

# GENERAL PRACTITIONER v BOEHRINGER INGELHEIM and LILLY

## Cymbalta leavepiece

A general practitioner complained that a Cymbalta (duloxetine) leavepiece issued by Boehringer Ingelheim and Lilly, did not have the non-proprietary name immediately adjacent to the most prominent display of the brand name.

The Panel noted that the non-proprietary name did not appear immediately adjacent to the most prominent display of the brand name and a breach of the Code was ruled as acknowledged by the companies.

A general practitioner complained about a Cymbalta (duloxetine) leavepiece (ref CYM637) issued by Boehringer Ingelheim Limited and Eli Lilly and Company Limited. The leavepiece consisted of a single sheet of paper; the front bore promotional messages for Cymbalta whilst the prescribing information appeared on the reverse.

### COMPLAINT

The complainant alleged that the leavepiece did not have the non-proprietary name immediately adjacent to the most prominent display of the brand name.

When writing to the companies the Authority requested that they respond in relation to Clause 4.3 of the Code.

### RESPONSE

The companies submitted separate responses. Both companies accepted that the non-proprietary name was not immediately adjacent to the most prominent display of the brand name and apologised for the breach; they would endeavour to ensure it was not repeated.

### PANEL RULING

The Panel noted that the brand name Cymbalta appeared in prominent text at the top of the front page of the leavepiece and in logo format at the bottom of that page. Although the intervening text referred to 'Cymbalta (duloxetine)' the non-proprietary name did not appear immediately adjacent to the most prominent display of the brand name and a breach of Clause 4.3 of the Code was ruled.

Complaint received 21 February 2007

Cases completed Case AUTH/1964/2/07  
16 March 2007  
Case AUTH/1965/2/07  
15 March 2007