

ANONYMOUS v BRISTOL-MYERS SQUIBB and OTSUKA

Alleged inappropriate hospitality

Anonymous complainants alleged that Bristol-Myers Squibb had provided inappropriate hospitality at a meeting for psychiatrists; delegates had enjoyed the food, hotels and cultural programme. It was alleged that the meeting did not have a scientific committee, abstracts were not invited or selected as was recognised at scientific conferences. The complainants questioned whether there was a special relationship between these doctors and Bristol-Myers Squibb.

The complaint was originally only taken up with Bristol-Myers Squibb but the company submitted a joint response with Otsuka as the meeting in question had been sponsored by both companies.

The detailed response from Bristol-Myers Squibb and Otsuka is given below.

The Panel noted that the two day meeting started mid-morning on a Friday and, with a break for lunch, and one in the afternoon for tea, the scientific programme continued until early evening. Saturday's scientific programme started at 9.30am and, again with breaks for meals and refreshments, continued until 4.30pm. The programme stated that the presentations given by two international speakers had been sponsored by Bristol-Myers Squibb and Otsuka. The programme further stated that the hotel accommodation and hospitality for the meeting had been paid for by the companies.

The Panel considered that according to the programme, the scientific/educational content was not unreasonable for sponsorship by a pharmaceutical company. There was no cultural programme as alleged by the complainants. The prime purpose of the meeting was scientific/educational. The costs involved had not exceeded those which the delegates might normally adopt when paying for themselves. No breach of the Code was ruled.

Anonymous and uncontactable complainants complained about a meeting for psychiatrists sponsored by Bristol-Myers Squibb Pharmaceuticals Limited. The complaint was originally only taken up with Bristol-Myers Squibb but the company submitted a joint response with Otsuka Pharmaceuticals (UK) Limited as the meeting in question had been sponsored by both companies.

COMPLAINT

The complainants noted that Bristol-Myers Squibb marketed aripiprazole and stated that it was not very well prescribed compared with other antipsychotics. It appeared that in order to improve the market share

Bristol-Myers Squibb sponsored a two day meeting for about 150 psychiatrists the majority of whom enjoyed hospitality at the hotel in Birmingham. The meeting was organised by 'West Midland Psychiatric Research Group'. It needed to be investigated as to whether this meeting/conference of Asian psychiatrists was approved by the ABPI or not. The speakers' lectures were not approved by the ABPI. Bristol-Myers Squibb had invested a huge amount of money in this meeting. Delegates enjoyed the food, hotels and cultural programme. The meeting did not have a scientific committee, abstracts were not invited or selected as was recognised in scientific conferences. This was strong evidence to suggest this company had breached the Code with regard to hospitality provided to doctors and a huge amount of money was paid to the organisers. The complainants requested full thorough investigations.

- How much did Bristol-Myers Squibb pay the organiser of the meeting? There should be bank to bank record. Had the company also paid cash?
- Why did only Bristol-Myers Squibb sponsor and not others?
- Was there a special relationship between this group of doctors and Bristol-Myers Squibb?

When writing to Bristol-Myers Squibb, the Authority asked it to respond in relation to Clauses 2, 9.1 and 19.1 of the 2006 Code.

RESPONSE

Bristol-Myers Squibb and Otsuka submitted that the allegations were untrue. Both had taken all necessary steps to ensure that they had adhered to the Code and internal (Standard operating procedures (SOPs)). From their review they did not believe that they had breached the Code, specifically in relation to Clauses 2, 9.1 and 19.1.

The companies agreed with the Midlands Psychiatric Research Group to be sole sponsors (at its request) of its two day International Seminar on Psychiatry. The sponsorship included provision of two international speakers for the meeting (honoraria, travel and accommodation) – recruited and managed by the companies. Speaker agreements (provided) were signed by these two speakers and they received the same hospitality and stayed at the same hotel as all other delegates.

A further £5,500 was given to the Midlands Psychiatric Research Group to cover the travel cost for four other international speakers (£3,000) and travel cost for three international chairpersons (£1,500) – these individuals were all recruited and managed directly by the

Midlands Psychiatric Research Group. The cost for all other speakers and chairpersons was paid for by the Midlands Psychiatric Research Group. The remaining £1,000 was provided for administration costs (secretariat service, postage, printing, registration, local logistics and follow up). Meeting room and equipment hire, meals, beverages and overnight accommodation (one night for delegates, three for international speakers) as required were provided at a cost of £37,883.50.

The meeting had 10 hours 30 minutes of scientific content; 4 hours 30 minutes on the Friday and 6 hours on the Saturday. This meeting was only open to health professionals and the invitation and registration of delegates was managed independently by the Midlands Psychiatric Research Group. Delegates were predominantly from the Midlands but some also came from other parts of the UK. Delegates were invited to attend both days of the meeting. There were 175 health professional attendees including the various speakers and chairpersons.

Sponsorship of the meeting was clearly declared on the front of the approved draft invitation by Bristol-Myers Squibb and Otsuka. An additional declaration of sponsorship for the Bristol-Myers Squibb/Otsuka presentations was added to that particular section of the programme.

A draft invitation and agenda were created by the chairperson in collaboration with the companies for planning purposes only. The final approved version was provided. A copy of the registration form and attached programme that was sent out to delegates was provided. The scientific programme was of a very high quality and included a number of eminent speakers and chairmen.

The hospitality was provided at a level appropriate for such a scientific meeting. No partners were invited and although the venue was selected by the Midlands Psychiatric Research Group it was not deemed to be unsuitable by the companies (a four star hotel with excellent conference facilities near Birmingham airport).

The meals and beverages provided for delegates on the Friday evening after the academic session were modest in terms of costs and quantity. The overall cost per head for the two day meeting was £202.50 – this excluded equipment hire. The total hotel cost (including all equipment hire) was £37,883.50. Lunch and coffee breaks were provided on the Saturday as part of a day delegate rate (£55 per person). The overnight rate (£120 per person) included breakfast, lunch, dinner and all coffee breaks as well as the overnight stay.

As this was planned as a two day meeting and since many delegates came from across the Midlands and other parts of the UK, optional accommodation was provided. For unknown reasons thirteen rooms that were booked and paid for were not used by the clinicians. Of the 175 delegates, 148 stayed over on the Friday night. On the Thursday night 19 of the

international speakers and chairpersons (coming from as far afield as Australia, Canada, USA, Malaysia and Pakistan) stayed overnight (at £99 per person) and on the Saturday night 18 of this group stayed overnight. No entertainment was provided at any time during the meeting and the total beverage bill was £958.50 on the Friday evening which if divided by the attendees at the meal (148) approximated to an average of £6.48 per person.

In summary, Bristol-Myers Squibb and Otsuka believed they complied fully with the Code and that the allegations were unfounded. They therefore did not believe they had breached Clauses 2, 9.1 or 19.1.

PANEL RULING

The Panel noted that the two day meeting started on a Friday at 10.15am; with a break for lunch, and one in the afternoon for tea, the scientific programme continued until 7pm. Saturday's programme started at 9.30am and, again with breaks for meals and refreshments, the scientific sessions continued until 4.30pm. The programme stated that the presentations given by two international speakers had been sponsored by Bristol-Myers Squibb and Otsuka Pharmaceuticals. The programme further stated that the hotel accommodation and hospitality for the meeting had been paid by the companies.

The Panel considered that according to the programme, the scientific/educational content was not unreasonable for sponsorship by a pharmaceutical company. There was no cultural programme as alleged by the complainants. The prime purpose of the meeting was scientific/educational.

As noted on the programme, Bristol-Myers Squibb and Otsuka had sponsored presentations by two international speakers. The companies had submitted that such sponsorship had included honoraria, travel and accommodation. The two speakers had been recruited by the companies. The companies had also covered the travel costs of four other international speakers and three chairpersons chosen by the Midlands Psychiatric Research Group.

The total hotel cost for the 175 attendees, speakers and chairman was £37,883.50 which gave a cost per head of £216.48. The beverage bill on the Friday night was £958.50 which, divided by the number of people at the meal (148) was approximately £6.48 per head.

The Panel did not consider Bristol-Myers Squibb's and Otsuka's sponsorship of the meeting was unreasonable. The main purpose of the meeting was scientific/educational and the costs involved had not exceeded those which the delegates might normally adopt when paying for themselves. No breach of Clauses 2, 9.1 and 19.1 was ruled.

Complaint received **8 August 2008**

Case completed **9 September 2008**