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*President's Office / Bureau du Président*

May 14<sup>th</sup>, 2008

Consultations and Liaison Division  
Anti-Counterfeiting Trade Agreement  
Foreign Affairs and International Trade Canada  
Lester B. Pearson Building  
125, promenade Sussex  
Ottawa (Ontario) K1A 0G2

**Re: Proposed Anti-Counterfeiting Trade Agreement**

Dear Sir or Madam:

On behalf of *Canada's Research-Based Pharmaceutical Companies* (Rx&D) we would like to thank you for the opportunity to provide comments on the proposed Anti-Counterfeiting Trade Agreement (ACTA).

Rx&D is interested in the ACTA and would like to comment specifically on counterfeit pharmaceutical products. While Rx&D recognizes that other types of counterfeiting represent serious issues both in Canada and internationally, counterfeit pharmaceutical products are a serious public health and safety concern with potentially life threatening consequences. It is said that, in many developing nations more than 30% of the medicines on sale are counterfeit. These counterfeit medicines are harmful to health of the citizens in these nations who may not have the benefit of sophisticated government regulatory oversight to protect them. The life-threatening phenomenon created by counterfeit pharmaceuticals, which is acknowledged as increasing in scope and severity both internationally and in Canada, underscores the importance of this issue within these consultations.

The government also shares concerns with respect to this issue. Recently, the Government of Canada demonstrated its commitment to address the issue of counterfeit pharmaceuticals through the introduction of proposed amendments to the *Food and Drugs Act* in Bill C-51. These proposed amendments include a specific prohibition on counterfeiting and include increased penalty and recall provisions, which are intended to address the serious public health and safety concerns raised by counterfeit pharmaceuticals.

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Rx&D is supportive of the anti-counterfeiting measures in Bill C-51 and will be monitoring this legislation as it progresses through Parliament. Rx&D is also involved and has provided evidence to the Security and Prosperity Partnership of North America, whose partners are also working on the ACTA. Rx&D is committed to the issue of counterfeiting pharmaceuticals and believes that it should be considered and discussed within the context of the consultations on this agreement.

Thank you for your attention to this matter, and please do not hesitate to contact Rx&D should you require any additional information.

Yours truly,

A handwritten signature in black ink, reading 'Russell Williams' in a cursive script.

Russell Williams  
President

RW/gr