



**GENERIC DRUGS
SAME QUALITY
BETTER PRICE**



CANADIAN GENERIC PHARMACEUTICAL ASSOCIATION

THE SIZE, SHAPE & COLOUR OF GENERIC MEDICINES

THE ISSUE have launched hundreds of court cases on the issue of size, shape and colour, creating uncertainty in the marketplace and high legal costs. Despite the brand-name companies' tactics, most decisions have favored patient safety and allowed generics to be marketed in a similar size, shape and color.

For example, in December 2000, the Federal Court of Appeal dismissed an appeal filed by Eli Lilly against generic manufacturers Novopharm, Apotex and Nu-Pharm to prevent their generic versions of the anti-depressant fluoxetine from looking similar to Prozac brand fluoxetine. The trial judge found that ***"if the market place attaches any meaning to the appearance of the capsules, it is with respect to the medicine contained in them and to its therapeutic effect, and not its trade source or provenance."***

Concerned Canadians agree that the size, shape and color of medications must be consistent between generic drugs and their brand-name equivalents:

- 86% of Canada's pharmacists say their customers would prefer generic drugs to have a similar size, shape and color to their brand-name equivalent.
- 71% of pharmacists say brand-name companies should not be permitted to protect a unique appearance for their drug.
- 66% of seniors say the size, shape and color of medications (or a

combination) is one of the main ways they identify their pills.

- 55% of seniors want generic pills to look similar to their brand-name equivalents, primarily to avoid confusion and to make them feel safe.

CGPA POSITION

The federal government should regulate the long-standing practice of marketing a generic drug in a size, shape and color similar to its brand equivalent.