

Counterfeit Medicinal Products

CYPRUS
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1. **Is the problem of counterfeit medicinal products identified in your jurisdiction? What is the amount of falsified medicinal products on the market?**

   Yes, the problem is identified by the competent authorities, though the actual market problem is rather small.

2. **Have there recently been any cases related to counterfeit medicinal products?**

   Only a very limited number of seizures at points of entry (mainly relating to internet purchases).

3. **Is activity related to counterfeiting a medicinal product a crime? Please state which criminal law provisions may be potentially used against entities engaged in such activity.**

   There is no specific criminal offence for counterfeiting a medicinal product.

4. **Is there a definition of a falsified medicinal product in your jurisdiction?**

   Not yet.

5. **Please advise on regulations in place to ensure safety of medicinal products and to prevent falsification of medicinal products. Who is authorized to enforce relevant laws?**

   The general provisions of the Law and Regulations relating to pharmaceutical products for human use. The competent Authority responsible for the enforcement of the Law is the Pharmaceutical Services Department of the Ministy of Health of the Republic. With regard to counterfeit medicinal products, Cyprus Customs are responsible for preventing their importing into Cyprus.

6. **Please advise regarding existing boarder measures (and related legal provisions) allowing regulatory authorities and right holders to fight against counterfeited medicinal products and about the efficiency of such measures.**

   Cyprus Customs Authorities actively enforce the provisions of Council Regulation (EC) No 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights. Right holders can benefit from the applicable procedures which can prove particularly effective, especially in cases where Customs receive full support from right holders (e.g. specific product identification guides, training etc).

7. **Are there any regulations allowing manufacturers, distributors or marketing authorization holders to eliminate falsified products from the market? Are there any other legal measures competitors, manufacturers, distributors or marketing authorization holders could take?**

   No specific regulations. Protection can be obtained through general legal and administrative procedures for protecting IP rights and the general legislation concerning pharmaceutical products for human use.

8. **Do public authorities or non - governmental organizations inform of dangers related to falsified drugs?**

   Yes, mainly through printed matter such as informative brochures, leaflets etc.

9. **Have draft acts implementing 2011/62/EU of the European Parliament and of the Council of 8 June 2011 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use been already prepared?**

   A draft Law implementing Directive 2011/62 is currently under preparation.

10. **Does your jurisdiction consider signature and ratification of the Council of Europe Convention on counterfeiting of medical products and similar crimes involving threats to public health?**

    Cypus has signed the Medicrime Convention but has not yet ratified the same.