

Celgene GmbH

Methodological Statement

summarizing the methodologies used in preparing the disclosure of transfers of value to health professionals and health organisations pursuant to Clause 28 of the Code of Conduct of the Members of Arzneimittel und Kooperation im Gesundheitswesen e.V. (AKG e.V.) of 7 April 2008, amended on 22 April 2015, the “Code”

Introduction

Celgene GmbH, a company duly organized and existing under the laws of Germany, is responsible for the sales and marketing of six medicinal products in Germany.

Celgene GmbH also collaborates in pre-clinical research and clinical trials in Germany.

In the course of these activities, Celgene GmbH and other members of the Celgene Group (“**Celgene**”) engage with health professionals¹ whose registered practice addresses are in Germany and with health organisations based in Germany.

The disclosures represent the transfers of value that Celgene has made to such health professionals and health organisations during the course of 2017 insofar as those transfers of value fall within Celgene’s disclosure obligations as defined in Clause 28 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, United States of America. The Spend Transparency Office is responsible for the disclosure of transfers of value to health professionals and health organisations made by any Celgene affiliate worldwide in accordance with relevant local laws and codes of practice.

In order to prepare for compliance with Clause 28 of the Code, the Spend Transparency Office first identified all of the possible sources of information within the Celgene 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, 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

¹ as defined by Clause 2 of the Code.

and health organisation. 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 all direct and indirect transfers of value made between 1 January 2017 and 31 December 2017 inclusive that fall within its disclosure obligations as set out in Clause 28 of the Code, applying the relevant definitions contained therein. Celgene undertakes to adapt promptly 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 and health organizations on behalf of Celgene. Celgene has used its best endeavours to include all such transfers of value so notified within the scope of its disclosures.

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 Germany and health organisations based in Germany. Celgene has used its best endeavours to include all such transfers of value within its disclosures.

Consent

Celgene has sought 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 clause to this effect in its contractual templates.

In the event that a health professional has declined to give consent to such individual disclosure, the Vice President, General Manager of Celgene GmbH, or his designee, has considered whether there is an need to pursue the potential engagement with the result that any transfer of value may only be disclosed in aggregate pursuant to Clause 28 of the Code.

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 2017 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 28 of the Code.

Currency

Celgene has made its disclosures in Euro, using a published monthly average exchange rate with Euros 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.

Prepared by

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