

DECLARATION

**by the German National Contact Point for the
OECD Guidelines for Multinational Enterprises**

regarding a complaint filed by

- Transparency International

against

- Ratiopharm

SUMMARY

On 20 April 2006, TI filed a complaint against Ratiopharm. The complaint was directed against practices in the pharmaceutical goods markets. In particular, Ratiopharm in Germany was accused of having breached the OECD Guidelines (especially Chapter VI – Combating Bribery) by using its sales representatives to wield influence over doctors, pharmacists and patients in Germany, Belgium, Canada, and Spain.

Following detailed assessment of the case, including a statement by Ratiopharm, the NCP concluded that, for the reasons set out below, the case did not fall within its remit:

- The complaint about practices taking place in Germany was lacking a cross-border connection.
- The complaint directed against foreign subsidiaries falls into the remit of the NCPs in each of the countries where the alleged actions took place, as all of these countries are OECD member states.

TI was informed about the decision in a letter dated 13 December 2006. Parallel to this, the NCP offered its good services for mediation between TI and Ratiopharm, an offer which was not accepted by Ratiopharm.

