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**MEDI
FAKE**



The role of Customs Authorities in the fight against counterfeiting of medical products



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General Overview

The Cyprus Department of Customs & Excise falls under the auspices of the Ministry of Finance. The Department's personnel consists of 358 established posts. Officers are allocated between the:

1. **Customs Headquarters**, which is entrusted with policy making and administration of the technical operations of the Department, and
2. **District Customs Offices** of Nicosia, Limassol, Larnaca and Paphos whose function is primarily revenue collection and enforcement of various laws in relation to the importation and exportation of goods, as well as passenger traffic.

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Customs key role...

The Department of Customs & Excise due to its physical presence at all points of entry, exit & in transit of the Republic of Cyprus and E.U. borders in general, has a major role to play in enforcing the laws and regulations related to the importation and exportation of high interest goods. The Department is exercising its powers to control persons and goods and also to facilitate trade.

...as from 2003, the Department has also the responsibility to control the movement of goods from the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control, as have been regulated by the European Commission (Green Line Regulations)

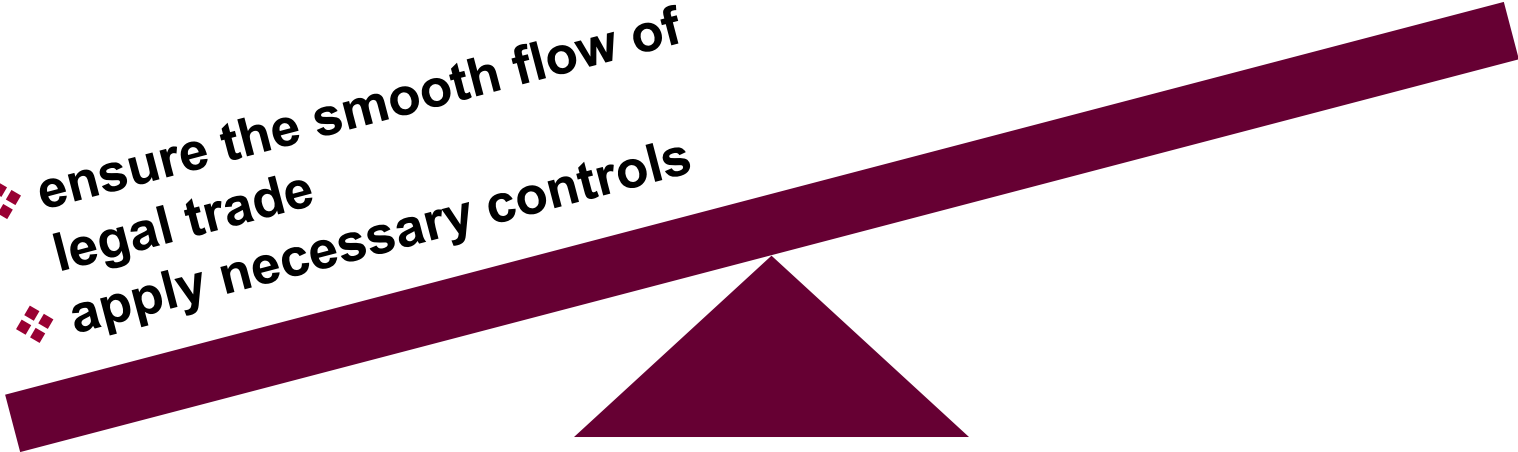
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Customs new challenges

- 
- ❖ ensure the smooth flow of legal trade
 - ❖ apply necessary controls

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Customs new challenges

- 
- ❖ guarantee the protection of the economic interests, the environment and the health and safety of EU citizens
 - ❖ fight against fraud, terrorism and organised crime

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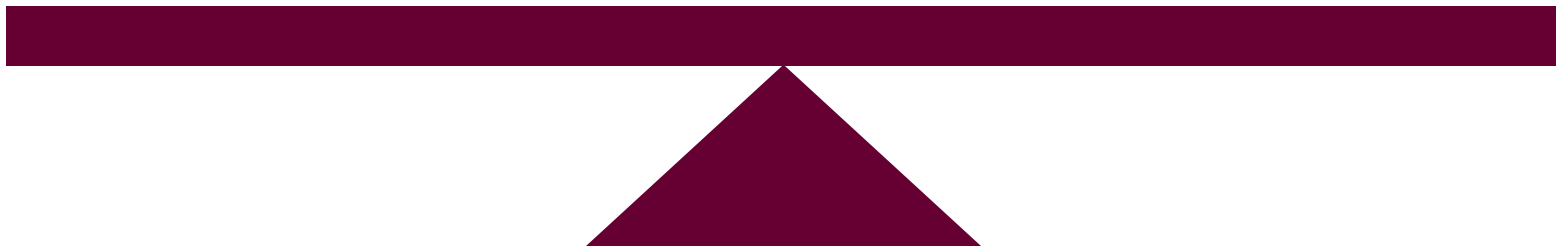




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Customs new challenges

- ❖ ensure the smooth flow of legal trade
- ❖ apply necessary controls
- ❖ guarantee the protection of the economic interests, the environment and the health and safety of EU citizens
- ❖ fight against fraud, terrorism and organised crime



**In order to achieve the correct balance between these challenges,
risk analysis methods have been modernized
and
co-operation between the different services has been reinforced.**

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Legal framework for IPR enforcement

**National
Legislation**

**Community
Legislation**

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Legal framework for IPR enforcement

**National
Legislation**

**The Customs Code Law of 2004,
No. 94(I)/2004**

**The Control of Movement of
Goods Infringing Intellectual
Property Rights Law No. 133 (I) of
2006**

**Community
Legislation**

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Legal framework for IPR enforcement

National Legislation

Council Regulation (EEC) No 2913/92, of 12 October 1992, establishing the Community Customs Code

Commission Regulation (EEC) No 2454/93, of 2 July 1993, (provisions for the implementation of Reg.2913/92 establishing the C.C.C.

Regulation (EC) No. 608/2013, of the European Parliament and the Council of 12 June 2013, concerning customs enforcement on intellectual property rights

Community Legislation

Commission Implementing Regulation (EC) No 1352/2013 (EC) of 4 Dec 2013, establishing the forms set in Reg. 608/2013

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Customs competencies...

■ Physical Control of goods

- Imports
- Exports
- Transit



■ Market Operations



■ Selective Controls at checkpoints – Green Line Regulations



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Conditions for Providing Protection Reg.608/2013:

- “National or Union Application For Action” in force. In cases where no application is in force the right-holder is enabled by Customs to submit an Application within a set time limit in order to receive protection
- In cases where detained goods are consisting a threat against the health and safety of consumers and:
 - there is not any application for action in force for these goods or
 - the right-holders are not proceeding with implementation of the procedure laid down in Reg.608/2013,
certain procedures have been developed by our Department in cooperation with other competent authorities in order to secure the seizure of the aforesaid goods i.e. medicines, sunglasses etc. in order to be destroyed

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CUSTOMS IN THE PROTECTION OF HEALTH AND SAFETY

The first alarm rings....

- Department of Customs and Excise receives invitation to participate in the Conference regarding **fake medicines** – Innsbrug, Austria 2007
- First conference where Customs and pharmaceutical Industry meets together to face the new trend in the field of IPR – FAKE MEDICINES
- Three Customs Officers participating in the conference and receiving the first warning messages of the new threat

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CUSTOMS IN THE PROTECTION OF HEALTH AND SAFETY

FROM THEORY TO PRACTISE...



- One of the results of Fake Medicines Conference was to take certain actions against the threat
- The EU Commission (DG TAXUD) initiate a Customs exercise (Priority Control Area – PCA) named MEDIFAKE in 2008 for controlling the movement of illicit / fake medicines
- The common action lasted for 2 months(15 Oct – 15 Dec)
 - ❖ In total (EU Level) more than 34 million pcs of fake medicines were seized (antibiotics, erectile dysfunction, anti-cancer, anti-malaria etc)
 - ❖ In Cyprus 3 suspicious importations were checked – 48 pills of counterfeit Viagra were seized

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CUSTOMS IN THE PROTECTION OF HEALTH AND SAFETY

In 2010....

- Department of Customs and Excise receives invitation to participate in a Conference regarding IPR via Internet – Paris (Villette), 4-5 October 2010 – 2 officers participated
- Last part of conference was dedicated to the illegal sale and movement of **counterfeit medicines** through Internet
- “Recommendations of La Vilette” were established in order to:
 - ✓ Establish “The e-Counterfeit Expert Group”
 - ✓ Review legal instruments for effective tackling of CF via internet
 - ✓ Enhance cooperation between IPR enforcement authorities
 - ✓ etc.

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A year later...

➤ PANGAEA IV – 2011

- ❖ International Week of Action for combating illicit sales of **counterfeit medicines** through Internet, Closing of illegal webpages and Raise public awareness
- ❖ More than 80 countries participated worldwide - 1st time Cyprus participated
- ❖ Coordination by Cyprus Police and Customs
- ❖ Cooperation with Department of Postal Services, Pharmaceutical Services and Ministry of Commerce, Industry and Tourism
- ❖ Globally 1,4 million pcs were seized and more than 12,000 webpages closed
- ❖ In national level 7504 pcs were detained / seized

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IMPACT
International Medical Products
Anti-Counterfeiting Taskforce

Once again...

➤ PANGAEA V – 2012

- ❖ 100 countries participated worldwide
- ❖ All competent authorities cooperated again successfully
- ❖ Globally 3,8 million pcs were seized and more than 18,000 webpages closed
- ❖ In national level 164 pcs were detained / seized



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Advantage of the network – Prospect for future

Consumer Health & Safety
Programme **SOTERIA**

RILO WE

➤ PROGRAMME SOTERIA – 2012

- ❖ Presentation and Invitation by RILO WE
- ❖ **MEDICRIME** becomes a global threat for health and safety
- ❖ Aim to combat the illegal cross-border trade of goods which can potentially harm the health and safety of their citizens by:
 - ✓ reducing the quantity of these products entering legal distribution chains, sales platforms like the Internet and/or black markets;
 - ✓ targeting criminal organisations involved in this trade and depriving them of their illicit proceeds.
- ❖ As from 2013 the Programme Soteria has been renamed in Health and Safety Net

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IMPACT
International Medical Products
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Pangea goes on...

➤ PANGAEA VI – 2013

- ❖ 99 countries participated worldwide
- ❖ All competent authorities cooperated again successfully
- ❖ Globally 10,1 million pcs were seized and more than 13,700 webpages closed
- ❖ In national level 1447 pcs were detained / seized



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Pangea non-stop...

➤ PANGAEA VII – 2014

- ❖ 113 countries participated worldwide
- ❖ All competent authorities cooperated again successfully – New players in the field (Public Health Services enter in the “game”)
- ❖ Globally 9,6 million pcs were seized and more than 11,800 webpages closed
- ❖ In national level 2523 pcs were detained / seized including food supplements



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Success story...



IMPACT
International Medical Products
Anti-Counterfeiting Taskforce

➤ PANGAEA VIII – 2015

- ❖ 117 countries participated worldwide
- ❖ All competent authorities cooperated again successfully
- ❖ Globally 20,7 million pcs were seized and more than 2,410 webpages closed
- ❖ In national level 8,806 pcs were detained / seized including anabolic drugs, banned medicines in EU, dangerous food supplements



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The way forward....

- Information Exchange
- Network Alliance
- Cooperation of competent authorities both in local and international level
- Raise public awareness



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Talent wins games, but teamwork and intelligence wins championships



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THANK YOU FOR YOUR ATTENTION

Contact us:

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