



THAIMED Code of Sales and Marketing Practices

Thai Medical Device Technology Industry Association



Thai Medical Device Technology Industry Association

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สมาคมอุตสาหกรรมเทคโนโลยีเครื่องมือแพทย์ไทย THAI MEDICAL DEVICE TECHNOLOGY INDUSTRY ASSOCIATION

Thai Medical Device Technology Industry Association, THAIMED, has officially announced to all members the "Code of Sales and Marketing Practices" on interactions with Health Care Professionals to facilitate industry's ethical business practices since October 2008.

THAIMED's Code recognizes the importance of these interactions and provides a roadmap for ethical business practices and socially responsible industry conduct when member companies and Health Care Professionals partner to advance the medical care in Thailand.

THAIMED voluntarily adopts this Code of Sales and Marketing Practices to ensure adherence to ethical standards and compliance with applicable local laws. All THAIMED members have an obligation to abide by the Code in their interactions with Health Care Professionals.

สมาคมอุตสาหกรรมเทคโนโลยีเครื่องมือแพทย์ไทยหรือ THAIMED ได้ออกแถลงการณ์แก่สมาชิก เรื่อง "จรรยาบรรณว่าด้วยเรื่องหลักปฏิบัติของการขายและการตลาด" เกี่ยวกับปฏิสัมพันธ์ต่อบุคลากรทางการแพทย์และสาธารณสุข เพื่อให้สอดคล้องกับหลักปฏิบัติทางจริยธรรมในการดำเนินธุรกิจของผู้ประกอบการ ที่ประกาศตั้งแต่เดือนตุลาคม พ.ศ. 2551

จรรยาบรรณนี้เล็งเห็นความสำคัญของปฏิสัมพันธ์ดังกล่าวและได้จัดทำมีแบบแผนสำหรับหลักปฏิบัติทางจริยธรรมในการดำเนินธุรกิจ และแนวทางปฏิบัติของอุตสาหกรรมที่มีความรับผิดชอบต่อสังคม โดยความร่วมมือระหว่างบริษัทสมาชิกและบุคลากรทางการแพทย์และสาธารณสุขเพื่อความก้าวหน้าของระบบบริการทางการแพทย์ในประเทศไทย

THAIMED ได้ลงมติยอมรับจรรยาบรรณว่าด้วยเรื่องหลักปฏิบัติของการขายและการตลาดนี้อย่างเต็มใจ เพื่อให้แน่ใจว่าจะยึดมั่นในมาตรฐานทางด้านจริยธรรม และปฏิบัติตามกฎหมายของแต่ละประเทศที่สามารถนำมาปรับใช้ได้ สมาชิกทั้งหมดของ THAIMED ล้วนมีการผูกพันในอันที่จะปฏิบัติตามจรรยาบรรณนี้ในส่วนที่มีความเกี่ยวข้องกับบุคลากรทางการแพทย์และสาธารณสุข

4th Edition June 2018



Code of Sales and Marketing Practices

In 2008, the Thai Medical Device Technology Industry Association (**'THAIMED'**) introduced its first **'Code of Ethics for Sales and Marketing Activities Edition 1'** to provide guidelines on ethical interaction and communication amongst health care professionals (HCPs). This code can be applied by all HCPs, regardless of whether they are people or organizations involved in the purchasing, hiring, recommending, using, supplying, renting out or ordering of medical devices. However, the first edition subsequently proved to be insufficient to control some medical device sales promotion activities, especially during those periods when sales and marketing strategies were constantly being changed in the face of intense competition. As a result, campaigning for a standard for the ethical sales promotion of medical devices remains a constant activity of this Association and one which requires the ongoing cooperation of all THAIMED members to disseminate the 'ethics' concept to their employees, agents and distributors. This **"Code of Ethics for Sales and Marketing Activities Edition 4"** contains additional recommendations following a review of the whole subject by the Association's Board of Directors. It is hoped that it will help to ensure that THAIMED's code of ethics is clearly understood and that it will be strictly and effectively complied with. On behalf of THAIMED's Board of Directors, I hope that this **"Code of Ethics for Sales and Marketing Activities Edition 4"** will help encourage all concerned parties to adopt an ethical approach to all sales promotion and marketing activities for their medical devices. I also hope that it will help to encourage the development of an ethical and professional attitude in all concerned parties, be they professional organizations, universities, public health personnel, medical device manufacturers and distributors or advertising agencies, thus leading to the proper use of medical devices as well as better health for Thai people in general.

Mr. Preecha Bhandtvej (Pharmacist)

President, THAIMED

June, 2018

About Thai Medical Device Technology Industry Association

Formed about twenty-nine years ago, THAIMED comprises multi-national companies (MNCs) and local small and medium enterprises (SMEs) in the medical technology and supporting industries.

Our mission is to be the leading voice for the medical industry and related organizations, encompassing medical devices, equipments, instruments, diagnostics and implantables, serving as a vital forum and focal point to advance the interests of the industry and benefit the people we serve.

The main objectives of the THAIMED are : -

- To be the preferred forum for the industry for voicing issues and concerns;
- To act as the benchmark organization in representing the Medical Device industry in Thailand;
- To work with the Ministry of Health (MOH) in the development of regulatory direction;
- To communicate with members, industries, government and other key stakeholders;
- To identify current needs in the context of the changing environment;
- To address common business and ethical issues.

The Code of Ethics

This Code of Ethics governs our interactions with those who purchase, lease, recommend, use, arrange for the purchase or lease, or prescribed THAIMED members' medical technology products in Thailand. These individuals or entities are referred to in the Code as "Health Care Professionals" or "HCPs". The fundamental principle is that we cannot

provide anything of value to an HCP for the purpose of unlawfully inducing the HCP to purchase, lease, recommend, use, or arrange for the purchase, lease, or prescription of any product.

Company-Sponsored Product Training and Education

THAIMED members have responsibility to educate Health Care Professionals in the adoption of the Code of Ethics. When we sponsor a training program for HCPs, the program must be held in facility conducive to training and must be conducted by qualified persons. THAIMED members may pay reasonable travel expenses and lodging costs for HCPs to attend these training programs.

When travel is provided for, Economy Class tickets will be issued for air travel of less than 5 hours. However, THAIMED members may exercise their discretion for faculty members e.g. speakers and members of Advisory Boards.

We also may provide modest meals and receptions for the attendees, so long as they are subordinate in time and focus to the purpose of the meeting.

THAIMED members cannot provide any entertainment for HCPs, nor can we pay for travel, hospitality, meals, or other expenses for spouses or guest of HCPs who do not have a legitimate professional interest in attending the training program.

Third-Party Conference Sponsorships

THAIMED members may support educational and scientific conferences to the conference host to reduce conference costs, or to a training institution or via third-party organizer.

The conference sponsor should be responsible for and control the selection of program content, faculty, educational methods, materials and venue.

THAIMED members may pay for modest meals and receptions at these conferences so long as the hospitality is subordinate in time and focus to the purpose of the conference. THAIMED members may also pay for reasonable honorarium, travel, lodging, and meals for conference faculty members. When travel is provided for, Economy Class tickets will be issued for air travel of less than 5 hours. However, THAIMED members may exercise their discretion for faculty members e.g. speakers and members of Advisory Boards.

Sales and Promotional Meetings

THAIMED members can meet with Health Care Professionals to discuss product features and negotiate contract and sales terms. In the course of such meetings, we can provide occasional hospitality in the form of modest meals and receptions if such hospitality is conducive to the exchange of information. We also can pay for reasonable travel costs for HCPs when necessary (e.g., for plant tours or demonstrations for non-portable equipment). We cannot pay for meals or other hospitality for spouses or guest of HCPs.

When travel is provided for, Economy Class tickets will be issued for air travel of less than 5 hours. However, THAIMED members may exercise their discretion for faculty members e.g. speakers and members of Advisory Boards.

Arrangements with Consultants

THAIMED members may employ HCPs to work with the Company as Consultants where there is legitimate need and purpose for the consultant's services that is identified in

advance, where their compensation is consistent with fair market value, and where there is a written consulting agreement that specifies the services to be provided. Bona fide consulting services may include research activities, participation on advisory boards, training, and product collaboration. Consultants must be chosen based solely on their qualification and expertise. In no event may a consultant be chosen on the basis of the volume or value of the business generated by the consultant. THAIMED members may pay reasonable travel costs in connection with meetings with consultants and may pay for modest lodgings, meals, and receptions at those meetings, so long as they are subordinate in time and focus to the primary purpose of the meetings and the venue and circumstances of the meetings are appropriate.

Gifts / Promotional Items & Hospitality

THAIMED Members occasionally may provide modest gifts to Health Care Professionals (HCP). The fair market value of such gift should be equivalent or less than Baht 3,000 per HCP (except for medical textbooks and anatomical models which may be more in value as long as it is still modest but the gift must be received on behalf of the entity). If also permitted by local law, an inexpensive or branded gift not related to the practice of medicine may be given on an infrequent basis to a HCP in acknowledgment of significant national, cultural or religious holidays.

Customary gifts to healthcare professional and institutions are allowed for customary and acceptable local occasions on an infrequent basis such as New Year, funeral, hospital visit and promotion at organizational level. The value of such gifts, the nature and types of which are related to the particular customary occasions, shall not exceed Baht 3,000.- per HCP per occasion. Promotional aid (give away) is a non-monetary item given to HCPs for a promotional purpose with minimum value and quantity. Promotional aids must be

of relevant to the work of the HCPs and not for HCPs personal benefit. The promotional aids must carry the Trade name, Brand name, Company name or Logo of the company. The value of a promotion aid should not exceed 3,000 baht and must be relevant to the practice of the HCPs. Hospitality should not extend beyond members of the profession including invitations to participate or support educational meeting or workshops should not include spouse unless they themselves are practicing members of the relevant medical or allied profession.

Grants and Other Charitable Donations

Payment to any government hospital account is not allowed if said payment has any linkage or association with said government hospital's procurement.

THAIMED members may make donations to charitable organizations for charitable purposes. All donations must be documented. Charitable contribution must not be made to an individual HCP or to an organization controlled by a single individual HCP.

The Code of Ethics is adopted by the following 116 THAIMED members:-

3M Thailand Limited

Abbott Laboratories Ltd.

Accord Corporation Limited.

Advance Dagnostics Co., Ltd.

Alcon Laboratories (Thailand) Ltd.

Applied DB Public Co., Ltd.

Asset Management Systems (Thailand) Co., Ltd.

Asta Meyer (Thailand) Co., Ltd.

B. Braun (Thailand) Limited.

Baker&McKenzie Services Limited.
Bausch & Lomb (Thailand) Ltd.
Baxter Healthcare (Thailand) Co., Ltd.
Becton Dickinson (Thailand) Ltd.
Bemis Flexible Packaging (Thailand) Co.,Ltd.
Berli Jucker Public Co., Ltd.
Better Lift Medicare Co.,Ltd.
BioClin Asia Ltd.
BioMerieux (Thailand) Ltd.
Biopool Co., Ltd.
Bio-Rad Laboratories Ltd.
Boston Scientific (Thailand) Ltd.
BSN medical Ltd.
Cardinal Health222 (Thailand) Ltd.
Carestream Health Thailand Co.,Ltd.
Carl Zeiss Co., Ltd.
Celki Thai Co., Ltd.
Chemoscience (Thailand) Co., Ltd.
Chumroen Medical Products Co., Ltd.
Connect Diagnostics Co., Ltd.
Convatec (Thailand) Co.,Ltd.
Cook Medical (Thailand) Co., Ltd.
CVP Medical Technology Co., Ltd.
D.A.P. Siam Group Co., Ltd.
Daewoong Pharmaceutical (Thailand) Co., Ltd.
DCH Auriga (Thailand) Limited
Dental Siam Co., Ltd.

DKSH (Thailand) Limited
Double S Diagnostics Co.,Ltd.
Draeger Medical (Thailand) Ltd.
Edwards Lifesciences (Thailand) Co.,Ltd.
Enraf-Nonius Medical Equipment Co., Ltd.
Equip Healthcare Co.,Ltd.
Essilor Manufacturing (Thailand) Co.,Ltd.
Euroscan Co., Ltd.
Fresenius Kabi (Thailand) Ltd.
Fresenius Medical Care Ltd.
Gateway Healthcare Co.,Ltd.
GE Medical Systems (Thailand) Ltd.
Getinge (Thailand) Co.,Ltd.
Giss Marketing Co., Ltd.
Global Lithotripsy Services Co., Ltd.
Global Medical Solutions (Thailand) Co., Ltd.
Grainer Bio- One (Thailand) Ltd.
Herbert (Thailand) Co., Ltd.
Implantcast (Thailand) Co.,Ltd.
Infus Medical (Thailand) Co., Ltd.
Intimex Hearing Aid Services Co., Ltd.
Johnson & Johnson (Thailand) Ltd.
JS Inno Tech (Thailand) Co., Ltd.
Kosin Medical Supply Co., Ltd.
M.E. Meditek Co., Ltd.
Mahachak International Co., Ltd.
Mahe Medical Co.,Ltd.

Maxim Inter-Corporation Ltd.
Medical Equipment Sale and Service Co.,Ltd.
Meditime Co.,Ltd.
Medtronic (Thailand) Ltd.
Mid-West Dental Group Co., Ltd.
Namsin Trading Co., Ltd.
Neocare Co., Ltd.
Neopharm Co., Ltd.
NMB-Minebea Thai Ltd.
Novamedic Co.,Ltd.
NPK Enterprisetrading Co., Ltd.
Olympus (Thailand) Co., Ltd.
Ortho-Clinical Diagnostics (Thailand) Ltd.
Orthopeasia Co., Ltd.
Pacific Biotech Co., Ltd.
Pacific Healthcare (Thailand) Co., Ltd.
PCL Holding Co., Ltd.
Peters Surgical International Co., Ltd.
Philips (Thailand) Ltd.
Rapid Diagnostics Co., Ltd.
Reckitt Benckiser (Thailand) Ltd.
Rehab Medical Co., Ltd.
Roche Diagnostics (Thailand) Ltd.
Rodenstock Asia Ltd.
S.D. Tantavade 1988 Co., Ltd.
Siemens Healthcare Ltd.
Skipa Med Co., Ltd.

Smith & Nephew Ltd.
Stada (Thailand) Co.,Ltd.
Sterigenics (Thailand) Ltd.
Straumann Group (Thailand) Limited.
Stryker (Thailand) Limited.
Summit Healthcare Co.,Ltd.
Supreme Products Co., Ltd.
Surgical Instrument (Thailand) Co., Ltd.
Suzuyo Distribution Center (Thailand) Ltd.
Sysmex (Thailand) Co.,Ltd.
Techno Medical Public Company Limited.
Teo Hong Silom Co., Ltd.
Thai Medical Engineer Co., Ltd.
Thai Diagnostics Co., Ltd.
Thai Otsuka Pharmaceutical Co., Ltd.
Thanes Development Co., Ltd.
TMGI Ltd.
Top Aesthetics Corporation Co., Ltd.
TRB Chemedica (Thailand) Ltd.
Valor Health Co.,Ltd.
Varian Medical Systems Pacific, Inc.
Vascular Innovations Co., Ltd.
Worldco Co.,Ltd.
Zimmer Biomet (Thailand) Co., Ltd.
Zuellig Pharma Ltd.
Pasuda supplies and services co.Ltd

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In the case of any questions, please send the questions or direct contact to:

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