

# Celgene Limited

## Methodological Statement

*summarizing the methodologies used in preparing the disclosure of transfers of value to health professionals, healthcare organizations and patient organizations pursuant to the Clauses of the Code of conduct of the pharmaceutical industry in Switzerland on cooperation with healthcare professional circles and patient organizations (Pharma Cooperation Code) 2015, the “Code”*

### **Introduction**

Celgene GmbH (“**Celgene**”) is responsible for the sales and marketing of six medicinal products in Switzerland.

Celgene also collaborates both directly and through its parent company, Celgene Corporation<sup>1</sup>, in pre-clinical research and clinical trials in Switzerland.

In the course of these activities, Celgene engages with health professionals<sup>2</sup> whose registered practice addresses are in Switzerland and with healthcare organizations<sup>3</sup> and patient organizations<sup>4</sup> based in Switzerland.

The disclosures that Celgene published on its website represent the transfers of value that Celgene has made to such health professionals, healthcare organizations and patient organizations during the course of 2019 insofar as those transfers of value fall within Celgene’s disclosure obligations as defined in Clauses 2 and 3 of the Code.

### **Methodology**

The data upon which Celgene’s disclosures are based has been collected and compiled by Celgene Corporation’s Spend Transparency Office based in Summit, New Jersey. The Spend Transparency Office is responsible for the disclosure of transfers of value to health professionals, healthcare organizations and patient organizations made by any Celgene Corporation affiliate worldwide in accordance with relevant local laws and codes of practice.

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<sup>1</sup> For the purposes of this document alone, the term “Celgene Corporation” refers to Celgene Corporation and all of its affiliates, sub-contractors and agents worldwide.

<sup>2</sup> as defined by Clause 133 of the Code.

<sup>3</sup> as defined by Clause 134 of the Code.

<sup>4</sup> as defined by Clause 135 of the Code.

In order to prepare for compliance with Clause 2 and 3 of the Code, the Spend Transparency Office first identified all of the possible sources of information within the Celgene Corporation finance system and held by third party vendors that could identify any and all payments made by Celgene. Using information supplied by IMS Health, verified and supplemented by various commercial operations resources within Celgene and Celgene Corporation, publically available information and information from third party vendors, the Spend Transparency Office narrowed down the list of payees to those that fell within the definitions of health professional, healthcare organisation and patient organizations, as set out in Clause 13 of the Code. Celgene used the IMS OneKey Code as a unique identifier of any given health professional.

On the basis of these data Celgene has used its best endeavours to disclose on its website all direct and indirect transfers of value made between 1 January 2019 and 31 December 2019 inclusive that fall within its disclosure obligations as set out in Clause 2 and 3 of the Code, applying the relevant definitions contained therein. Celgene undertakes to publish promptly on its website any corrections or additions that may be required as a result of knowledge acquired after the date the disclosures are submitted.

#### ***Third parties***

Celgene has included in its contractual templates, on the basis of which it contracts with all third parties, a binding clause requiring the third party to notify to Celgene all transfers of value made to health professionals, healthcare organizations and patient organizations. Celgene has used its best endeavours to include all such transfers of value so notified within the scope of its disclosures on the website.

#### ***Distributors***

Celgene does not market its products through distributors in Switzerland.

#### ***Cross border transactions***

Celgene Spend Transparency Office has worked with all of Celgene's functions and affiliates worldwide to capture data relating to transfers of value made by them to health professionals with their practice address in Switzerland and healthcare organizations and patient organizations based in Switzerland. Celgene has used its best endeavours to include all such transfers of value within its disclosures on the website.

#### ***Consent***

Celgene has used its best endeavours to seek consent from all health professionals to disclosure on an individual basis, naming the recipient and identifying the value of the transfer. To this end, Celgene has incorporated a binding clause to this effect in its contractual templates on the basis of which, pursuant to Celgene's relevant policies, all such engagements should proceed.

In circumstances where a health professional declines to give, or subsequently withdraws, consent to one or more transfers of value in the course of the 2019 reporting year, Celgene has disclosed all transfers of value made to that health professional in aggregate.

***Disclosure in aggregate***

Where the recipients of transfers of value cannot be disclosed for legal reasons, including where a health professional has declined to give consent to disclosure on an individual basis, Celgene has disclosed those transfers of value on an aggregate basis.

Celgene has also disclosed on an aggregate basis transfers of value falling within the definition of “*Research and Development Transfers of Value*” pursuant to Clause 138 and 275.3 of the Code.

***Currency***

Celgene has made its disclosures in Swiss Francs, using a published monthly average exchange rate with Swiss Francs for those payments made in any other currency.

***Tax***

Celgene has made its disclosures relating to direct transfers of value exclusive of all applicable taxes. It is possible, however, that some indirect transfers of value made by third party vendors have been reported to us inclusive of taxes.

***Date methodology***

Celgene has made its disclosures relating to cash payments by reference to the payment date. In circumstances where transfers of value represent benefits in kind Celgene has made its disclosures by reference to the date of the event.

***Multi-year contracts***

Celgene has not identified any multi-year contracts that fall within its disclosure obligations for 2019.

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