

**Question for written answer E-015972/2015
to the Commission**
Rule 130
Theodoros Zagorakis (PPE)

Subject: Unfair commercial practices and health claims - Nurofen case in Australia

Following a recourse by the Australian Competition and Consumer Commission (ACCC), the Australian judicial authorities recently ordered the British pharmaceutical company Reckitt Benckiser to withdraw from the market some packages of the popular painkiller Nurofen, due to misleading advertising.

It is noted that the ACCC had recourse to justice, denouncing the fact that Nurofen is marketed in different packages, which are recommended for different types of pain, although the active ingredient is the same.

The Federal Court of Australia found the multinational corporation guilty of deceit, since the same Nurofen product is marketed in different packages, depending on the type of pain, all of which contain the same ingredient, i.e. 342 milligrams of Ibuprofen Lysine.

Will the Commission say:

- Are different packages of over-the-counter drugs (such as Nurofen), which make different health claims, although their active ingredient is exactly the same, sold in the European market?
- Which measures has it taken to deal with such violations of provisions on unfair commercial practices in promoting products by using deceitful claims regarding their effect on human health?
- Does it have data on the number of violations that have been recorded in the Member States over the last two years?