

Warsaw, 7th May. 2008

Polish Consumer Federation

European Commission
Enterprise and Industry Directorate General

Answer to public consultation in preparation of a legal proposal to combat counterfeit medicines for human use

We express our concern with the proposed solutions in terms of combating counterfeit drugs, regarding the introduction of a ban on repackaging of medicinal products. The proposal was expressed in item 4.1.3. of the document presented by the European Commission for public consultation on March 11th, 2008.

In our opinion the proposal does not progress the case of combating the growing phenomenon of counterfeiting of drugs, while it may be detrimental for the economical interest of Polish patients.

Introduction of the ban on repackaging of drugs would mean in practice elimination of parallel import – a legitimate and safe activity, which has provided savings for European patients for 30 years. In 2007 alone, patients in Poland saved over 30 million zlotys thanks to parallel import.

Parallel import has introduced competition on the branded drugs market, causing a price decrease of many of those. Considering the patients' very high level of participation in payment for drugs, we are concerned by any actions restricting competition in the manner inevitably leading to increasing prices of drugs.

The proposals presented in the document are also alarming in the context of combating counterfeit medicines. They may detract the attention of authorities and of the public from the real threat that is marketplace trading or illicit trading on the Internet. According to information of the Main Pharmaceutical Inspectorate, not a single case has been found in Poland of a counterfeit drug in the legitimate distribution channel, including that of parallel import.

With kind regards,

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Polish Consumer Federation

President