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EU Slammed for seizing Indian generics

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The World Health Organization has chastized the EU for seizing Indian generic drugs bound for Latin America and Africa for patent violation, saying that it was a misuse of rules against counterfeit medicines. Several shipments of India-made generic medicines have been seized or halted while on transit in the EU. This has ignited a trade dispute at the World Trade Organization, with Brazil and India filing separate complaints against the EU. "Let me be very clear. WHO deplore those things. WHO deplore that this has happened," said Hendrick Hogerzeil, who heads the essential medicines program, at a press conference, as quoted by *AFP*.

The condemnation comes as a battle brews about counterfeit drugs. Brazil and India claimed Wednesday that the WHO's work against counterfeit and substandard medicines is being influenced by brand drug producers that want to undermine generic competition. The Brazilian ambassador told *Intellectual Property Watch* there is a "hidden agenda" against generics from countries like Brazil.

But experts cautioned the WHO that production and sale of counterfeit drugs are on the rise worldwide, with consumers buying them over the Internet, *Reuters* reports. These fraudulent or substandard drugs are often hidden in cargos taking circuitous routes to mask their country of origin as part of criminal activity worth billions, they added.

In wealthy countries, counterfeiting often involves "expensive hormones, steroids and anti-cancer medicines and pharmaceuticals related to lifestyle," a WHO report said. But in developing countries, counterfeit medicines are commonly available to treat life-threatening conditions such as malaria, tuberculosis and HIV/AIDS, it said, as quoted by *Reuters*.

At issue is the fate of the International Medical Products Anti-Counterfeiting Taskforce (IMPACT), which opponents say has led the WHO to confuse the issue of substandard, falsified or otherwise low quality or unsafe drugs with counterfeit medicines, *Intellectual Property Watch* explains. But supporters of IMPACT argue that the group was intended to address public health and not patents, and should remain involved with the WHO.

A joint draft resolution proposed at the WHA by India and Thailand urges the WHO to abandon IMPACT and set up a separate program to tackle the quality, safety and efficacy of medicines without any element of IP protection, *SecuringPharma* reports.