

ViNordic's Swedish Marketing Code

Responsibility of pharmaceutical companies for information on
veterinary medicinal products and rules of access to animal health
services

(Please note, that this is an unofficial, unedited English translation of the Swedish Marketing Code)

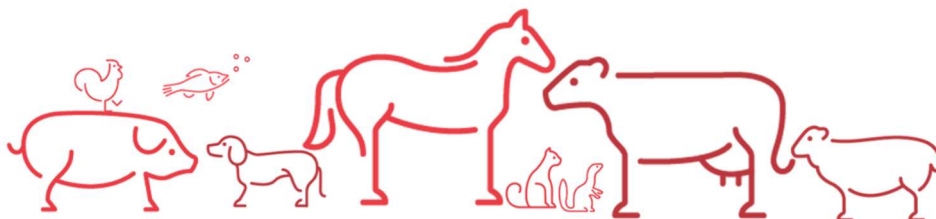


Table of Contents

1. Marketing rules.....	3
2. The concept of marketing and the scope of the rules.....	3
2.1. Definition and scope.....	3
2.2. Measures which are not normally considered as marketing.....	4
3. General provisions.....	6
3.1. Basic requirements for the content and presentation of the marketing of veterinary medicinal products.....	6
3.2. Duty tests and QR code.....	8
3.3 Reminders (reminders).....	8
3.4 Advertising on television or radio.....	8
3.5 Marketing including comparisons.....	8
3.6. Advertising of prescription medicines.....	9
3.7. Only authorized veterinary medicinal products may be marketed in Sweden.....	9
3.8. Marketing shall not take place in the following cases.....	9
3.9. Injunctions.....	9
3.10 Hidden marketing.....	10
3.11. Marketing to persons qualified to prescribe or supply them.....	10
3.12. Documentation.....	10
4 Economic advantages for persons qualified to prescribe or supply medicinal products to animals.....	10
4.1 Gifts.....	10
4.2 Payment for professional services.....	11
4.3 Payment for advertising space.....	11
4.4 Representation.....	12
4.5 Level and scope.....	12
5. Advertising on the internet and social media.....	12
6. Advertising of medicinal products at international congresses and conferences in Sweden.....	13
7. Distribution of pharmaceutical samples.....	13
8. Self-regulation by the industry - Veterinary Industry Nordic ("ViNordic").....	13
9. Updating the Vinordic regulatory framework.....	14
10. Entry into force.....	14

1. Marketing rules

The rules on the marketing of medicinal products to animals are laid down in Articles 119 to 121 of Regulation No 2019/6 on veterinary medicinal products ('the Veterinary Medicinal Products Regulation').

Rules on marketing are also found in Swedish national legislation, as shown in Annex 1.

2. The concept of marketing and the scope of the rules

2.1. Definition and scope

The advertising of medicinal products to animals is defined in Article 4 (40) of the Veterinary Medicinal Products Regulation. The advertising of veterinary medicinal products shall mean any form of preparation in connection with veterinary medicinal products ('veterinary medicinal products') for the purpose of promoting the supply, distribution, sale, prescription or use of veterinary medicinal products, including the provision of samples and sponsorship.

The definition of the marketing of veterinary medicinal products is broadly interpreted in accordance with the main objectives of the marketing rules, such as the protection of public and animal health. In this context, 'production' means any act, omission or any other act or conduct of a pharmaceutical company before, during or after the sale or supply of medicinal products. Marketing may include both oral and written statements.

What constitutes marketing is determined by a concrete assessment of the circumstances in question that can be considered relevant in the specific case. The assessment can be influenced by, among other things, the nature of the activity (activity), who the sender is, the content of the message and how the marketing is perceived by the public.

The definition of marketing for veterinary medicinal products is not limited to specific senders or media. The dissemination of a message about a medicinal product in the course of commercial activities is not a requirement for marketing purposes, nor is it a requirement that the person who disseminates the message about a medicinal product be linked to the pharmaceutical company or the holder of the marketing authorization. Both pharmaceutical companies and other operators may be the suppliers of the marketing of medicines to animals.

For example, if an employee of a pharmaceutical company shares or likes an advertisement or other marketing material about one of the company's (employer's) medicines, this can be considered, after a concrete assessment, as marketing of the medicine, even if the employee acts on his own initiative and not with the aim of doing marketing.

The assessment takes into account the nature (activity) of the activity, the content of the message, the employee's connection to the undertaking, the public perception of the measure and any other relevant circumstances.

The concept of promotion is not limited to certain forms of representation. It is therefore not a requirement that the petition formally appears as typical marketing, for example an advertisement. However, the perception of the petition is a factor, together with other relevant factors, in the assessment of whether it is a matter of advertising.

As a general rule, advertising of a veterinary medicinal product is not considered to be advertising if an employee of a pharmaceutical company informs about one of its medicinal products on a social medium if (i) the public does not perceive the presentation as advertising, and (ii) the purpose of the measure is other than to promote or otherwise promote the sale or availability of the medicinal product.

For example, this could involve information regarding personal professional skills on LinkedIn, where

the employee's profile includes factual information about the medicine in a description of their professional skills. Another example may be that the employee shares general information about the company in order to promote the company as an attractive workplace and to highlight good career opportunities within the company.

Other parties may also be held responsible, under certain circumstances, for the marketing of veterinary medicinal products on their platforms. For example, it could be an influencer who has received payment from a pharmaceutical company to review or otherwise highlight the company or the company's medicines on their digital platforms.

All activities in the course of trade are regarded as marketing if they in any way promote the sale of or access to a product. For example, if a person or a company risks influencing others through public statements to buy a particular medicine, and the statements formally appear to be marketing, it will be considered marketing of a medicine even if the person or company acts on its own initiative and is, both legally and de facto, completely independent of the holder of the marketing authorization for the medicine.

The rules on the marketing of veterinary medicinal products cover medicinal products for animals which have been manufactured industrially or by an industrial process and which are to be made available on the market, in accordance with Article 2(1) of the Veterinary Medicinal Products Regulation.

Article 120(3) of the Veterinary Medicinal Products Regulation prohibits the placing on the market of inactivated immunological veterinary medicinal products manufactured from pathogens and antigens obtained from one or more animals in an epidemiological unit and used for the treatment of that animal or those animals in the same epidemiological unit or for the treatment of one or more animals in a unit with a confirmed epidemiological link.

The rules do not apply to the types of veterinary medicinal products, feed additives and medicated feedingstuffs covered by Article 2(7) of the Veterinary Medicinal Products Regulation.

2.2. Measures which are not normally considered as marketing

1. Labeling and package leaflet of veterinary medicinal products, as provided for in Articles 10 to 14 of the Veterinary Medicines Regulation. Article 13 stipulates that the immediate and outer packaging of the veterinary medicinal product must not contain any advertising. Furthermore, it is clear from Article 14(2) that the package leaflet must not contain information which is promotional in nature.
2. individual correspondence, accompanied, where appropriate, by documents of a non-promotional nature, which serve to answer a specific question concerning a particular veterinary medicinal product;
3. Necessary and concrete information or documentation, serving security purposes and not marketing purposes. This may include information about changes in the packaging, information about new side effects or production errors.
4. Safety objectives must be understood broadly, which means that information on how to open a medicine's packaging to prevent physical harm to the medicine also has a safety objective.
5. price lists, product categories and the like, which do not contain information on veterinary medicinal products other than the name, pharmaceutical forms, strengths, pack sizes, prices and pictorial representations of the packaging of medicinal products; This also includes price lists, product categories and the like that are published on the internet for the purpose of facilitating e-commerce of medicines for animals.

6. information material on health and disease, provided that no direct or indirect reference is made to specific medicinal products for animals; It can cover everything from traditional brochures to comprehensive websites on the internet.

An example could be an information campaign on the prevention of a disease through vaccination, provided that no reference is made either directly or indirectly to specific vaccines.

For the purposes of communicating diseases to the general public:

- a. Alone in the market

Where only one medicinal product is available on the market, the information shall be limited to the treatment of diseases in general and shall not elaborate or detail treatment options such as vaccination.

- b. Several on the market

Information on diseases, prevention and treatment can be provided, provided it is done in a scientific and factual manner.

7. Notices may be considered to be press releases if they contain factual, editorial and brief information about a veterinary medicinal product and are of general newsworthiness, are addressed to the press and are sent out or made available to a number of journalists or media for journalistic review and processing prior to publication.

A communication containing an objective (subjective) or commercial (promotional) element is not considered a press release. Instead, it will be considered as marketing of medicines. An example of this could be a message published against payment in a medium.

Pharmaceutical companies can make a press release available to the press in a press room on their website for about three (3) weeks. After that, the press release is no longer considered to be of general news value. Press releases made available for more than three (3) weeks may be deemed to be marketing after a concrete assessment.

A pharmaceutical company can use a social medium to give the press a short message that there is news in the press room. Such notice shall contain an objective description of the theme of the news and, where appropriate, a link to the company's website or the press room. It is assumed that the post is clearly addressed to the press, e.g. by stating '#PRESS', and that no drug name appears in the message. Messages which do not meet these requirements may be deemed to be marketing after a concrete assessment.

8. Article 55(2) of the Veterinary Medicines Regulation requires the Agency to set up and maintain a product database in each Member State. For authorized veterinary medicinal products, information shall include the name of the medicinal product, the active substance and strength, the summary of product characteristics and the package leaflet. The list of veterinary medicinal products, the summaries of product characteristics, the package leaflet and, under certain circumstances, the assessment reports shall be made available to the public in accordance with Article 56(3).

This means that a company can, for example, publish a list of the names of its medicines on its website, with links to the Summary of Product Characteristics and Package Leaflet for each individual medicine.

9. Information leaflets distributed by the prescriber in connection with the prescription of a medicinal product or by the pharmacy in connection with the dispensing of a medicinal product

do not normally constitute marketing if they contain only objective information of importance to the animal and its relatives.

The information brochure can be distributed in printed and digital format to the animal owner. The information must be consistent with the Summary of Product Characteristics.

An information brochure may be deemed to be marketing if it contains statements, data, images, illustrations or similar of a wholly or partly promotional nature.

Furthermore, an information brochure can also be considered as marketing if it contains subjective descriptions of the medicinal product. Examples include claims that the medicine 'works quickly', 'is effective', 'easy to handle', 'best in its category', 'most preferred medicine', 'easier to administer than competing medicines' or 'one of the safest medicines available'.

The information brochure shall contain only objective information of relevance to the animal and its relatives. It should describe both the efficacy of the medicinal product and its side effects and risks.

Presentation of the information brochure:

- a. The company logo can only be used once per page.
- b. The trade mark name shall be written in standard font and normal style, not in bold or italics.
- c. Images and text must not relate to emotions. Images should be objective, objective and emotionally neutral.

The information leaflet must contain the following text:

'This brochure is intended to be distributed to animal owners only in connection with the prescription of the medicinal product.'

10. It is generally not considered to be marketing of a medicinal product when a pharmaceutical company, following a request from a veterinarian or other person, sends an independent and recognized scientific article on a clinical study of a medicinal product to animals to that person, provided that the article is sent uncommented and without additional material.

The article must be published in a recognized and independent scientific journal or similar. This also applies to an uncommented scientific article which contains the results of a comparative study of different medicines.

3. General provisions

3.1. Basic requirements for the content and presentation of the marketing of veterinary medicinal products

Article 119 of the Veterinary Medicinal Products Regulation lays down the basic requirements for the content and form of advertising of medicinal products to animals. The rules generally apply to the marketing of veterinary medicinal products, including prescription-only veterinary medicinal products.

First of all, it must be made clear in the marketing of a veterinary medicinal product that the aim is to promote the supply, sale, prescription, distribution or use of that product, in accordance with Article 119(2) of the Veterinary Medicinal Products Regulation.

This means that the advertising of veterinary medicinal products must be designed in such a way that

it is obvious that it is a marketing exercise and that its purpose is to promote the supply, sale, prescription, distribution or use of the medicinal product. Any form of disguised advertising of medicinal products to animals is prohibited. Examples of prohibited disguised marketing may include:

- Advertisement that is masked as editorial text in a magazine.
- A social media post that constitutes marketing but is masked as review, review or similar.
- Product placement of medicinal products in a film.
- Games on the internet that contain hidden marketing messages.

Secondly, under Article 119(3) of the Veterinary Medicinal Products Regulation, advertising must not be formulated in such a way as to create the impression that the veterinary medicinal product is a feedingstuff or a biocidal product.

This means that there must be no wording that could mislead the view that the veterinary medicinal product is a feedingstuff or a biocidal product.

Thirdly, the marketing must comply with the summary of product characteristics of the veterinary medicinal product being marketed, as provided for in Article 119(4) of the Veterinary Medicinal Products Regulation. The Summary of Product Characteristics includes information on:

- Composition of the veterinary medicinal product
- Pharmaceutical Form
- Therapeutic indications (field of use)
- Contraindications
- Side effects
- Precautions
- Posology
- Any warnings

The content of the marketing communications must not differ from the Summary of Product Characteristics. Within the scope of the objective requirement, however, there is the possibility to use formulations other than those in the summary of product characteristics.

The marketing of a veterinary medicinal product may contain statements which supplement the information in the summary of product characteristics, provided that these statements confirm or clarify the information in the summary of product characteristics and are consistent with it.

These may include documented statements on the efficacy of the medicinal product or adverse reactions that substantiate or clarify the information in the Summary of Product Characteristics.

The marketing of a medicinal product to animals shall only include information on authorized indications that appears in the authorized summary of product characteristics.

Fourthly, under Article 119(5) of the Veterinary Medicinal Products Regulation, advertising must not contain any information which might be misleading or lead to misuse of the veterinary medicinal product.

This means that the design and content of the marketing communications must not mislead users of medicinal products or persons who prescribe or supply medicinal products, including their:

- Effect
- Side effects
- Price
- Contents
- Disease or treatment

The product shall not be marketed in a more favorable light than other equivalent or potentially more suitable medicinal products.

The placing on the market of a medicinal product to animals must not, by its nature or content, mislead or be liable to mislead the persons to whom it is addressed. This is assessed on the basis of an overall assessment of the marketing, including its text, images, illustrations and other elements, to determine whether it is misleading.

Fifthly, advertising must promote the responsible use of the veterinary medicinal product by presenting it objectively and without exaggerating its characteristics, in accordance with Article 119(6) of the Veterinary Medicinal Products Regulation.

This means that the marketing of a veterinary medicinal product should be objective. The medicinal product must not be marketed in an intrusive or consumption-driven manner, such as ordinary consumer goods. In addition, the marketing should be based on scientifically based and relevant information about the medicinal product. This means that marketing should not focus unilaterally on the benefits of the product, but should also include relevant information such as:

- Side effects
- Contraindications
- Withdrawal period
- Special warnings and precautions for use
- The marketing of veterinary medicinal products must not be aimed at or designed in such a way as to lead to an unnecessary over-use of medicinal products.

The assessment of whether a marketing measure breaches the requirement of objectivity is based on a concrete assessment of its form and content. Examples of advertising that may be deemed to be in breach of the requirement of objectivity:

- free offers of goods in connection with the marketing of medicinal products to animals;
- the organization of competitions and the award of prizes in connection with the marketing of medicinal products to animals;
- Marketing of veterinary medicines which focus on large discounts and heavily reduced prices as a 'here and now' offer, and which otherwise contain only scant information on the medicines.

3.2. Duty tests and QR code

The use of QR codes linking to the Summary of Product Characteristics is permitted at [Fass.se/vet](https://fass.se/vet). However, if there is a problem with the QR code, the full URL should also be provided. For OTC products, the marketing shall include the following text: 'Consult your veterinarian'.

3.3 Reminders (reminders)

An advertisement for a prescription-only medicine may be limited to the name and generic name of the medicine. If other information is included, such as indication area or price, the advertisement falls outside the provision and all mandatory information must be included. However, it is allowed to enter the company name and logo that identifies the sender of the ad.

3.4 Advertising on television or radio

Chapter 8, Paragraph 14(1), of the Law on broadcasting states that advertising for medical treatment which is available only on prescription may not be broadcast on television. An exception may be made if a pharmaceutical company sponsors television programs, in which case sponsorship may only promote the company's name or reputation, but not prescription medicines and medical treatment available only on prescription.

Furthermore, it is apparent from Chapter 8, Section 14, third paragraph, of the Radio and Television Act that provisions prohibiting certain types of marketing of medicinal products are contained in the Medicinal Products Act (2015:315). Furthermore, it is apparent from the second paragraph of that provision that programs for the sale of medicinal products or for medical treatment may not be broadcast on television. A sales program is a program where recipients of the program are invited to order goods and services.

3.5 Marketing including comparisons

Veterinary information on medicinal products containing comparisons between effects, ingredients, treatment costs, etc. must be drawn up in such a way that the comparison as a whole is fair.

The items included in the comparison shall be selected fairly, be relevant and presented objectively and objectively.

The requirement of a fair comparison implies, inter alia:

1. that the items included in the comparison shall always be clearly identified; If necessary for the sake of clarity, the full name of the medicinal product and the generic name of the veterinary medicinal products compared shall be provided.
2. that the aspects or facts which the comparison is intended to highlight, as well as the limitations of the comparison, are indicated in a manner which is not liable to mislead.
3. that a comparison of the characteristics of synonymous veterinary medicinal products or veterinary medicinal products with the same indications should give a comprehensive and fair view of the characteristics compared;
4. that the comparison of certain characteristics must not lead to inaccurate or misleading conclusions with respect to characteristics not covered by the comparison;
5. that the sender of the marketing shall include the mandatory particulars for his/her product(s);

3.6. Advertising of prescription medicines

Under Article 120(1) of the Veterinary Medicinal Products Regulation, advertising for veterinary medicinal products which require a veterinary prescription may, in accordance with Article 34, be directed only to veterinarians and persons authorized to supply veterinary medicinal products under Swedish law.

3.7. Only authorized veterinary medicinal products may be marketed in Sweden

Under Article 119(1) of the Veterinary Medicinal Products Regulation, marketing may be carried out only for veterinary medicinal products authorized in a Member State, and only within that Member State.

This means that in Sweden, marketing may only be carried out for veterinary medicinal products that have been approved through a marketing authorization issued by the Swedish Medical Products Agency or by the European Commission.

3.8. Marketing shall not take place in the following cases

Article 119(1) stipulates that veterinary medicinal products which do not have a marketing authorization issued by the MPA or the European Commission may not be marketed.

This means that marketing must not be done for:

- Veterinary medicinal products used under a special authorization pursuant to Article 112 or 116 of the Veterinary Medicinal Products Regulation.
- Immunological veterinary medicinal products used in accordance with Article 110(2) and (3) of the Veterinary Medicinal Products Regulation.

Where a marketing authorization for a veterinary medicinal product is suspended, marketing of the product may not be carried out during the suspension period, in accordance with Article 119(7) of the Veterinary Medicinal Products Regulation.

3.9. Injunctions

In accordance with Chapter 14, Section 3 of the Medicinal Products Act (2015:315), the Swedish Medical Products Agency may decide to order or prohibit the illegal marketing of medicinal products to animals. An injunction or prohibition order may be accompanied by a periodic penalty payment. If you are refused access or assistance, the Swedish Medical Products Agency may also impose a penalty payment.

For marketing that can be considered unfair under the Marketing Act (2008:486), the Swedish Consumer Agency may, in accordance with Sections 23–24, apply to a court for prohibition and direction, in some cases rectification of the marketing.

3.10 Hidden marketing

Any advertising shall be designed in such a way as to make it clear that it is advertising and that its purpose is to promote the supply, sale, prescription, distribution or use of veterinary medicinal products, as referred to in Article 119(2) of the Veterinary Medicinal Products Regulation

3.11. Marketing to persons qualified to prescribe or supply them

Holders and senior staff of shops authorized to sell non-pharmacy-bound over-the-counter medicines to animals or medicines to farmed animals are subject to the provisions of Article 121 of the Veterinary Medicines Regulation concerning financial advantages and discounts, etc.

3.12. Documentation

The SPC is considered as the basic documentation for information on the characteristics of a medicinal product.

In addition, scientifically substantiated studies published in recognized and independent works, professional journals or similar can be used as documentation.

'Independence' means that the publisher of the work or magazine has no interest in the sale or other form of marketing of medicinal products. The studies must have undergone an impartial review before publication. The information on the product label must be in accordance with the Summary of Product Characteristics.

Abstracts must be published or accepted for publication in a scientific journal or published or accepted for publication at a scientific congress or scientific symposium.

Unpublished documentation must meet the same quality requirements as published documentation and be updated and signed by the researchers (investigators) responsible.

Reference to EPAR results is also permitted.

4 Economic advantages for persons qualified to prescribe or supply medicinal products to animals

The rules on financial benefits for persons qualified to prescribe or supply medicinal products to animals apply to health professionals. In this context, healthcare professionals include veterinarians, pharmacists, pharmacist technicians, animal nurses and students in these professions.

The rules also apply to holders and senior employees of shops authorized to sell non-pharmacy-bound over-the-counter or pharmaceutical products to farmed animals.

4.1 Gifts

It follows from Article 121(1) of the Veterinary Medicinal Products Regulation that, where medicinal products are marketed to persons qualified to prescribe or supply them in accordance with that regulation, gifts, pecuniary advantages or benefits in kind may not be given, offered or promised to such persons unless they:

1. are of little value; and
2. relevant to the prescription or supply of medicinal products.

This provision prohibits, as a general rule, the giving, offering or promising of gifts or other pecuniary advantages, including benefits in kind, to persons qualified to prescribe or supply medicinal products to animals in connection with the marketing of these medicinal products.

However, pharmaceutical companies may legally give a gift or other financial benefit in kind to persons qualified to prescribe or supply medicinal products to animals, if the gift or benefit in kind is of low value and relevant to the person's activity (i.e. can be used in the recipient's prescription or supply of medicinal products).

'Small value' refers to gifts and benefits in kind of very low value or importance, and 'relevant to the person's activity' refers to a gift or other benefit in kind that can be used in the recipient's professional activity. Both conditions must therefore be fulfilled in order for it to be permissible to give or offer a gift or other benefit in kind. Another benefit in kind may be, for example, the lending of equipment that can be used in the activities of the veterinarian.

The Veterinary Medicines Regulation does not set a precise limit for the value of such gifts or financial benefits, but if the total value from a donor to an individual authorized to prescribe or supply medicinal products to animals does not exceed SEK 450, the gift or financial benefit may be given legally.

The value is assessed not on the basis of what the donor – who may be able to obtain significant discounts due to large purchases – has paid for the go-van/financial benefit, but on the basis of what the recipient would have paid for a corresponding item if he had procured it in the usual way. It is therefore the market value that forms the basis for the assessment of the value.

Examples of gifts ‘relevant to the person’s activities’ include medical thermometers, ballpoint pens, mouse pads, calendars or wallpapers. By contrast, for example, art, architectural lamps or radios, even if they can be physically placed in the practice or activity of the recipient, are not covered by the exemption in Article 121(1).

Nor does the exemption rule cover gifts such as wine, chocolate and flowers to a person qualified to prescribe or supply medicinal products to animals, for example on a solemn day. The exemption applies only to gifts and other benefits in kind, including loans of equipment, etc., which may naturally be part of the person's occupation.

A gift which is substantially financed by a pharmaceutical company will normally fall within the scope of Article 121(1), even if it is formally made by a third party, if it is clear to the recipient that the involvement of the company is a crucial and necessary condition for the gift to be made available.

The provision also covers so-called ‘imaging gifts’ from pharmaceutical companies to persons qualified to prescribe or supply medicinal products to animals. It is therefore immaterial whether the gift is directly linked to the marketing of a specific medicinal product, since the undertaking’s interest in providing such financial advantages may be presumed to be motivated by a desire to promote both the undertaking and its products. Accordingly, image gifts should also be considered as being given for marketing purposes.

The prohibition laid down in Article 121(1) covers, inter alia, gifts of money (monetary gifts) to a person qualified to prescribe or supply medicinal products to animals or to a private group of such persons. This type of gift is not covered by the exception provided for in Article 121(1). However, there are specific rules on the payment of direct and indirect representation expenses for events exclusively for professional and scientific purposes, as provided for in Article 121, paragraph 3 and paragraph 6.3.

The rules on gifts and other pecuniary advantages which may be given to persons qualified to prescribe or supply medicinal products are equivalent to a prohibition on those persons claiming or receiving advantages contrary to Article 121(1), in accordance with Article 121(2) of the Veterinary Medicinal Products Regulation.

4.2 Payment for professional services

The provision of Article 121(1), which prohibits, in connection with the advertising of veterinary medicinal products, the giving, offering or promise of gifts, pecuniary advantages or benefits in kind to persons qualified to prescribe or supply veterinary medicinal products, does not cover the payment for services rendered by health professionals or pharmacies, provided that the payment is proportionate to the service rendered.

The payment may only take the form of a direct payment. This may not be done by set-off, transfer in kind or by any other indirect means.

4.3 Payment for advertising space

A pharmaceutical company may pay for access to advertising space from a trade union or association of health professionals in connection with a professional event for health professionals. For example, it could be an annual meeting held by a trade union organization of health professionals.

The payment shall be in reasonable proportion to the service provided (advertising space). This is determined by a concrete assessment of the number of participants in the meeting, the duration and the price (market price) of the corresponding advertising space. The payment shall not exceed the market price for the corresponding advertising space.

A pharmaceutical company may also enter into an agreement with a trade union or association of health professionals to have access to advertising space on the organization's/association's website against payment, if the payment is proportionate to the service provided (advertising space). This is determined by a concrete assessment of the content and duration of the contract, the number of users of the website and the price (market price) of the corresponding advertising space. The payment shall not exceed the market price for the corresponding advertising space.

4.4 Representation

Article 121(3) allows for free representation, directly or indirectly, of health professionals in connection with events for purely scientific and trade union purposes, strictly limited to the main purpose of the event.

Article 121(3) allows healthcare professionals to be sponsored for direct costs of meals, travel, accommodation, etc. in the context of purely trade union events on medicines and other relevant trade union information.

4.5 Level and scope

Representation vis-à-vis persons qualified to prescribe or supply medicinal products shall be strictly limited to the main purpose of that event, as referred to in Article 121(3) of the Veterinary Medicines Regulation.

Hospitality offered at professional and scientific events shall be reasonable in scope and always secondary in relation to the main purpose of the event. In principle, the value of such hospitality, including meals, should follow the reasonable standards of the country where the hospitality is offered ('host country principle').

Special care should be taken when sponsoring scientific symposia or exhibitions to ensure that the company's activities do not divert attention from the main purpose of the event.

At meetings organized by or in cooperation with pharmaceutical companies, companies may offer a moderate meal in conjunction with the meeting.

5. Advertising on the internet and social media

Marketing of medicines on the internet and social media should meet the same requirements as marketing in other media.

The rules apply both to banner advertisements, internet advertisements that appear to be marketing, and to mentions of medicines on, for example, pharmaceutical companies' websites or social media, when these mentions fall within the scope of the marketing concept.

Advertising on the internet accessible to the public shall not include advertising of medicinal products subject to medical prescription. On Facebook, for example, the person responsible for marketing may create a page that is generally closed to the public and give individuals, as referred to in Article 120(1), individual access to the page.

The person responsible for marketing must also be aware of the restrictions in Section 19 of the Marketing Act (2008:486) on unsolicited advertising. As a general rule, a pharmaceutical company may only send direct marketing to a natural person if prior consent has been given.

When marketing medicinal products on the internet, the mandatory particulars should be readily available (such as one click away). Mandatory information is limited to the assessed information relevant to the safety of the end-user, such as adverse reactions, risks and any special warnings. Alternatively, a link to Fass.se/vet may be used.

Banner advertisements are considered as a simplified digital advertisement, where the mandatory information can be in a more general format and also be easily accessible (such as with a click), for example in the form of a general but related information page.

Independent specialist veterinary media with clearly defined target groups within the legally permitted limits may be used for the marketing of prescription-only medicinal products, taking into account the rule that mandatory information should be easily accessible (such as with one click).

In general, a pop-up confirmation of the professional role of the person is required before access is given to websites promoting prescription medicines.

6. Advertising of medicinal products at international congresses and conferences in Sweden

The rules for the marketing of medicines to animals also apply at international congresses and conferences in Sweden. This means, for example, that the ban on marketing medicines that are not approved in Sweden also applies to the marketing of medicines at international congresses and conferences held in Sweden.

7. Distribution of pharmaceutical samples

According to Article 119(9) of the Veterinary Medicinal Products Regulation, antimicrobial medicinal products may not be distributed for marketing purposes as samples or in any other form. For other veterinary medicinal products, Article 119(8) of the Veterinary Medicinal Products Regulation provides that samples of medicinal products may not be distributed for marketing purposes, with the exception of small quantities of samples.

Samples distributed for marketing purposes must be correctly labeled with a clear indication that they are samples. Samples may only be given directly to veterinarians or other persons authorized to supply such veterinary medicinal products at sponsored events or by sellers during their visits, as referred to in Article 119(10) of the Veterinary Medicines Regulation.

Paragraph 4 of HSLF-FS 2021:86 further states that the distribution of veterinary medicinal samples for marketing purposes requires that the recipient of the samples place an order – either electronically or on paper. Paragraph 6 requires the distributor of samples of a medicinal product to check that the recipient is a veterinarian or another person authorized to supply the medicinal product.

In addition, Paragraph 7 provides that every delivery of samples of a medicinal product must be accompanied by written documentation, which must state which veterinary medicinal products are distributed, the quantity of samples distributed, the date of distribution and to whom the samples are distributed, and that the recipient is a veterinarian or other person authorized to supply the medicinal product. The records shall be kept for five years.

8. Self-regulation by the industry - Veterinary Industry Nordic ("ViNordic")

The Swedish Medicines Agency's supervision of marketing of medicines for animals is supplemented by the self-regulatory body Veterinary Industry Nordic ("ViNordic") and its marketing committee.

The Board handles matters relating to marketing activities for veterinary medicines within the member companies of Vinordic, based on this marketing policy and its own statutes.

Complaints handled by the Marketing Board:

Vinordic's Marketing Board handles and makes decisions in written reasoned complaints from:

- Members of Vinordic and other companies that are covered by Vinordic's industry self-regulatory system.
- Other operators who prescribe, distribute as wholesaler or retailer, use or dispense authorized veterinary medicinal products in Sweden.
- Medical Products Agency.

Complaints may be submitted about marketing activities in Sweden involving authorized veterinary medicinal products carried out by companies covered by Vinordic's self-regulation system.

Although a complaint about marketing falls within the remit of the Marketing Board of Vinordic, a

complainant may choose to turn to the Swedish Medical Products Agency at any time. As part of its review, the Swedish Medicines Agency may request an opinion from the Marketing Board of Vinordic.

A decision taken by Vinordic's Marketing Board cannot in itself be appealed to the Swedish Medical Products Agency. On the other hand, a dissatisfied party always has the opportunity to refer the matter to the Swedish Medicines Agency, even if it has already been dealt with by Vinordic's Marketing Board. Vinordic Marketing Board also assesses requests from companies covered by Vinordic's self-regulatory system for prior approval of specific statements for use in marketing in Sweden.

9. Updating the Vinordic regulatory framework

This document is based on current legislation and is therefore updated on an ongoing basis. Such updates do not imply a modification of this Marketing Code. The latest updated version is available at <http://vinordic.org/sweden/>.

10. Entry into force

This Code enters into force on 15 June 2026.

Adopted at ViNordic's general meeting on 29 April 2026.