

The civil liability due to production and distribution of counterfeit medicines & cosmetics

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Medicine is used as one of the important elements of prevention, diagnosis and treatment of disease. Accordingly, to guarantee health and safety, there are a set of processes for the production, importation, and medicine preservation and supply. If the medicine is not produced, preserved, distributed, or sold in scientific and principled way, it not only would have an undesirable effect on the quantitative and qualitative indicators of health, but it also may cause serious disorders and illnesses in society, deprivation of treatment, and even death. Therefore, legislator, considering the health of the citizen as part of the outline of his policy, based on the civil liability, intends to limit the production, distribution, selling, and prescribing such medicine and requires a special license for them. The civil liability referred to in the rules including the rule of medical affairs approved 1334 (e.g., the rule of food, drinks, cosmetics) determined certain punishment on how to fraud, as clause 2 of the last law states. This law also involves all practitioners including producers and distributors of the desired items.

Keywords : Civil Liability, health products, counterfeit Goods, Pharmaceutical Products, Contractual Liability, Out-of-Contract Responsibility, Compensation.

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