



For immediate release

CGPA Statement Regarding Proposed Legislative Amendments to Canada's Access to Medicines Regime

Toronto, October 21, 2009 – The following is a statement by Jim Keon, President of the Canadian Generic Pharmaceutical Association (CGPA), regarding two Private Members' Bills proposing significant improvements to Canada's Access to Medicines Regime (CAMR):

"Canada's Access to Medicines Regime, which aims to provide domestically produced generic versions of patented drugs for international humanitarian purposes, is severely flawed. Canadian generic drug maker Apotex used the regime to develop and ship a triple combination HIV/AIDS drug to Rwanda, but had to overcome lengthy and costly obstacles due to the cumbersome regime. The company has said it will not use CAMR again unless significant improvements are made.

While Canada's generic pharmaceutical industry supports reasonable intellectual property rights and compliance with our international trade obligations, it must be noted that the landmark WTO Decision leading to the creation of CAMR outlines only four basic requirements that need to be met for an exporting country to grant a compulsory license to a generic manufacturer.

A central problem with Canada's Access to Medicines Regime is that it creates barriers not required by the WTO Decision. These measures were demanded by the brand-name industry, and will ultimately ensure that the humanitarian intent of the regime is not met. They include the requirement for a generic manufacturer to seek a voluntary license from patentees, which provides brand-name companies with an opportunity to cause significant delays in the process, and the many unnecessary limits placed on a compulsory license.

The WTO Decision and CAMR were created in acknowledgement of the significant and critical pharmaceutical needs in developing and least developed countries that were not being met by the brand-name pharmaceutical industry. These companies were unwilling to lower their drug prices to levels that could be afforded by these countries, and were not developing products that were required to meet the unique disease needs of these countries. It is wrong for the Government of Canada to capitulate to these same companies and create unnecessary barriers to prevent Canadian-made generic drugs from helping to save the lives of people who desperately need them.

Honourable Senators and Members of Parliament now have the opportunity to make the changes needed to improve CAMR by supporting Bill C-393 and Bill S-232. The question now is whether they will have the political will to do so despite the considerable resources being invested by the brand-name pharmaceutical industry to oppose changes to the regime and spread misleading and inaccurate information about the Apotex's experience with the regime."

About the Bills

Bill S-232 was introduced by former Liberal Senator Yoine Goldstein in March 2009 and is now sponsored by Senator Sharon Carstairs. The Senate Banking, Trade and Commerce Committee is currently holding hearings on the Bill. Bill C-393 was introduced by NDP MP Judy Wasylycia-Leis in May 2009, and will soon be debated for a second hour at Second Reading in the House of Commons.

About the Canadian Generic Pharmaceutical Association

The Canadian Generic Pharmaceutical Association (CGPA) represents Canada's generic drug industry. The industry plays an important role in controlling health-care costs in Canada. Generic drugs are dispensed to fill 51.6 per cent of all prescriptions but account for only 23 per cent of the \$21.4-billion Canadians spend annually on prescription medicines.

-30-

For more information, please contact:

Jeff Connell
Director of Public Affairs
Canadian Generic Pharmaceutical Association (CGPA)
Tel: (416) 223-2333
Cell: (647) 274-3379
Email: jeff@canadiangenerics.ca