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## Guideline on medicines and the Internet

The Internet is gaining in significance as a source of information about medicines and a channel for ordering them. Offers on the Internet for the purchase of medicines and the information relating to illness that can be found there nevertheless constitute risks. In issuing this guideline, Swissmedic is therefore providing information regarding these risks and the legal background, as well as tips for obtaining information and ordering medicines from the Internet.

Swissmedic strongly recommends that for questions relating to health, you should consult qualified specialists such as your doctor or pharmacist. These persons are best placed to assess your personal state of health and to recommend the appropriate treatment. Personal contact is not only a better way of assessing a patient's condition but also means that examinations can be carried out, which is not possible on the Internet.

### Legal mail order within Switzerland

The sale of medicines via the Internet represents a special case in terms of mail order business. Basically, obtaining medicines by mail order is prohibited in Switzerland. The competent Cantonal authorities may, however, grant exceptional authorisations to appropriate suppliers, under specific conditions<sup>1</sup>. To obtain medicines by mail order nevertheless requires a medical prescription for each order. This also applies to medicines that are otherwise sold without a prescription. In this way, it is possible to guarantee that specialist advice has been obtained before the order is placed.

Ordering medicines within Switzerland has an advantage: it means that the medicines come from official distribution channels authorised by Swissmedic. To date, the authorities - in collaboration with the pharmaceutical companies, wholesalers and pharmacists - have been able to prevent counterfeit medicines from being distributed in Switzerland.

### Obtaining medicines from abroad over the Internet

The purchase of medicines advertised on the Internet can be dangerous for your health. Globally, hundreds of counterfeit, bad quality and ineffective medicines or prescription-only medicines available without prescriptions are offered on the Internet. The range of medicines available worldwide, to treat every possible type of illness, is immense. The Swiss authorities have no legal basis for preventing these activities, because the foreign suppliers are not subject to Swiss law. The only possibility is to report the said activities to the relevant foreign authorities.

The legislative authorities have nevertheless made it possible to obtain medicines abroad legally. An individual may import medicines corresponding to one month's supply for his or her personal use but not on behalf of third parties<sup>2</sup>. The calculation of one month's supply is in accordance with the manufacturer's indications for the medicine in question. Medicines containing narcotics such as hypnotics (sleeping pills), tranquillisers or strong analgesics (painkillers), may only be imported if the shipment includes a prescription from a Swiss physician.

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<sup>1</sup> Legal basis: Art. 27 of the Swiss Law on Therapeutic Products (HMG; SR 812.21).

<sup>2</sup> Legal basis: Art. 20, para. 2, letter a) of the Swiss Law on Therapeutic Products (HMG; SR 812.21) and Art. 36, para. 1 of the Ordinance on Establishment Licenses (AMBV; SR 812.212.1).

The exemption provisions were initially intended for tourists having obtained medicines legally in their home countries. For that reason, the permitted quantity was established as one month's supply.

### Costs relating to the import of medicine from abroad

When comparing costs, it is essential to take into account the following elements in addition to the cost of the medicine. In addition to the dispatch costs, Value Added Tax (VAT) is normally levied on goods imported into Switzerland. In addition, a processing fee is charged for imported goods.

Other factors are also involved, but are frequently underestimated:

- Medicines available on the Internet are at times more expensive than those available from Swiss pharmacies
- It is impossible to claim reimbursement from your medical insurance scheme
- Medicines obtained via the Internet cannot usually be returned
- The transport of medicines is at the recipient's risk
- If the order is not received, the buyer alone bears the risk
- If imported illegally, the medicines may be confiscated and a fee levied for administrative costs (see following page).
- Automatic repeat deliveries of medicines, and thus repeat charges to the credit card without an order being placed.

### Risks

- **Health risk:** the greatest risk when obtaining medicines from the Internet concerns your health. Without advice from a physician or pharmacist, self-diagnosis and self-medication constitute a risk. It is not impossible that your illness could become worse if it is treated with the wrong medicines or those that are not effective. The principle of "even if it doesn't help, it can't do any harm" is only valid to a highly limited extent when it comes to your health. The interaction of a medicine with another that you are taking can lead to severe side effects or even result in death.

- **Quality of the medicine:** The quality and composition of medicines obtained from the Internet cannot be guaranteed. Falsified potency drugs, "natural, purely herbal medicines" containing only chemical active substances or toxic impurities, and medicines without an active substance of any kind are all encountered frequently. Even for a medicine actually containing the stated active substance, inappropriate storage or transport may have a negative effect on it.

- **Untested treatments / medicines:** The number of miracle cures offered on the Internet is massive: to lose weight, to build up muscles, to strengthen the immune system and even to fight cancer. For reasons of health protection, Swissmedic strongly advises against the use of treatments other than those commonly used in Switzerland or medicines that have been tested.

The offers in question often fail to deliver what they promise. "Slimming cures" frequently contain only diuretics or laxatives that only seem to reduce your weight. Taking anabolic steroids to build up muscles can lead to health risks such as liver damage, an increased risk of heart attacks, and for men shrunken testicles, sperm production problems or even feminisation with the growth of breasts, or for women masculinisation (lower voice, body hair, disrupted monthly cycle, etc.).

- **Internet providers:** It is important to realise that a provider of medicines on the Internet above all wants to sell the products. Offers by international providers on their websites are often misleading:

- Even if they state that the company and the dispatch of their products are legal, this is not necessarily the case.

- Creating an online prescription based on the information provided by the person making the order does not make it legal to obtain the medicines from the Internet, nor does it offer security.
- Although providers often claim that they are located in Great Britain, Canada or the USA, the medicines may come from, for example, India, China, Thailand, or from various different sources that are difficult to control in small, tropical states.

The check list for patient information provided later in this guideline can also be of assistance to you when assessing a Website proposing medicinal products.

### **Legal measures in the case of illegal import**

If imported medicines are dispatched in quantities that exceed one month's supply, importation is forbidden and the goods are seized by customs.

Non-declared goods are also usually detected thanks to experienced postal and customs staff. The Swiss Customs Service and Swissmedic collaborate closely regarding illegal imports.

Once the goods are blocked by customs, Swissmedic initiates an administrative procedure<sup>3</sup> that results in the loss (usually destruction) of the medicine. Although only the costs for the work carried out are charged, these costs are, in our experience, at least CHF 300.- and must be borne by the person who placed the order in Switzerland<sup>4</sup>.

In case of repeated offences or the importation of medicines that represent a threat to health, criminal proceedings against the person placing the order are also possible. The importation of medicines with the intention of reselling them is in particular vigorously pursued by Swissmedic, since trading with medicines is subject to stringent requirements (notably the need for a licence).

### **Medical information on the Internet**

The persons who are best placed to provide you with information that is appropriate to your personal situation are those with medical qualifications. Given patients' increasing need to obtain additional information from the Internet, Swissmedic wishes to provide the following recommendations.

The Internet can certainly be helpful, but it does not replace consulting a person qualified in medicine. Discuss the information you have found on the Internet with your physician, pharmacist or druggist.

For reliable information on a medicine, the patient information and the specialised information provided for physicians on medicines that are authorised in Switzerland can be found at <http://www.documed.ch> or <http://ch.oddb.org>. This information has been officially reviewed and is accurate. The specialised information nevertheless requires expert medical knowledge. We therefore advise you to discuss any queries with a person qualified in medicine.

For information on illnesses, health and medicines we recommend that you use the following check list:

#### Check list for health information on the Internet

1. Who is responsible for the website?
  - Does it include a credible professional qualification and the name of the author or the organisation?
  - Does it have a (complete) contact address?

<sup>3</sup> Legal basis: Art. 66, para. 1 of the Law on Therapeutic Products (HMG; SR 812.21)

<sup>4</sup> Legal basis: Art. 2, para 1 and Art. 3 in relation to letter V of the relation to Letter V of the Annex to the Ordinance on fees for therapeutic products (HGebV, SR 812.214.5)

- Is a credible company / person responsible for the website? You can find out the name of the "holder" and the "technical contact" of a website by typing the URL (the domain name, such as www.name.com) into service sites that provide information on who is behind a site. You can find such sites using www.google.ch, for instance, using the keywords "Domain Whois" or "Domain Dossier".
2. Is the information published reliable, complete, and up to date?
    - In principle, you can assume that sites by public organisations such as the World Health Organisation (WHO), Swissmedic, the Swiss Federal Office of Public Health (BAG), the FDA or Swiss professional organisations constitute reliable sources of information.
    - Does the site provide balanced information, including details of both the advantages and risks of the medicine?
    - Is the information up to date, or could it be outdated?
    - Does it contain links to reliable sites?
    - So-called quality labels are not necessarily a guarantee for the credibility of a website and the reliability of the information contained in it.
  3. Does the information correspond to your needs?
    - Find out who is targeted by the information (qualified medical personnel, companies, the general public / patients, potential buyers)
    - Does it answer your questions?
    - Are the site provider's interests purely scientific?

Check on all these questions, and remain wary. Compare information that you have obtained from the Internet with information from other sources, and discuss it with your physician or pharmacist. Never provide your personal details on the Internet unless you are certain that the operator complies with security and data protection standards.

Things that should make you suspicious:

- If the site promises fast or sensational results, usually supported by personal testimonials
- If the medicines are not authorised in Switzerland, Europe or the USA
- If the site includes astounding new theories regarding diseases or secret recipes. The apparent plausibility of a theory usually says nothing about its medical substance.
- Medicines claimed to be "natural" does not mean that they are not potentially dangerous. The most powerful toxins, for example, are those found in nature, and products claimed to be "natural" often contain chemical active substances.
- Claims that a treatment presents no risks, or a lack of information regarding side effects
- Claims that the medicine is suitable for anyone, or can be taken on a lifelong basis without any risk whatsoever
- Claims that taking this medicine alone is enough to bring about a cure
- Sites without the provider's full address, e.g. with an e-mail address only
- An aggressive selling approach

**Other recommendations**

If you feel unwell and need medical advice or a specific medicine, consult a qualified person nearby.

Buy only medicines that are authorised by Swissmedic. You can see this thanks to the Swissmedic sign, in a circle, on the packaging of the medicine. In addition, all authorised medicines are listed on the Swissmedic website ([www.swissmedic.ch](http://www.swissmedic.ch)), in a list under the section Therapeutic Products / Authorised medicines, procedures and effective ingredients.

To date, no counterfeit medicines have been found in legal distribution channels in Switzerland (pharmacies, drugstores, medical practices). Use this reliable, easily accessible channel within Switzerland to obtain your medicine and the corresponding medical advice.

**Please note:**

If you discover any evidence of medicines coming from Switzerland that are not authorised in Switzerland and that are offered on the Internet for import or export, you can notify Swissmedic (at [market.surveillance@swissmedic.ch](mailto:market.surveillance@swissmedic.ch) or by traditional mail).

Swissmedic also relies on obtaining information regarding adverse reactions in Switzerland to medicinal products obtained over the Internet. If you suspect that you have suffered damage to your health from medicines obtained over the Internet, you may report it by e-mail to [market.surveillance@swissmedic.ch](mailto:market.surveillance@swissmedic.ch).