

The responsibility rests with patients to contact CANSA for assistance. [Read more...](#)

[Home » Advocacy](#)

Activists Demand Roche Drops Cost of Vital Breast Cancer Medicine

31 March 2016 – Members of the [Fix the Patent Laws Campaign](#), including Advocates for Breast Cancer, the Cancer Alliance, the Cancer Association of South Africa (CANSA), Doctors without Borders, People Living with Cancer, SECTION27, the South African Non-Communicable Diseases Alliance, the Treatment Action Campaign, and Wings of Hope picketed outside pharmaceutical company Roche **to highlight the excessive price** of a life-saving breast cancer medicine.

Picket outside the UN High-Level Panel on Access to Medicines



Women with a specific form of breast cancer, HER2 positive, require a medicine called **trastuzumab** (marketed in South Africa as **Herceptin**). Many women in South Africa who need trastuzumab cannot access it due to the high price charged by Roche. [Read more...](#)

In the private sector, a 12-month course of Herceptin costs approximately R485,800, or more if higher dosing is required. Roche is able to charge such a high price as it holds multiple patents on the drug, which may block cheaper biosimilars from being sold in South Africa until 2033.

“I was diagnosed with HER2 breast cancer in 2013,” explains Tobeka Daki. “Despite it being recommended by my doctor, my medical aid declined to cover Herceptin claiming that it was too expensive. There’s no way I could afford the half a million-rand price tag. Without access to Herceptin my cancer has spread and last year I was diagnosed with bone cancer of the spine. This medicine is a last hope for patients like me. Chemo alone isn’t enough.”

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

[Accept](#) [Terms & Conditions](#)

South Africa: Access to critical breast cancer drug trastuzumab limited by patent l...



The Fix the Patent Laws Campaign *cannot accept that women in South Africa are dying because they cannot access trastuzumab.*

We therefore demand the following:

1. Roche *should drop the price of trastuzumab* so that all women who need it can have access to it. This must include prices in both the public sector and the private sector.
2. Roche *should abandon all the secondary patents it holds on trastuzumab* in South Africa. Most of these secondary patents were not granted in other countries and should not be granted here. These secondary patents may provide Roche with market exclusivity in South Africa for at least ten years longer than in countries like the United Kingdom, the United States, South Korea and India.

“Should Roche fail to drop the price of trastuzumab to a level where all women who need it can have access to it, we will ask the Department of Health to grant a compulsory license that will allow for the use of more affordable biosimilar versions of trastuzumab that are shown to be safe and effective,” says Salome Meyer of Advocates for Breast Cancer.

Trastuzumab *is just one medicine identified by the Fix the Patent Laws campaign to be priced out of reach of those in need.*

“Appealing to Roche is just a step in our advocacy efforts,” says **CANSA CEO, Elize Joubert**. “*We plan to highlight and fight for a number of cancer medicines that will help people live longer.* Ultimately fixing South Africa’s patent laws will enable people living with cancer and many other diseases to have access to the medicines they need at affordable prices.”

Why We Need Trastuzumab

Breast cancer is the leading form of cancer affecting women in South Africa. Between 20-30% of breast cancer patients are HER2 positive, which is a particularly aggressive strain of cancer. Treatment consisting of 12 months of trastuzumab, in combination with other therapies, has been shown to be highly effective for treating HER2 positive breast cancer – improving overall survival rates by 37%.

Trastuzumab is recommended as an essential medicine by the World Health Organisation for HER2 positive breast cancer, yet its high cost means the majority of women in South Africa who need it will never access it.

In South Africa, only pharmaceutical company Roche’s branded versions of trastuzumab are available, sold under the brand names *Herceptin and Herclon*. In the private sector, a 12-month course of Herceptin costs approximately

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

[Accept](#) [Terms & Conditions](#)

Public Sector Availability

At present, public sector access to trastuzumab is extremely limited and requires a case review by a health facility's Pharmaceutical & Therapeutics Committee, which may — and often will — reject a patient's motivation for the drug, based on cost. The majority of woman seeking care in the public sector that could benefit from this medicine are never even informed about it.

HER2 positive breast cancer patient **Tobeka Daki**, from the Eastern Cape, learned that she needed trastuzumab after being diagnosed with HER2-positive breast cancer at a private facility. Says Tobeka, "I'm now using a public hospital and the doctor never ever mentioned Herceptin to me." She added, "I think if I get this treatment it will give me a chance to see my two sons and my grandson growing".

TOBEKA DAKI, HER2 POSITIVE BREAST CANCER PATIENT



[Find Tobeka's full story here...](#)

Private Sector Availability

Due to the high cost of Herceptin, many Medical Schemes in South Africa do not pay for trastuzumab in full in the private sector For women that need the medicine, this can create an impossible hurdle.

Veroney Judd-Stevens, a HER2-positive breast cancer patient, explains the impact: "it's unaffordable, totally unaffordable. Where am I going to get R600,000? I might as well sell my house, get better and then have nowhere to live. That's what it boils down to."

During 2013 Roche earned over R100 million from the sale of Herceptin in South Africa's private sector, and approximately US\$6.6 billion in global sales in 2014.

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

[Accept](#) [Terms & Conditions](#)

What do Cancer Activists have to Say?

“When [my doctor] told me that my treatment is half a million the first thing that came to mind [is], as a cancer survivor and a supporter, I am with young women and I could see them not being able to access this... There are women who are 40, 30 and they’ve got small children and then they have to lose their lives because they cannot afford Herceptin. It should not be like that.” – **Lillian Dube**, actress and cancer patient activist.

“If you do not have the money to buy the drug then you don’t have access to it... Irrespective of where you are in the country you have the right to access to treatment and access to the drugs needed. Hopefully we can make that change. It will make a huge difference to all women in South Africa.” – **Louise Turner**, breast cancer survivor and advocate.

How do South Africa’s Outdated Patent Laws Contribute to High Medicine Prices?

Roche holds multiple patents on trastuzumab in South Africa, which could guarantee it a monopoly on the medicine’s sales until 2033. Roche’s patents on trastuzumab will expire at least 10 years earlier in other countries, such as the UK, US, India, and South Korea. *South Africa’s Patents Office currently does not examine patent applications, and has therefore granted a number of patents on trastuzumab that have been rejected in other countries. As competitors’ biosimilar products enter the market in countries where trastuzumab patents have expired or are no longer in force, prices should fall as a result of increased competition. South Africa could miss out on such price reductions for trastuzumab so long as patents block the use of more affordable biosimilars.*

Why We Need Patent Law Reform

For nearly seven years, South Africa’s Department of Trade and Industry has taken piecemeal steps toward reforming the country’s patent laws. More rapid action is required to establish a proper patent examination system that prevents the granting of low-quality patents to pharmaceutical companies, and puts in place legal safeguards that limit the abuse of market dominance by patent-holding companies.

Fixing South Africa’s patent laws will enable women living with HER2 positive breast cancer and other diseases to have access to the medicines they need at affordable prices.

Read more:

- [Protect the right of health – help CANSA fix patent laws](#)
- [Participate in fixing the patent laws by completing survey...](#)

Published: 5 Apr 2016 | Last Updated: 11 Jul 2019

Categories: [Advocacy](#)

ADVOCACY POSTS

[CANSA BMSF Multiple Myeloma Programme](#)

[Towards Freedom from Tobacco and Nicotine – the Tobacco Control Bill](#)

[CANSA Joins LocumBase at SAPHEX 2023 to Offer Free Screening to Medical Professionals](#)

[Choose Your Cooking Oil Wisely](#)

[HPV Awareness Key In Lowering Cervical Cancer Risk](#)

[CANSA’s Position Statements & Fact Sheets](#)

[How Global & Local Partnership Achieve Life-saving Aims of UHC Day](#)

[Nia Africa Awarded CANSA Seal of Recognition](#)

[See all Advocacy posts](#)

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

[Accept](#) [Terms & Conditions](#)

Do you have a question?

Book a counselling session

Ask CANSA



Sign up to receive news and updates:

Name

Surname

Email Address

- I agree to receive e-newsletters from CANSA
- I agree to have my email activity tracked
How CANSA uses cookies

SUBSCRIBE



📞 0800 22 6622 Toll Free
 🗨️ 072 197 9305 English and Afrikaans
 🗨️ 071 867 3530 Xhosa, Zulu, Sotho and Siswati
 info@cansa.org.za

📍 Find Your Care Centre

About Us | Get in Touch



FUNDRAISING EVENTS



© 2023 The Cancer Association of South Africa.

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Accept Terms & Conditions

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

[Accept](#) [Terms & Conditions](#)