

PRIVACY GUIDELINES FOR MARKETING TO U.S. CONSUMERS

This document sets forth voluntary privacy guidelines for marketing by pharmaceutical companies to U.S. consumers. These guidelines are aspirational in nature. Companies endorsing this document aim to follow these guidelines in their day-to-day business operations in connection with the collection, use, disclosure, and maintenance of written and electronic personal information that identifies an individual consumer and is retained by a company for marketing purposes. These companies also take steps to ensure that vendors who may communicate with consumers on their behalf comply with these guidelines or applicable privacy and data protection laws.

Policies or practices for addressing these guidelines vary by company. For information on an individual company's privacy practices, please refer to the company links at the end of this document.

I. NOTICE

1. When personal information is collected directly from consumers, inform those consumers about:
 - (a) the identity of the entity collecting the information;
 - (b) the purposes for which the information is being collected;
 - (c) the types of third parties to whom the information may be disclosed; and
 - (d) where provided, the means by which consumers can access and amend personal information about themselves.
2. Where the means by which personal information is being collected is not obvious (e.g., passive or automatic collection of information through website tracking), include a notice of this fact in a privacy statement.
3. When personal information about a consumer that will be used to market to that consumer is received from a third party, obtain assurances from that third party that notice was provided to the consumer and that appropriate permissions were obtained to share the personal information with the pharmaceutical company.

II. PERMITTED USES AND DISCLOSURES

1. Limit uses of personal information collected or received to:
 - (a) those that are compatible with the purposes indicated in the notice given. Maintain processes to enable consumers to withdraw permission (opt-out) at any time and process such requests within a reasonable timeframe;
 - (b) those that have been subsequently authorized by the consumer;
 - (c) those that are necessary to comply with a legal or ethical obligation;

- (d) those that are necessary to ensure compliance with applicable laws and to detect and prevent inappropriate acts or practices, or to investigate, make or defend a legal claim; and
 - (e) those that have been requested by governmental authorities.
2. Limit disclosures of personal information collected or received to:
- (a) others working for or on behalf of the company;
 - (b) others with whom the company jointly markets products or services;
 - (c) those that are compatible with the notice given at the time the information was collected;
 - (d) those that are incidental to permissible uses of the information;
 - (e) third parties to whom the consumer has authorized disclosure;
 - (f) in the event of a sale or transfer of the business, successors and assignees;
 - (g) those that are necessary to investigate, make or defend a legal claim; and
 - (h) those that have been requested by governmental authorities or compelled by legal process.

III. ACCESS AND AMENDMENT

When contacted by a consumer who has provided appropriate verification of his or her identity with a specific request related to personal information, work reasonably with that individual to address his or her specific concern.

Circumstances that may prevent a company from fully complying with an individual's request include those that would:

- affect the company's ability to comply with a legal or ethical obligation;
- affect the company's ability to detect and prevent inappropriate acts or practices, or to investigate, make or defend a legal claim;
- result in the disclosure of proprietary information; or
- result in the disclosure of personal information of other individuals.

IV. SECURITY

1. Take reasonable precautions to protect personal information from loss and misuse, as well as unauthorized access, disclosure, alteration and destruction, commensurate with the sensitivity of the information processed.

2. Obtain assurances from vendors that they will protect personal information from loss and misuse, as well as unauthorized access, disclosure, alteration and destruction, commensurate with the sensitivity of the information processed, and that they will promptly notify the company of security incidents involving personal information.
3. Promptly investigate security incidents involving personal information and provide appropriate notice in accordance with applicable law.

V. ENFORCEMENT

1. Employ appropriate measures to receive and, as appropriate, respond to privacy complaints and requests.
2. Adopt appropriate measures and take corrective actions against employees who are found to have violated company privacy policies. Take appropriate corrective actions against agents who have violated privacy policies or law.

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Endorsing Companies *(as of March 7, 2008)*

Abbott Laboratories	Website Privacy Policy: http://www.abbott.com/global/url/content/en_US/0:0/general_content/General_Content_00029.htm
AstraZeneca Pharmaceuticals	Privacy Statement: http://www.azprivacystatement.com
Bristol-Myers Squibb	Internet Privacy Statement: http://www.bms.com/legal/data/privacy.html
Eli Lilly and Co.	Website Privacy Statement: http://www.lilly.com/privacy.html
Johnson & Johnson	Website Privacy Policy: http://www.jnj.com/privacy_policy/index.htm
Merck and Co., Inc.	Internet Privacy Policy and Privacy Notice for U.S. Patients, Consumers and Caregivers: http://www.merck.com/policy/commitment/home.html
Pfizer	Privacy Policy: http://www.pfizer.com/general/privacy_policy.jsp
Roche	Online Privacy Statement: http://www.rocheusa.com/privacylegal/privacy.asp
sanofi-aventis	Online Privacy Policy: http://legalnotice.sanofi-aventis.us/
Schering-Plough Corp.	Online Privacy Notice: http://www.spfiles.com/policy/IWW0341.jsp?site=www.schering-plough.com&wm=privacyoffice@spcorp.com
Takeda Pharmaceuticals	Website Privacy Policy: http://www.tpna.com/privacy.asp