

European Commission
DG Health and Consumers
Unit SANCO/D/5
BE-1049 Brussels

sanco-pharmaceuticals-D5@ec.europa.eu

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**UNITED KINGDOM GOVERNMENT RESPONSE TO CONSULTATION ON A COMMON LOGO
FOR LEGALLY-OPERATING ONLINE PHARMACIES AND RETAILERS OFFERING
MEDICINAL PRODUCTS FOR HUMAN USE FOR SALE AT A DISTANCE TO THE PUBLIC**

Please find the attached the United Kingdom Government response to the European Commission's consultation on a Common Logo for Online Pharmacies and Retailers offering Medicinal Products for sale at a Distance to the Public

Yours faithfully,

A handwritten signature in black ink, appearing to read "Gian Marco Currado".

Gian Marco Currado
Head of EU, International, and Strategy

IMPLEMENTING ACT ON A COMMON LOGO FOR LEGALLY-OPERATING ONLINE PHARMACIES/RETAILERS OFFERING MEDICINAL PRODUCTS FOR HUMAN USE FOR SALE AT A DISTANCE TO THE PUBLIC

CONCEPT PAPER SUBMITTED FOR PUBLIC CONSULTATION

The UK welcomes the opportunity to express views on the paper issued in respect of Directive 2011/62/EU, which introduces EU-wide rules in relation to *'the offer of medicinal products for human use for sale at a distance to the public by means of information society services'* as defined in EU legislation.

Directive 2011/62/EU introduces EU-wide rules in relation to *'the offer of medicinal products for human use for sale at a distance to the public by means of information - society services'* as defined in EU legislation. It introduces a "common logo" for websites of legally-operating online pharmacies/retailers.⁴ This logo has to be clearly displayed on every page of the website offering the medicinal products.

The common logo shall be recognisable throughout the Union, while enabling the identification of the Member State where the online pharmacy/retailer is established. In addition, Member States are under an obligation to set up a dedicated website providing, *inter alia*, the national list of all legally-operating online pharmacies/retailers. Each entry of this list shall contain a hyperlink to the website of the respective online pharmacy/retailer.

In parallel, the common logo shall contain a hyperlink to the entry of the online pharmacy/retailer in the national list (reciprocal link). This reciprocal link is aimed to allow customers to verify the authenticity of the logo displayed on the webpage of the online pharmacy/retailer. The implementing acts are intended to be introduced in 2013.

Topics

Consultation item No 1: Please comment on the technical, electronic and cryptographic requirements for verification of the authenticity of the common logo

We fully support the Commission's proposals for a secure, encrypted reciprocal link between the national website and the vendor's website, in order to provide assurance of the authenticity of the pharmacy or retailer. We agree with the Commission's concern that the wording of the implementing act in this regard is general enough to allow for rapid technological advances in this area. However, we also consider that the difficulty of achieving an entirely authenticated product (especially within the timescale) should not be underestimated.

One stakeholder who runs a similar, voluntary scheme, reports to us that there have been occasional examples where the logo they have adopted appears to have been illegitimately copied by non-registered pharmacies, despite their considerable efforts.

We intend to address the issue very closely to ensure that the authenticity of the common logo is not susceptible to compromise, and will work with the Commission and other member states on this matter. We further consider that the arrangements for publicity and enforcement will be just as important as the technical aspects of the logo in ensuring its correct use.

Another factor may be the disproportionate impacts on smaller retailers who are obliged to adopt the logo, and may face considerable difficulties in doing so. We will work closely with pharmacies, retailers and their representative organisations on these issues.

Consultation item No 2: Consultation item n°2: Please comment on the design options. If you plan to submit another, alternative, design for the common logo as part of your submission, please be aware that the Commission does not intend to engage in any financial commitments for the use of the design of the common logo, or reference thereto, in the implementing act.

We have no specific comments on the design of the logo.

Consultation item No 3: Please comment on the national element and text associated with the common logo, and

We have no specific comments on the national element and text associated with the logo.

Consultation item No 4 Please comment on the size and position of the logo

We have no specific comments on the size and position of the logo.

Consultation item no 5: Please raise any other issue or comment you would wish to make which has not been addressed in the consultation items above.

MHRA is concerned that the timetable for implementation is challenging. We have a number of issues to resolve, around the hosting arrangements for the website, ensuring the affected retailers and pharmacies are aware of the requirements, and delivering on the technical requirements of the logo.

We will need to work with stakeholders to assess the impacts of the scheme on their business and to ensure that they are prepared for the implementation of the new requirement.