

24th January 2013

European Commission
DG SANCO
Unit D6 “Medicinal Products, Quality, Safety and Efficacy”
DM 24 02/36
B-1049 Brussels

Re: Concept Paper 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”
(Directive 2011/62/EC)

Dear Sirs

I am writing to you, as the Competent Authority in this country, established under the Pharmacy Act 2007 for the regulation of pharmacists and retail pharmacy businesses, in connection with the implementation of the above Directive as it relates to the common logo as set out in the Commission’s Concept Paper dated 17th October 2012¹.

As you may be aware, Ireland is one of those Member States which permits the sale of certain categories of medicinal products in outlets other than in retail pharmacy businesses (i.e. pharmacies) and for that reason, some concerns have been expressed about the inclusion of the “cross” which for many years has been distinctive of pharmacies, in particular, their location for the benefit of the public. The concerns that have arisen have their origin in the possibility that, at some future date, some outlets that are not pharmacies may attempt to use the “logo” concerned, including the “cross”, for the purposes of identifying and/or promoting their fixed establishments and in that manner create confusion in the minds of the public.

It is therefore proposed that some provision might be included in your “implementing act” to prevent the potential misuse of this “logo” in this manner and that this provision might be

¹¹ *Sanco.ddg.d.6(2012)1117232*

based, somewhat, on paragraph 21 of your Concept Paper which would make it clear that the use of the logo in respect of an outlet is restricted solely to the purposes of Article 85c(d)(3) of Directive 2001/83/EC (as inserted by the above Directive).

I trust that these concerns and proposal can be taken into account in your preparation of the required “implementing act”.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Ciara McGoldrick', written over a horizontal line.

Ciara McGoldrick

Registrar

cc: Department of Health, Hawkins House, Dublin 2.