BY THE CONGRESS. WECKER SHARP & DOHME LEGAL REPRESENTATIVE MARY FERNANDEZ INFORMED ECONOFF THAT ON SEPTEMBER 9 SHE ATTENDED A PUBLIC DISCUSSION OF HEALTH SECTOR LEGISLATION INTRODUCED IN THE SENATE. FERNANDEZ REPORTED THAT ALL REFERENCES TO PATENTS HAVE BEEN REMOVED FROM THE SENATE BILL, TIPPED OFF BY A BYSTANDER WHO SAID HE WAS CONFUSED BECAUSE HE THOUGHT THE MEETING WAS SUPPOSED TO BE TAKING PLACE ON THE HOUSE SIDE OF THE LEGISLATURE. FERNANDEZ SENT A STAFFER TO THE HOUSE WHO DISCOVERED THAT ANOTHER BILL, REPLACING ALL THE REFERENCES TO PATENTS DELETED FROM THE SENATE BILL, HAD BEEN INTRODUCED QUIETLY ON THE HOUSE SIDE. THE HOUSE LEGISLATION WOULD PUT INTO LAW A REQUIREMENT THAT PHARMACEUTICAL PATENTS CANNOT BE ISSUED WITHOUT REVIEW BY THE SECRETARIAT OF HEALTH (SSEPAS). TRADEMARKS AND TRADEMARKS FOR MANY PRODUCTS WOULD ALSO HAVE TO BE REVIEWED AND OXED BY SSEPAS. SSEPAS WOULD ALSO HAVE TO APPROVE THE IMPORTATION OF MEDICAL EQUIPMENT. FERNANDEZ AND OTHER ATTORNEYS ARE WATCHING THIS LEGISLATION CAREFULLY.

DOMINICANS BAIL OUT OF REGIONAL HARMONIZATION MEETING

5. (U) FOLLOWING UP ON EFFORTS BEGAN LAST YEAR TO HARMONIZE HEALTH REGISTRATION REQUIREMENTS BETWEEN CENTRAL AMERICA AND THE DOMINICAN REPUBLIC, THE GUATEMALAN MINISTRY OF PUBLIC HEALTH ISSUED INVITATIONS TO REGIONAL HEALTH AUTHORITIES TO ATTEND A MEETING IN SEPTEMBER 17-19. THIS MEETING WAS SUPPORTED FINANCIALLY BY FEDIFARMA (FEDERACION CENTROAMERICANA DE LABORATORIOS FARMACEUTICOS). UPON RECEIPT OF HIS INVITATION, DR. EDUARDO NONELLOM, SSEPAS DIRECTOR OF DRUGS AND PHARMACIES, PASSED IT TO INFADOMI, THE DOMINICAN NATIONAL (AND FREQUENTLY PIRATE) LABORATORIES. INFADOMI HELD AN EMOTIONAL PRESS CONFERENCE THE WEEK BEFORE THE GUATEMALA MEETING CLAIMING THAT THE MULTINATIONAL PHARMACEUTICAL COMPANIES (I.E., FEDIFARMA) WERE SEEKING TO DISRUPT DOMINICAN DRUG SALES TO CENTRAL AMERICA. AS A RESULT, THE GOVERNMENT DID NOT SEND A REPRESENTATIVE TO THE MEETING WHICH WOULD SEEM TO HOLD INTEREST FOR BOTH THE HEALTH AUTHORITIES AND ALL SECTORS OF THE PHARMACEUTICAL INDUSTRY.

INFADOMI ATTACKS NEWEST HEALTH CARE DEGREE


7. (U) INFADOMI IS REPORTEDLY PRESSING THE COMMISSION TO WEAKER THE MANUFACTURING STANDARDS SET IN THE DECREES. IT IS ALSO SEEKING TO ADD A REQUIREMENT THAT IF A REQUEST FOR A HEALTH REGISTRATION IS NOT PROCESSED BY SSEPAS WITHIN 60 DAYS OF SUBMISSION, NATIONAL...
LABORATORIES WOULD BE AUTHORIZED TO SELL "SIMILAR" PRODUCTS.

8. [REDACTED] REPORTS THAT EFID HAS DECIDED TO PARTICIPATE IN THE PROCESS OF MODIFYING THE DECREE NOW ON-GOING BEFORE THE REFORM COMMISSION BECAUSE THE COMMISSION'S RECOMMENDATIONS WILL GO TO THE PRESIDENT WHETHER EFID PARTICIPATES OR NOT. [REDACTED] NOTES, "AT LEAST HE WILL RECEIVE A RECORD OF WHAT WE DIDN'T AGREE ON." THE PROCESS IS LIKELY TO BE A VERY SKewed ONE HOWEVER. INFADOM HAS RECRUITED SUPPORT FROM A NUMBER OF SMALL TRADE ASSOCIATIONS WHILE EFID IS LIKELY TO BE THE ONE VOTE ON THE OTHER SIDE BECAUSE OTHER IPR ASSOCIATIONS HAVE REFUSED TO PARTICIPATE IN A DEEPLY FLAWED PROCESS.

COMMENT:

9. [REDACTED] THE EMBASSY PLANS TO INFORM INDIVIDUAL SENATORS ABOUT OUR CONCERNS ABOUT THE INTELLECTUAL PROPERTY LEGISLATION. WAIT BT #8268