

ANF Response to the Concept paper submitted for public consultation

***Implementing Act on a common logo for legally-operating online pharmacies/retailers offering medicinal products for human use for sale at a distance to the public.***

The National Association of Pharmacies (ANF) is a professional association, member of the Pharmaceutical Group of the European Union (PGEU), with 2765 affiliated pharmacies which represents 95% of the Portuguese pharmacies.

ANF's mission is to protect the interests of the legal owners of community Pharmacies, by supporting them in the social-political, professional, economic, financial and fiscal domains.

ANF subscribes PGEU response to this concept paper however, given the different organization and characteristics of the national health systems we consider important to highlight some relevant aspects at national level.

In fact, the only existent problems in Portugal related to falsified medicines are associated to the illegal sale of medicines over the internet. There are no known cases of falsified medicines entering in the legal supply chain.

We consider that the certification process of internet sales of OTCs currently in place in Portugal and the surveillance and awareness activities conducted by the National Agency (INFARMED) effectively protect the Portuguese citizens. Nevertheless, we acknowledge the need of further mechanisms to increase safety and awareness to the dangers associated with internet sales of medicines, particular those associated to the increasing number of illegal overseas "internet pharmacies".

Thus, ANF welcomes the decision of the European Commission in introducing mechanisms to enhance the safety of the legal medicines distribution channels and protect European citizens from the counterfeiting of medicines.

However, we also believe that the adoption of a logo can be counterproductive since it can introduce a false sense of security among citizens. Logos and a national list of legally-operating online pharmacies/retailers with reciprocal links can be easily falsified and, instead of improve safety, these may facilitate the dissemination of illegal "internet pharmacies".

On the other hand, in our point of view, the logo options proposed in the concept paper can cause confusion among European citizens. Both the options include a cross that is worldwide associated with medical/pharmaceutical services. In the option one, is included the Green Cross, a symbol used in a vast number of countries to identify pharmacies.

In the particular case of Portugal, the legal regime of Pharmacies (decree-law 307/2007, 31<sup>st</sup> of August, amended by the decree-law 171/2012, 1<sup>st</sup> of August, article 27) establishes that the

symbol Green Cross can only be used to identify pharmacies. Since OTCs can be sold outside pharmacies, by entities not directly related to health such as supermarkets and other stores, the utilisation of the Green Cross in the common logo can lead to misleading situations and, in our opinion should be avoided.

Symbols that can create confusion among citizens about the entities that are able to use medical/pharmaceutical symbols and therefore about the ones that provide health and pharmaceutical care, should not be used in any situation by other entities. Thus in our opinion, the common logo cannot include the medical/ pharmaceutical crosses. Instead, the design of the logo should be easily associated to security and not to health/pharmaceutical care.

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