

Merck Frosst Canada Ltd. Data Privacy Commitment to Canadian Healthcare Professionals

<p>FACTS</p>	<p>This Notice provides a comprehensive overview of the practices of Merck Frosst Canada Ltd. ("Merck Frosst"), a Canadian corporation, a member of the Merck & Co., Inc. (Whitehouse Station, NJ, USA) global family of companies, with respect to the collection, use and disclosure of personal information about healthcare professionals.</p>
<p>Privacy at Merck</p>	<p>At Merck & Co., Inc. – also known as Merck Sharp & Dohme (MSD), as Merck Frosst Canada Ltd. in Canada and as Banyu in Japan (collectively "Merck" or the "Company") – a global research-based pharmaceutical company, privacy is fundamentally about trust. Consistent with the Merck tradition of upholding high ethical standards across our business practices, we have demonstrated our commitment to privacy of personal information by establishing a global privacy program to support compliance with applicable privacy laws and standards for protecting personal information around the world.</p>
<p>Why?/ the "Purposes"</p>	<p>In accordance with Canadian privacy laws, Merck may, from time to time, collect, use and share identifiable information about you ("personal information") in your capacity as a healthcare professional for purposes related to our interactions with you (the "Purposes"). The term "healthcare professional" includes physicians, pharmacists, medical investigators, researchers and nurses. The Purposes for which Merck collects your personal information fall within the following four categories:</p> <ol style="list-style-type: none"> (1) medical & research related purposes – examples: <ul style="list-style-type: none"> • your interest in being involved in clinical, epidemiology and outcomes research study management • to identify and engage scientific experts and leaders (2) to provide you with information, products, services and features that you have requested or that may be of value to you – examples being: <ul style="list-style-type: none"> • information and programs that you have advised us may be of interest to your patients • communication of information about our products and business (including marketing & sales programs) through our professional representatives, our web sites, via e-mail, call centers, postal mail and other channels • to determine your interest in symposia, conferences and other scientific and educational programs • as requested by you, to provide you with product samples or orders for our products • providing access to our resources and keeping track of our interactions with you both offline and online (our online practices are governed by our Internet Privacy Policy) (3) to gain an understanding of your current professional needs and preferences to develop, enhance or provide products, services and scientific information geared to those needs and preferences (including, as an example, business and market research) (4) to comply with legal and regulatory requirements including: <ul style="list-style-type: none"> • adverse experience and product complaint reporting • required tracking of payments made to healthcare professionals for services performed on behalf of the Company • financial disclosure reporting • auditing our programs and resources for compliance and security purposes • determining the appropriateness, given the requirements of laws applicable to our business, of engaging healthcare professionals for certain of the business purposes described above • legal proceedings and government investigations, including preservation of relevant data <p>Any personal information collected by Merck will be disclosed only on a need-to-know basis within Merck for the Purposes for which the information was collected or as may be required or permitted by law. Although personal information is retained in Canada on a secure server, Merck, as a global company, provides many support services to Merck Frosst and, as such, certain personal information may be located on a consolidated database at Merck facilities outside Canada; these databases only collect, receive, use and share personal information in keeping with the principles of use for a particular Purpose and on a need-to-know basis and with required safeguards in place.</p>

Effective Date: November 1, 2009.

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	<p>When Merck engages the services of a third party in the context of the Purposes, then personal information may be shared with said third parties with appropriate safeguards in place, including but not limited to contractual safeguards as relates to the use and retention of your personal information; see the "HOW" section of this Notice for further details in terms of sharing of personal information with third parties.</p> <p>Where local laws require that you provide specific consent for the collection, use and disclosure of personal information for a Purpose, you may be asked to provide your consent by appropriate and permitted means.</p>	
<p>What? – personal information</p>	<p>The types of personal information we collect (directly from you or from public or third party information sources) and share depend on the Purpose and consequently the relationship you have with Merck and the requirements of applicable law. Only personal information that is required for a Purpose will be collected. Personal information which may be collected, depending on the Purpose, may include:</p> <ul style="list-style-type: none"> • your contact information including your name, address of your clinic/practice, telephone & fax numbers, e-mail address • your professional credentials, publications, patents and other scientific and medical achievements • roles or positions held with governmental bodies or hospital or payor organizations • your areas of interest • your views on continuing medical information • your preferred method of communication • your preferred types of medical information • organizational and institutional affiliations • programs and activities in which you participated • prescriber information (on an aggregated basis) in accordance with local laws and requirements • agreements you have signed with Merck • payment-related information, including sales tax identification number where honoraria is paid to you by Merck • information identifying scientific and medical colleagues who consider you an expert/leader in your specialty area • information identifying those of your scientific and medical colleagues who you consider an expert/leader in your specialty area 	
<p>How?</p>	<p>Merck, as a global company, provides many support functions to Merck Frosst including technical IT database and server support. As such, your personal information may be located on servers, databases or processes physically located in another country.</p> <p>In the section below, we list the reasons Merck typically may share your personal information and whether you can limit this sharing.</p> <p>Merck implements reasonable and appropriate technical, electronic and physical security measures to protect personal information in accordance with its sensitivity from loss, misuse and unauthorized access, disclosure, alteration or destruction.</p>	
<p>Reasons personal information about you could be shared</p>	<p>Do we share?</p>	<p>Can you limit this sharing?</p>
<p>Reporting to government authorities (such as Health Canada and the FDA in USA)</p>	<p>Yes, for example, to report safety information about our products.</p>	<p>No</p>

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<p>To parties in relevant legal proceedings as authorized by the presiding court or tribunal and otherwise to the extent required or explicitly authorized by applicable law, or rules of a court or a tribunal</p>	<p>Yes</p>	<p>No, except where required by local law.</p>
<p>In the event that for business reasons Merck decides to divest part or all of its business through sale, merger or acquisition, to actual or prospective purchasers</p>	<p>Yes, based on written agreements that personal information will be protected appropriately in these circumstances.</p>	<p>Generally, no, except where required by local law.</p>
<p>With companies globally that provide services on our behalf and in accordance with our instructions (for example, to deliver specific information you have requested)</p>	<p>Yes, if the Purpose/business operation is supported by such a company. As a global company, we may work with companies around the world to provide services for or on our behalf, and we will require those companies to protect personal information in accordance with applicable laws, rules and regulations and Company privacy policies.</p>	<p>Generally, no. We have instituted policy, contractual and administrative mechanisms requiring protection of personal information by other companies that process personal information on our behalf globally. However, where local law provides a right for you to limit this sharing, we will comply with such requirements.</p> <p>In circumstances where our business operations are supported by other companies, such as a company that we contract with to mail the materials you request, you will not be able to limit this sharing and still receive the service.</p>
<p>To affiliates* within the Merck & Co., Inc. family of companies globally for everyday business purposes as described in this notice</p> <p><i>*Affiliates are companies related by common ownership or control. Merck & Co., Inc. is an affiliate of Merck Frosst Canada Ltd. Outside of the United States, affiliates of Merck & Co., Inc. generally operate under the names "MSD" or "Merck Sharp & Dohme"</i></p>	<p>Yes, as a global company, we share personal information between our Merck offices globally only as required for a specific Purpose. However, only those individuals with a legitimate business need to access personal information for these purposes are granted such access. For example, payment information will be available only to local Merck or MSD office in your country and the USA group responsible for payments.</p>	<p>Generally, no. We have instituted policy, contractual and administrative mechanisms requiring protection of personal information across our business globally. However, where local law provides a right for you to limit this sharing, we will comply with such requirements.</p> <p>You may request that we not transfer personal information outside of your country, however, in most cases this will substantially limit the services we can provide to you. Where our computer servers, databases or processes are located in another country, in most cases we will be unable to fulfill such a request and still provide the service to you.</p>
<p>To other companies we collaborate with solely for activities related to products or services jointly offered or developed by Merck and that company</p>	<p>Yes, based on written agreements in place between Merck and those companies; these agreements will require the protection of personal information in accordance with applicable law.</p>	<p>Yes, if you specifically request to opt-out.</p>

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Contact Us



If you have questions regarding this notice or the personal information Merck collects, uses and shares about you, or to advise us of any changes in your professional credentials (such as additional certifications or new areas of therapeutic involvement or research) or if you would like to access personal information about you in accordance with your rights under applicable law, please contact us as follows:

To contact the Merck Frosst Canada Ltd. Privacy Office, write to:

Chief Privacy Officer
Merck Frosst Canada Ltd.
16711 Trans Canada Highway
Kirkland, Quebec H9H 3L1

Or e-mail at Canada_privacy@merck.com

To contact the Privacy Office at Merck & Co., Inc., the parent company of Merck Frosst, write to:

Merck Privacy Office
Merck & Co., Inc.
WS3B-85
One Merck Drive
Whitehouse Station, NJ, USA 08889-0100

or e-mail the [Merck Privacy Office](#)

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