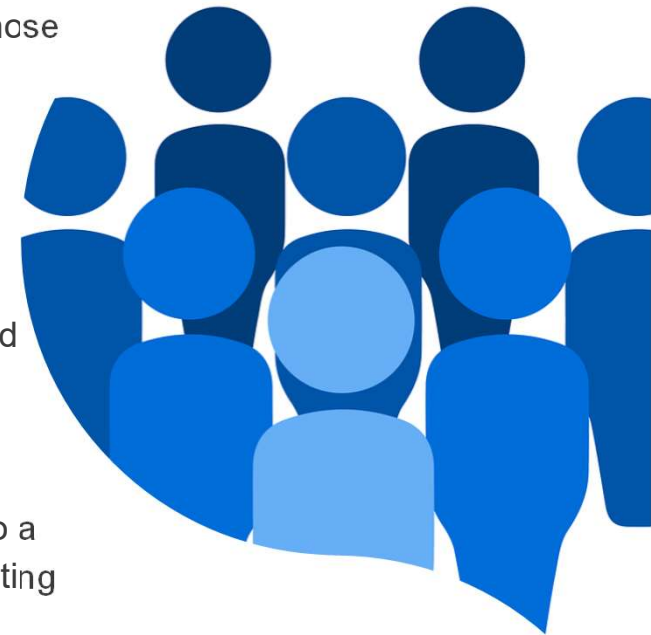


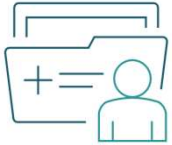
Targeted via a LinkedIn algorithm to health professionals; pre-specified criteria had to be met before the post would appear. The post did not appear on the MSD LinkedIn feed.



The Panel noted the processes MSD had in place for sending the LinkedIn post to a targeted audience and to prevent inappropriate individuals registering for the meeting

No Breach Clauses 9.1, 11.1 (2019 Code)





CASE AUTH/3393/10/20

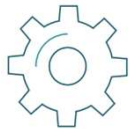
Boehringer Ingelheim UK tweet included: *'How should bleeding risk influence your treatment decision-making for stroke prevention in NVAF [nonvalvular atrial fibrillation]?'* The tweet was an invite to join an online meeting. Stated for UK Health Professionals and that it was organised by Boehringer Ingelheim and that product information would be discussed.



Company paid for Twitter advertisements to advertise the promotional webinar



Advertisements were targeted, and would only appear to individuals targeted by the campaign (not in the company general feed) and were certified non-promotional



Registration page required individuals to register as a health professional and have their identity confirmed by the company in order to view further material

No Breach Clauses 2, 9.1, 12.1, 26.1 (2019 Code)



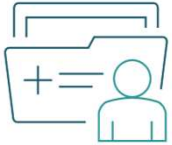
Product and Pipeline Milestones

Consider the following when signposting to such information on social media:

- The post should be an informative signpost and must not mention product name or study name
- Must include clear signposting for the intended audience
- The press-release must be housed on a website in a section tailored to the intended audience where self-validation is required prior to access.
- Example : Corporate company account post which states 'FOR MEDICAL MEDIA. New Press Release regarding recently published data in Oncology is available on our website [link to media section of corporate website where the individual has to self validate that they are the intended audience prior to accessing the press release]
- Care must be taken as excessive social media activity might constitute promotion



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CASE AUTH/3434/12/20



Press release on Menarini Group LinkedIn account. Post stated: '62nd ASH Annual Meeting: Menarini Ricerche presents SEL24/MEN1703 pharmacodynamic data from the dose escalation part of DIAMOND-01 trial, with the poster entitled: "SEL24/MEN1703 provides PIM/FLT3 Downstream Pathway Inhibition in Acute Myeloid Leukemia Blast Cells: Results of the Pharmacodynamic Assay in the Dose Escalation Part of First- in-Human DIAMOND Trial". Look at our last PR to get more details about it! [link] #Menarini#Research#Leukemia



Originally press release posted by global company on its account



Liked by UK company employee



Positive results of an investigational compound under examination for the treatment of acute myeloid leukaemia proactively disseminated to the public by UK employee.

Breach: 9.1 (2019 Code)

No Breach: 26.1 (not classified as a POM)



Corporate News and Announcements

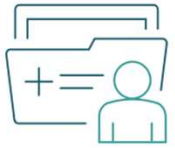
- Can be posted/shared on social media
- Must be appropriate for the public
- Such content should not directly or indirectly mention products.
- Can include, for example, new executive appointments, corporate partnerships and acquisitions, employee recognition, and company awards.



Professional Profiles and Job Advertising

- Job titles & descriptions should avoid mentioning POMs, particularly alongside the indication/therapy area or product benefits
- It might, however, be permissible to include in an appropriate and proportionate way, brief details with regard to product names and/or therapy areas worked in within the more detailed 'Experience' section of a professional profile which requires the viewer to actively search for it, e.g. additional clicks / scrolling





CASE AUTH/3410/10/20

'[Job title] Cabometyx RCC at Ipsen' in the individual's LinkedIn profile.



Personal profile of an employee on LinkedIn



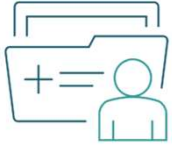
Brand name and indication mentioned in job title



POM promoted to public.

Breach: 9.1, 26.1 (2019 Code)





CASE AUTH/3476/2/21



Brand name and therapy area mentioned in experience section within the employee's profile



Information within the experience section would require an individual to actively search for it within the profile



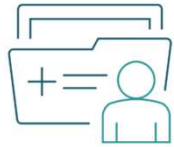
No Breaches ruled.

Disease Awareness for the Public

- Purpose to increase awareness of a disease or diseases
- Can encourage public to visit HCP to seek treatment
- Must not promote a particular product
- Care must be taken to bear in mind the considerations for certification under Clause 8.3



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CASE AUTH/3162/2/19

PMCPA³

'This Heart Failure Awareness Week, we're joining @HFSA [Heart Failure Society of America] to help raise awareness of #heartfailure and prevention. Check out the #HFWeek2019 schedule of events to learn more [link]. #AmericanHeartMonth.'

Below this text was artwork promoting HFSA and the heart failure week. There was a strapline 'Do your part, know your heart'.



Original tweet sent by the company in the US



Re-tweeted by the global organisation based in UK (therefore UK nexus)

Re-tweet was approved and certified as non-promotional by a UK signatory



Neither the tweet nor the linked events schedule mentioned any specific medicine

No breaches ruled (2016 Code)





CASE AUTH/3428/11/20



Post on global (Denmark) corporate LinkedIn page. UK corporate site directed users to the page therefore within scope. In addition, post engaged with by UK employees

'29th October is #worldpsoriasisday. At Leo Pharma, we're marking this day by launching a series of patient videos that outline everyday challenges of living with psoriasis. Learn more about our commitment to helping people with psoriasis, not just today - but every day – by visiting www.everydaypsoriasis.com #beinformed #WPD2020 #everydaypsoriasis'
[Included a video]



The webpage referred to managing the condition. The Panel considered that the post constituted educational material for the public related to psoriasis. The material had not been certified as required.



Breach: Clause 14.3 (2019 Code) Ruling upheld on appeal by Leo

Patient Support

- Can use social media to provide information to patients who have been prescribed a particular POM
- Example: video of how to take a medicine hosted in a secure section of YouTube that is only accessible by those with the unique URL and is not available via a general search
- Target audience must be clearly identified
- Content must be appropriate for the audience
- Must be certified



Working with Social Media Influencers

- Exercise caution
- Ensure they are aware of the pharmaceutical companies' responsibilities and all other required obligations
- Transparency is critical - the relationship between the pharmaceutical company and the influencer must be made clear at the outset.
- Companies will be held accountable for actions of contracted parties, even if they act contrary to the instructions given



Promotion to Health Professionals and Other Relevant Decision Makers (ORDMs)

- Companies must only use social media platforms for promotion of POMs to HCPs if they are confident that they can meet all the requirements of the Code, including:
 - Content only visible to the intended HCP audience
 - Ensuring only available to those HCPs whose need for or interest in it can reasonably be assumed
 - Prior permission obtained from the HCP
 - Pharmaceutical company involvement clear from the outset
 - Promotion is not disguised
 - Certification
 - Obligatory information such as PI and AE reporting statement
- Companies must also be confident that they can meet the T&Cs of the relevant social media platform



Clinical Trial Recruitment

- Carefully targeted at appropriate demographic
- Must not raise unfounded hopes
- Avoid referring to specific products
- Include a description that supports appropriate people/patients in the disease area to find out more
- Consider all other applicable codes, laws and regulations including the requirements of the Health Research Authority (HRA).



Q&A





Thank you

Prescription Medicines Code of
Practice Authority

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