
Frequently asked questions on the ABHI Ethical Business Logo

Q1: What is the ABHI Ethical Business Logo?

A1: The “Ethical Business Logo” is a Logo licensed by Association of British Healthcare Industries, which can be obtained by any company member of ABHI.

A company that uses the Logo not only commits, as do all members of ABHI, to the ABHI Code of Business Practice but has in addition implemented the three following elements:

- Establishment and implementation, within its organisation, of written policies and procedures consistent with the provisions of the ABHI Code;
- Identification and appointment of a senior contact person within the company responsible for the compliance with the ABHI Code and/or the company's written internal policies and procedures transposing the Code internally;
- Provision of comprehensive and regular training to company employees on the ABHI Code or the Company policies transposing the Code internally.

The Logo is based on the self-certification by the company CEO or managing director that his/her company adheres to the high ethical standards required by the ABHI Code of Business Practice and that it has an effective compliance programme in place.

Q2: What is the purpose of the ABHI Ethical Business Logo? What is its added value?

A2: ABHI and its members are committed to promote a culture of integrity and ethical business practices in all interactions between the industry and healthcare providers.

The Ethical Business Logo is a visual sign that demonstrates the commitment of the licensed company to the high ethical standards required by the ABHI Code of Business Practice. It is intended to ensure and strengthen public confidence in the integrity of the industry, and the effectiveness of member organisations' compliance programmes, which are based on the ABHI Code.

The Logo will let stakeholders know immediately that they are dealing with a company that strives to meet the high ethical standards reflected in the ABHI Code of Business Practice and has an effective compliance programme in place that is assessed on a regular basis.

The Logo also intends to support companies in:

- improving public trust in the MedTech business;
- becoming the preferred choice of ethically concerned customers/consumers;
- attracting investments from ethically oriented investors;
- attracting and retaining highly principled employees and improving employee morale.



Q3: Does the Ethical Business Logo certify an effective programme under the Foreign Corrupt Practice (FCPA) or any other legislation?

A3: No, this Logo is not intended to certify an effective compliance programme under Foreign Corrupt Practices Act (FCPA) or any other national legislation.

Under FCPA, an effective compliance system is left up to prosecutorial discretion, even though the Office of the Inspector General (OIG) Compliance guidelines, Department of Justice (DOJ) opinion procedure, and Prosecution Guidelines in the United States Attorney's Manual provide some guidance for companies as to the characteristics of an effective compliance system.

Q4: How may I use the ABHI Ethical Business Logo?

A4: A company that signs the Licence Agreement and self-certifies that the three compulsory criteria provided under the Agreement are implemented may use the Logo on print or electronic materials to illustrate their commitment to the high ethical standards included in the ABHI Code in their interactions with healthcare professionals. For example, they may print the Logo on annual reports, promotional material, business cards, stationery and conference banners and signs.

However, the Logo cannot be used in a manner or associated with text which implies that ABHI has endorsed or approved a company's products, technology or individual compliance plans or practices.

Specific information on how to use the Logo is provided in the Brand Guidelines ensuring that it is used properly, in particular with reference to colour and size.

Q5: Why is there a national (ABHI) and European (Eucomed) Ethical Business Logo?

A5: ABHI has worked with Eucomed to develop the Ethical Business Logo concept. As a result of this collaboration the decision was taken to run the pilot Logo Scheme at both a European and at a national level. As ABHI had been the national association most closely involved it was decided that the national pilot should be run in the UK.

The dual system will allow those companies with multiple businesses throughout Europe to take advantage of the Eucomed scheme (provided they are Eucomed members) and for those that are UK-based to use that of ABHI. ABHI recommends that its members choose the appropriate logo scheme for their business.

Given that the Logo will be identical, except for the name of the licensor, having two logos on the same material will be redundant. However, a multinational company may choose to also acquire the both licences if it wishes to use ABHI licence for its UK materials.

Other national association members of Eucomed may decide at a later stage to join the self-certification system, in which case they will licence the Ethical Business Logo under their name.

Q6: Why is there a first year introduction phase of the Ethical Business Logo?

A6: The first year introduction phase of the Ethical Business Logo is designed to allow ABHI and Eucomed to establish the "brand" at European and UK national level and assess some practical aspects (e.g. use of both the national and the European Logo by the same company). If necessary, amendments to the system will be made based on users' feedback, during or at the end of this first year, ending on 1st October 2012.

During the first year of its introduction, the two Logo systems will be available to ABHI and Eucomed members only. As of 1st October 2012, the self-certification system may be opened up to any medical technology manufacturers, distributors or healthcare related service organisations.

Q7: Who can obtain the right to use the ABHI Ethical Business Logo?

A7: During the first year of its introduction, the Ethical Business Logo system is only open to the member companies of ABHI and Eucomed. As of 1 October 2012, once the brand is established, Such an organisation need not be a member of ABHI or ABHI. The annual licence fee may differ for ABHI/Eucomed members and non-ABHI/Eucomed members.

Further information will be published in due course on the ABHI website.

Q8: Who must execute/sign the Licence Agreement of the ABHI Ethical Business Logo?

A8: It is the Chief Executive Officer (CEO) or the managing director having authority over the operations of the UK legal entity seeking the licence who must sign the Licence Agreement, that will also be co-signed by the Compliance Officer.

Q9: What is the fee for the use of the Logo and how much will it cost a company?

A9: For the first year of operation, there will be no charge for use of the ABHI Ethical Compliance Logo. After 1st October 2012 there will be an annual licence fee. Although the level of such a fee has not yet been finalised it is likely to be in the region of £250 although there may well be different price levels dependent, for instance, on whether companies are direct members of ABHI and also on the size of the company.

ABHI reserves the right to change the above-mentioned fee for granting the licence at any time.

Q10: Who is managing this self-certification system? Who verifies that the different criteria are indeed implemented by users?

A10: ABHI will be licensing and managing the requests for the ABHI Ethical Business Logo and Eucomed will be licensing and managing the requests for the Eucomed Ethical Business Logo.

Compliance with the contractual obligations of this Licence Agreement will be verified by the respective Secretariats, based on the information provided the Agreement. In order to do so, the respective Secretariats can randomly check that certifying companies continue to comply with the criteria required to obtain the Ethical Business Logo. Companies are then requested to provide, within 30 days from the request by the Secretariat, evidence of the implementation of the three obligations (i.e. appointment of a compliance officer, establishment of internal policies procedures transposing the Code internally and provision of comprehensive and regular trainings to employees). ABHI plans to randomly confirm compliance to the criteria for a number of licensed companies per year.

Certifying companies will have to renew certification on an annual basis and update, if necessary, information provided in the Licence Agreement Form.

Q11: What if I notice an abuse in or violation of the ABHI self-certification system and its Ethical Business Logo? How can I lodge a complaint?

A11: Any individual, company, organisation can lodge a formal complaint if they notice an alleged abuse in or violation of the ABHI self-certification system and its Logo. The formal complaint must



be lodged with ABHI (complaints@abhi.org.uk) which may refer the matter on to ABHI Complaints Adjudication Panel

Where the Panel rules that there is an abuse or violation of the Licence Agreement, sanctions will be imposed at the discretion of the Panel (e.g. withdrawal of the ethical business logo, written reprimand, publication of the Panel's decision).

The ABHI procedural framework to lodge a complaint is detailed in the ABHI Code of Business Practice Complaints Procedure (and Panel Constitution) which is contained in the ABHI Code.

Should there be a formal complaint concerning abuse or violation of the ABHI self-certification system and its Logo, the ABHI Compliance Panel shall hear these based on the procedure established in the ABHI Code of Business Practice.

Q12: Is the Logo protected (trademark)?

A12: Yes, the Logo is protected under trademark law. In case of infringement of the registered trademark, ABHI may commence legal proceedings for trademark infringement to prevent unauthorised use of that trademark.

Q13: Who can I ask if I have any additional questions on the ABHI Ethical Business Logo?

A13: For any comments or questions concerning the ABHI Ethical Business Logo, you may contact Clive Powell, Technical & Regulatory Manager at ABHI (clive.powell@abhi.org.uk).