



Version 3 - on Allergan Headed Paper

Dear ...

Breach of medicines advertising legislation: Neurology pharmaceutical survey

The MHRA has asked Allergan Limited to provide a corrective statement regarding a Neurology Marketing Survey we provided to you in October 2009.

The survey breached regulation 3A(1)¹ of the advertising regulations because it has been determined that it promoted unlicensed use of botulinum toxin products. The survey was accompanied by a cheque for £35 as payment for completion of the survey. Since the survey has been determined to be promotional this was a prohibited gift in breach of regulation 21(1)² of the advertising regulations.

According to our records you cashed the cheque but did not fill in the survey. Acceptance of a prohibited gift is in itself a breach of Regulation 21(5)³ of the advertising regulations and Allergan would like to apologise for putting you in this position. It would be inappropriate for us to seek to recover the money but we request that you make a donation of £35 to Cancer Research UK, or a charity of your choice. A donation form for Cancer Research UK is enclosed, alternatively you may wish to make a donation online at <http://www.cancerresearchuk.org/donate/>. Allergan will make a matching donation to Cancer Research UK.

Allergan deeply regrets any inconvenience to you and can assure you that it had not intended that the survey should be promotional and that we acted in good faith. However, we have also reviewed and changed our internal procedures to try and ensure that there can be no repetition of a similar nature

If you require further information, please contact our Medical Information Department on 01628 494026 or write to Antony Fulford-Smith, Medical Director.

Yours sincerely

Dr Antony Fulford-Smith,
Medical Director, Allergan Limited

¹ "No person shall issue an advertisement relating to a relevant medicinal product unless that advertisement complies with the particulars listed in the summary of product characteristics."

² "... where relevant medicinal products are being promoted to persons qualified to prescribe or supply relevant medicinal products, no person shall supply, offer or promise to such persons any gift, pecuniary advantage or benefit in kind, unless it is inexpensive and relevant to the practice of medicine or pharmacy."

³ "No person qualified to prescribe or supply relevant medicinal products shall solicit or accept any gift, pecuniary advantage, benefit in kind, hospitality or sponsorship prohibited by this regulation."