

Drug firms paid for cancer articles

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The Yomiuri Shimbun

The government has begun investigating articles carried in a magazine intended for cancer patients on suspicion some of the articles are actually advertisements for anticancer drugs. The Pharmaceutical Affairs Law bans advertising anticancer drugs.

The Health, Labor and Welfare Ministry decided to investigate the magazine, as many of the articles favorably introduce certain products, and learned that pharmaceutical companies gave money to the publisher of the magazine.

The ministry plans to urge the pharmaceutical industry to introduce self-imposed rules to prevent similar cases from happening again.

The articles in question feature anticancer drugs and were carried in a monthly magazine that is available at bookstores. The magazine, which is aimed at cancer patients, says it sells 70,000 copies every month. In many of the articles, doctors and other specialists give the names of specific drugs and explain their effectiveness in fighting cancer.

Sources close to the publisher of the magazine said the publishing house received from ¥470,000 to ¥570,000 per page for each article carried in the magazine from pharmaceutical companies selling the drugs. “Those articles were called ‘tie-up articles,’” a person close to the company said. “Since the magazine’s circulation figures stagnated, it needed around two such articles per monthly issue to make ends meet.”

The publisher planned the articles and then approached pharmaceutical companies, the source said.

The Yomiuri Shimbun interviewed the pharmaceutical companies, with five of them admitting to paying from ¥1.9 million to more than ¥5.5 million to the publisher for articles carried in 2010 and 2011. The total payments by the five companies came to at least ¥13 million.

One company said it paid more than ¥40 million for 27 articles. Among the articles in question, at least nine were about anticancer drugs. Some of the articles covered medications in a drug category for which advertising is banned under a notice issued by the then Health and Welfare Ministry.

Meanwhile, doctors and university professors whom the publisher interviewed for the articles received a monetary reward ranging from several tens of thousands of yen to about ¥100,000. Many of them said they did not know pharmaceutical companies paid money for the articles.

Risk of anticancer drugs

Advertising anticancer drugs to the public is prohibited by the Pharmaceutical Affairs Law and by another notice from the then health ministry. Penalties for violation of the law include a prison term of up to one year or a fine of up to ¥1 million. Under the ministry notice, an advertisement for these drugs is deemed illegal if it fulfills the following three conditions: The intention of enticing customers is clear; the product or products are clearly named; and the advertisement is available to the public through being carried in a magazine or other means. The terms of the 1998 notice remain in effect under the current Health, Labor and Welfare Ministry.

The advertising of anticancer drugs is prohibited because of the risk of patients choosing drugs they read about in advertisements and suffering health problems from dangerous side effects.

In principle, drugs should be administered to a patient at a doctor's discretion. In recent years, however, there is a growing trend on the cancer treatment scene to respect patients' opinions as well. This trend has led to an increase in cases in which the choices of drugs and treatment methods are left to the patients.

The ministry began the inquiry into the magazine because, according to a ministry official, "The monetary payment suggests it is likely there was an intention of advertising [the drugs] by carrying the articles."

To the pharmaceutical companies that voluntarily responded to the inquiry, the ministry has instructed them to conduct thorough investigations and compile detailed reports. The ministry also is planning on holding hearings with the pharmaceutical companies and the publisher, who have not responded yet.

"[Such articles] are dangerous because they could influence a patient to make the wrong choice of drugs," said Miho Katagi, the head of the ovarian cancer patients support group Smiley.

"I know a patient who jumped on the information saying 'some people were cured using this treatment' and died after going to a hospital where she could receive that treatment," she said. "If it is an advertisement, it should be clear that it is."

But the publisher maintains what it has done is not illegal.

"We included the names of the products [in the articles] as part of providing information to readers, which helps readers understand the articles better. There is nothing illegal about it," the publisher told The Yomiuri Shimbun in a written statement.

The company did not provide any answer regarding monetary payments.

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