ENABLING THE SAFE ONLINE SALE OF PRESCRIPTION MEDICINES IN EUROPE

STATE OF PLAY IN EUROPE

The online sale of medicines is envisaged at the EU level by different pieces of legislation. Directive 2011/62 – Falsified Medicines Directive – addresses the online sale of over-the-counter (OTC) medicines and sets out priciples and rules to limit the spread of falsified medicines and keep the patients safe. In parallel, Directive 2001/83 – Community Code – details the minimum criteria and standards for the online sale of medicines, both OTC and prescription medicines (Rx), establishing the legal framework for online pharmacies to operate in Europe. Based on these pieces of legislation, the EU has introduced the "EU Common Logo" in 2014, a legal requirement which vouches for the authenticity of the websites and guarantees the safety of the products[1]. In this sense, e-pharmacies play by the exact same rules and standards set for brick-and-mortar pharmacies, while contributing to ensuring the security of supply with OTC (and prescription medications where allowed) for Europeans everywhere.

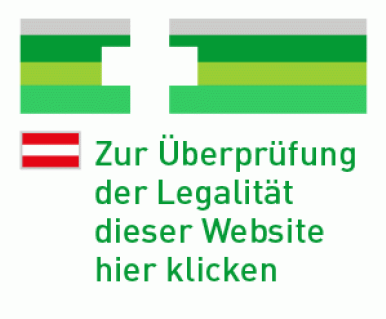


Figure 1 EU Common Logo

Nonetheless, according to the Community Code Directive, Member States are empowered to limit the online sale of Rx on their territory. Regrettably, different national governments have taken different approaches with regards to (i) products that can be sold online, (ii) entities allowed to sell online specifc categories of products, (iii) legal obligations for online pharmacies to have a physical presence. The existing fragmentation has led to a clear downside: **patients in Europe can have limited access to healthcare** (e.g. cannot easily order medication from home, or receive professional personalised advice online), especially chronically ill patients, resulting in fewer benefits compared to neighbouring countries (Figure 2).

BENEFITS OF ORDERING MEDICATION ONLINE

While it is true that the COVID-19 pandemic accelerated the uptake of digital solutions across health systems, the practice of ordering non-prescription medicine (and in some countries prescription medicine) through online pharmacies was on the rise even before the pandemic started[2]. For prescription medicines, this comes as a result of mainly two elements: **availability** and **accessibility** of drugs delivered by e-pharmacies. In this sense, enabling the online sale of medication across the EU, especially prescription medicine, will help to strengthen the EU health policy and enhance the health of European citizens. The main advantages are detailed below:

[1] https://health.ec.europa.eu/medicinal-products/eu-logo-online-sale-medicines_en
[2] Online Pharmacy Market in Europe - Industry Outlook and Forecast 2020-2025; e-Pharmacy Thrives as OTC Growth Begins Recovery - An IQVIA Consumer Health QuickView

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For (chronic) patients:

- Access to a wide range of products, at any time and from any place, through easy-to-understand user interfaces. This contributes to fostering equivalent living conditions by improving healthcare in rural areas and for elderly patients or patients with immobility/physical restrictions;
- Enhanced and complementary digital information on products and knowledge about health, ultimately raising patients' awareness and helping them becoming managers of their own health;
- Personalised advice by phone, chat or email, from highly-trained pharmaceutical consultants, while maintaining trust and discretion.

For pharmacists:

- Optimised processes for dispensing medications (consultation, coordination and support in drug therapy) and checking medication plans or possible interactions between drugs (through electronic patient files);
- Avoidance of medication errors where possible caused by prescribing, preparation, dispensing and administration mistakes;
- Access to a wide range of different inquiries, clinical pictures and prescriptions on a daily basis, resulting in enhanced pharmaceutical education.

For health systems:

- Mitigation of effects of drug shortages, through (i) generic substitutions, (ii) procurement and import of medications from alternative approved sources, (iii) real-time inventory checks;
- Security of supply in sparsely populated, structurally weak and rural areas, and areas suffering from shortage of supply / lack of health professionals and hospitals;
- In combination with telemedicine and e-prescription, the online sale of Rx can reduce physical visits to doctors and thus reduce burden on healthcare systems. This also results in greater cost efficiency[3].

EUROPE'S FRONTRUNNERS

Despite the obstacles still preventing enhanced access to medicines for (chronically ill and/or less mobile) patients through the use of digital means, enabling the online sale of Rx does not mean reinventing the wheel: many EU/EEA countries (Figure 2) have already in place legal frameworks allowing the online sale of medicine. Among them, **Denmark**, **Estonia**, **Finland**, **Germany**, **Lithuania**, the **Netherlands**, **Norway**, **Portugal**, and **Sweden**, allow patients to easily order their Rx from home, online, while benefitting from digital health support offered by e-pharmacies. In all these countries, the online sale of Rx works perfectly well and complements the healthcare system, especially for the chronically ill and immobile people. Such a system should not be limited to national borders but is in the interest of any EU citizen.

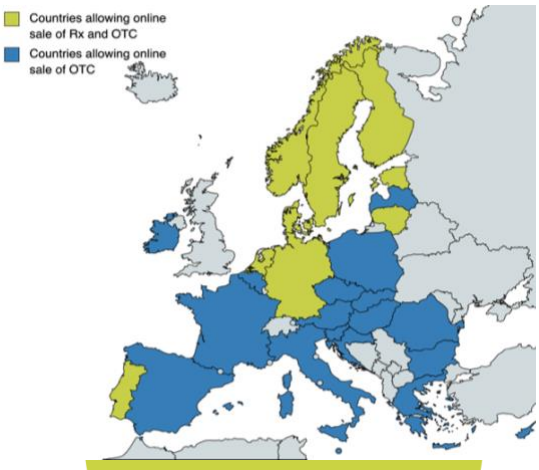


Figure 2 Map of EU countries distinguishing legal frameworks for online sale of drugs

[3] See also recent McKinsey study on respective saving effects in Germany: https://www.mckinsey.de/news/presse/2022-05-24-42-mrd-euro-chance

TWO CLEAR RECOMMENDATIONS

The European Health Data Space (EHDS) proposal should lead to the mandatory implementation of electronic prescriptions in each EU country by 2025. The EU is therefore in a unique position to take the discussions on patients' digital access to healthcare one step further, by proposing a single, common framework for the safe online sale of prescription medicine across the continent.
For starters, the benefits of such framework, primarily the enhanced access to healthcare across the EU, shall be investigated through a study, funded by the EU through the annual EU4Health programme.
As the body representing the voice of innovative and patient-centric healthcare providers in Europe – e-pharmacies – the EAEP urges the **European Commission, European Parliament, and Member States to**



Figure 3 EU flag

1. **Start discussions, alongside the EHDS, on a possible legal framework enabling the online sale of prescription medicine across the EU.**

2. **Allow patients to make full use of any pharmacy, albeit it brick-and-mortar or online pharmacy, to obtain prescription medicine, ultimately establishing an EU level playing field with brick-and-mortar pharmacies to avoid any discriminatory treatment against e-pharmacies.**

Enabling the (cross-border) online sale of prescription medicine as well as an active participation of online pharmacies, through a sound EU framework, is a key step towards the creation of a real **European Health Union**.

About the EAEP

The European Association of E-Pharmacies (EAEP) represents the interests of e-pharmacies on the European continent. More than 20 million customers and patients across Europe are currently being supplied by our members and on top of that, our online pharmacies and their more than 4,000 employees are currently active in eleven European markets. Founded in 2001, the EAEP voices its interests mainly with political stakeholders, regional and business actors, with the ultimate aim to improve the health of Europe's citizens and strengthen the European healthcare system. As pioneers in providing digital solutions and our innovative and secure processes in dealing with health data, offering medicinal products and digital healthcare service while complying with national and EU law, the EAEP members continuously seek for ways to enhance the quality, safety and efficiency of healthcare for Europeans.

Do you want to learn more about what we do?
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info@eaep.com