

**GOVERNMENT OF INDIA
CHEMICALS AND FERTILIZERS
LOK SABHA**

STARRED QUESTION NO:114
ANSWERED ON:03.03.2011
MALPRACTICES BY DRUG COMPANIES
Pratap Narayanrao Shri Sonawane

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

- (a) whether some pharmaceutical companies have allegedly shifted the production of medicines that are under price control to food and nutrition supplements manufactured under the Prevention of Food Adulteration Act, 1954 in order to circumvent the control mechanism;
- (b) if so, the details of companies indulging in such malpractices and action taken against them; and
- (c) the steps taken by the Government to curb alleged malpractices of drug companies?

Answer

MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT KUMAR JENA)

(a) to (c) : A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (C) OF THE LOK SABHA STARRED Q.NO.114 (14 POSITION) FOR ANSWER ON 3,3.2011 REGARDING MALPRACTICES BY DRUG COMPANIES.

It has come to the notice of National Pharmaceutical Pricing Authority (NPPA) that the companies have shifted the manufacturing of drugs to food and nutrition supplements under Prevention of Food Adulteration Act, 1954. This has enabled them to remain out of price control. Examples observed in this regard are Evion 400mg of M/s Merck, Revital of M/s Ranbaxy, Recharge Plus of M/s Trikio, Soft Z gold of M/s Indchem etc. NPPA/Government has sought legal advice from the Department of Legal Affairs on the issue related to multivitamin Capsules/ tablets being sold at inflated price as food supplements to circumvent DPCO, 1995.

As the matter relating to composition of drugs under the Drugs and Cosmetics Act as well as adulteration of drugs is under the Drug Controller General of India under the Ministry of Health and Family Welfare(M/o H & FW), the above practice followed by the companies was brought to the notice of M/o H & FW. NPPA/Government has requested them to examine the matter and take appropriate action to prevent the same. As per the information available from M/o H & FW, rules and regulation to regulate such products as specified under section 22 of the Food Safety and Standards Act are being formulated by the Food Authority. The Food Authority would consult the NPPA while formulating rules and regulations to regulate such products.