

ANONYMOUS, NON-CONTACTABLE v PFIZER

Exhibition stand design and hospitality

An anonymous, non contactable complainant, who described him/herself as a UK health professional, alleged that the majority of exhibition stands at a European congress held in London in 2015 were extremely extravagant and in poor taste considering today's economic climate. Three examples were given including that Pfizer gave out a named proprietary flavoured iced drink. The complainant stated that there was a real party atmosphere rather than a true scientific congress atmosphere which he/she expected in such stands.

The detailed response from Pfizer is given below.

The PMCPA's guidance on items at conferences and exhibition stands stated that the Code allowed the provision of hospitality at scientific meetings including from an exhibition stand; hospitality provided from an exhibition stand must be subsistence only and not such as to induce a delegate to visit the stand eg no more than non-alcoholic beverages, such as tea, coffee and water, and very limited quantities of sweets, biscuits or fruit. In the Authority's view hot dogs, ice-cream, waffles, etc should not be provided at exhibition stands.

The Panel noted the refreshments provided by Pfizer included coffee, tea, hot chocolate, chai latte, flavoured iced drinks and iced coffee as well as some chocolates. Although the range of beverages on offer was on the limits of acceptability, overall the Panel did not consider that the hospitality offered was contrary to the requirements of the Code and no breach was ruled.

The Panel noted that the complainant had made a general allegation that the majority of the stands at the congress were extravagant. The complainant, who had the burden of proving his/her complaint on the balance of probabilities, had not provided any material to support his/her allegations in this regard; it was not clear from the complaint what aspect of the stands were 'extremely extravagant and in poor taste considering today's economic climate'. As the complainant was non-contactable, it was not possible to obtain more information from him/her. A judgement had to be made on the available evidence. In the Panel's view the complainant had not shown that the Pfizer exhibition stands were unacceptable as alleged. No breach of the Code was ruled.

The Panel noted its rulings above and considered that Pfizer had not failed to maintain high standards and thus ruled no breach of the Code.

An anonymous, non contactable complainant who described him/herself as a UK health professional complained about exhibition stands at the European

Society of Cardiology (ESC) Congress held in London 29 August – 2 September 2015.

COMPLAINT

The complainant stated that the majority of the stands at the congress were extremely extravagant and in poor taste considering today's economic climate. It showed that pharmaceutical companies had far too much money to splash around. Three examples were given including that Pfizer had given out a named proprietary flavoured iced drink. There was a real party atmosphere rather than a true scientific congress atmosphere which the complainant expected in such stands.

When writing to Pfizer the Authority asked it to respond in relation to Clauses 9.1, 9.7 and 22.1 of the 2015 Code.

RESPONSE

Pfizer submitted that it had three stands at the congress which related to different parts of the portfolio. Two of the stands were organised by Pfizer alone and the third stand was for Eliquis (apixaban) and was organised by Pfizer on behalf of the Bristol-Myers Squibb (BMS) Pfizer Alliance which jointly marketed the product. Pfizer provided details of the costs paid to the organisers for the three stands.

The two stands organised by Pfizer alone distributed only bottled water, with no other refreshments provided. No give-aways were provided on either of these stands. Pfizer submitted that there was no entertainment or music on either of the stands and nothing that could be considered to be a 'party atmosphere'.

The third exhibition stand related to the promotion of Eliquis thus the response regarding this stand was on behalf of the BMS-Pfizer Alliance. The layout and a photograph of the Eliquis stand depicting the refreshment counter were provided. The stand included suspended overhead banners, chairs and tables, electronic tabletops and electronic screens, including one where presentations were given by several eminent key opinion leaders in the field of anticoagulation. A central refreshment booth served coffee, tea, hot chocolate, chai latte, flavoured iced drinks and iced coffee as well as some small chocolates. Water bottles were also available at several locations on the stand. Pfizer submitted that the refreshments available were appropriate and in line with the Code and the PMCPA guidance. The Alliance did not serve the proprietary drink named by the complainant. Pfizer considered it appropriate to offer delegates a cold drink option as not everyone wished to drink tea or coffee. Pfizer stated that the availability of the flavoured iced drinks was not a

major feature of the stand and hence was not an inducement for a delegate to visit the stand, any more than the availability of tea and coffee.

Approximately 34,000 delegates attended the ESC congress and the exhibition stands were open for 3.5 days. Pfizer provided details of the number and costs of the refreshments distributed on the stand.

All materials and activities related to clinical and scientific data and information on Eliquis and anticoagulation. The Alliance staff on the stand were all highly trained and experienced professionals, briefed in detail about the requirements of the Code and how to fulfil their role of informing delegates about Eliquis data. They were of course asked to be pleasant and courteous to all stand visitors at all times, but this could not be construed as encouragement to create a 'party atmosphere'. As with the two Pfizer stands, there were no giveaways or takeaway items of any sort and no 'entertainment' or music.

External speakers presenting on the stand were also carefully selected for their expertise and experience, and briefed in detail about their obligations under the Code. The ambience on the stand was therefore professional and always respected the status of delegates and the subsistence provided was appropriate. Whilst the exhibition stand was busy throughout the congress with seating areas generally well occupied, Pfizer submitted that the atmosphere was not party-like.

In summary, the anonymous complainant made some general claims about extravagance and party atmospheres at exhibition stands. Pfizer and The Alliance strongly submitted that the arrangements, content, materials and ambience of its stands were of the highest standard and in keeping with both the spirit and letter of the Code. Furthermore, the provision of flavoured iced drinks at the stand was appropriate, was not extravagant and was not an inducement to attend the stand. Pfizer and The Alliance denied breaches of Clause 9.1, 9.7 or 22.1.

PANEL RULING

The Panel noted that the complainant was anonymous and non-contactable. As stated in the introduction to the Constitution and Procedure, anonymous complaints were accepted and like all complaints, judged on the evidence provided by the parties. Complainants had the burden of proving their complaint on the balance of probabilities. The Panel noted that it was not possible to ask the complainant for further information.

Clause 22.1 stated that hospitality must be strictly limited to the main purpose of the event and must be secondary to the purpose of the meeting ie subsistence only. The level of subsistence offered must be appropriate and not out of proportion to the occasion. Clause 22.1 applied to scientific meetings, promotional meetings, scientific

congresses and other such meetings and training. The supplementary information to Clause 22.1 also stated that a useful criterion in determining whether the arrangements for any meeting were acceptable was to apply the question 'would you and your company be willing to have these arrangements generally known?'. The impression that was created by the arrangements for any meeting must always be kept in mind.

The PMCPA's guidance on items at conferences and exhibition stands stated that the Code allowed the provision of hospitality at scientific meetings and the like and there was no reason why it should not be offered from an exhibition stand. Companies would have to be certain that the hospitality overall complied with the Code and that any hospitality provided from an exhibition stand was subsistence only and not at a level as to induce a delegate to visit the stand. In the Authority's view companies should provide no more than non-alcoholic beverages, such as tea, coffee and water, and very limited quantities of sweets, biscuits or fruit. The Authority advised that it did not consider that hot dogs, ice-cream, waffles, etc should be provided at exhibition stands.

The Panel noted the refreshments provided by Pfizer included coffee, tea, hot chocolate, chai latte, flavoured iced drinks and iced coffee as well as some chocolates. The Panel further noted the costings and the number distributed. Although the range of beverages on offer was on the limits of acceptability, overall the Panel did not consider that the hospitality offered was contrary to the requirements of Clause 22.1 and no breach was ruled.

The Panel noted that the complainant had made a general allegation that the majority of the stands at the congress were extravagant and showed that companies had far too much money to splash around. Clause 9.7 stated that extremes of format, size or cost of material must be avoided. The complainant, who had the burden of proving his/her complaint on the balance of probabilities, had not provided any material to support his/her allegations in this regard; it was not clear from the complaint what aspect of the stands were 'extremely extravagant and in poor taste considering today's economic climate. As the complainant was non-contactable, it was not possible to obtain more information from him/her. A judgement had to be made on the available evidence. In the Panel's view the complainant had not shown that the Pfizer exhibition stands were unacceptable as alleged. No breach of Clause 9.7 was ruled.

The Panel noted its rulings above and considered that Pfizer had not failed to maintain high standards and thus ruled no breach of Clause 9.1.

Complaint received	21 December 2015
Case completed	8 February 2016