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Civil liability arising from the incorrect administration

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ABSTRACT

Objective: Injuries and damage caused by defective or dangerous consumer products, a new and controversial issues in the world today. In other words, the expansion of the manufacturing process, although human life much easier, but it also brought risks. **Methodology:** Complex production and supply in the market, the consumer goods component in many cases, the quality of production and does not know how to use it. On the other hand, may be faulty goods and consumer products using these products, with the losses. Lack of consumer awareness and trust them to supply goods, leading to abuse some manufacturers and thus their civic responsibility. **Results:** In order to prevent damage to the defective or dangerous consumer products, establishment and implementation of the rules on the nature or essential preventive function. **Conclusion:** There is no doubt that medicinal products are different from other commodities are, therefore, in exercise of its general regulations must be accurate. Which causes defects that are not detected by ordinary check and sometimes the experts are wrong in its investigation. The above facts reason these products can also be encouraged to research.

1. Introduction

Modern man in your life countless uses of products that are generally large and small companies manufacturing them are available. The large volume of goods, hygiene, and drugs enter the market and consumers are forced to use them. In this case, suppliers and other stakeholders, procurement, production and distribution of this product is responsible for the losses that each moment may arise from such goods.

However, if the consumer does not take action against the manufacturers comprehensive support, they are at risk, because now on the market are complex products that use it, or need to specific expertise or the need to comply with instructions and tips that a consumer must be provided. On the other hand many of the products at home and abroad are produced and marketed (Esmaeilzadeh, 1995). In terms of safety and quality not standard and not only property damage but in some cases cause damage to the load side, the rights of consumers and to support them in class is important. Because goods and services have healthy, good quality and free of defects and dangers of the most basic rights of consumers (Olson, 2008). In this context, the main quest to find an agent and his load of responsibility and therefore moral and material compensation and that the injured party has suffered physical. In order to prevent damage, establishment and implementation of the rules of nature or essential preventive function (Amiri, 1995). On the other hand considerable damage, regulations and laws in order to compensate for damages is simple and fast. Supply of medicines on the basis of specific drugs approved for 1378 First paragraph: certain drugs (Bagherzadeh, 2002).

According to the law adopted on 05.10.1378 Parliament provide certain medications, special medical training providing in Article 1 defines the specific drugs: drugs, drugs only for limited purposes and seam particular circumstances of time and place Based on the evaluation and review of drugs developed country or forecasts covering a population of more than 1 in 200 million people are added to the list of official agents and import them to the limited and in compliance with the terms of this the instructions there (Jabre Esmatullah, 2007).

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2. Materials and methods

The drug is said to be based on the statistics and analysis of the markets, the risk of interruption of supply is there in the near future. Such drugs include a warning: A) an estimate of drugs in the pharmaceutical market less than three months. B) single-source drugs (domestic or imported) or those that are a source of raw material. C) drugs that either treatment group in the pharmaceutical market is experiencing a severe shortage. D) replacement therapy drugs and no single treatment group (Jafaritabar, 2010).

E) drugs that cost them (or their raw materials and markets) have more than fifty percent of the growth spurt.) And subsidized medicines.

G) that the main supplier of drugs (with a share of more than half the volume of the market) it is impaired. (Sanctions, reduction of bank credit, and major changes in management structure, structural changes).

The provision of parallel imported drugs Group alarm recording is performed. As well as pharmaceutical companies and import required to report the cause of the problem and plan to address the shortage of drugs on the list are warning. Check the log file warning priority drugs Division of the drug.

Section III: Emergency drugs

This group includes drugs that are not available on the market or the lack of it in the market is fierce. Emergency medical distribution list as quotas and under the supervision of Deputy Food and Drug Administration drug monitoring is done in universities. Emergency drugs imported in the country of origin should be allowed to use. In case of urgency based on the detection of drugs of Staff, failing or negligence is made or imported pharmaceutical company, licensing the manufacture or import of new drugs that company for each product listed in emergency medicine for 3 months. With the adoption of the legal commission of delayed arrival (Parsley Langroodi, 1993; Honorary, 2000).

The second topic: the nature, manifestations and types of defects imaginable in medicine

In this review, we examine the concept and nature of defects and faulty conception of dangerous goods and drugs, hiding and time in drug failure and subsequent articles in chronological order and Privacy Policy diagnostics, defects imaginable in medicine and Finally, examples of essential information on pharmaceutical products and criteria and an alert feature will be discussed. The first speech: concept and nature of defects (Hussein Nzhard, 1992).

First. concept of defect

Iran has not provided a definition of fault in civil law, but merely to recognize the common law has flaws, however, to the disadvantage of the so-called rights lawyers have proposed a similar definition to the legal definition. For example, doctor Langroodi flaw in the definition stated: "Addition or that is yours, so, often, exemplified by its own excesses have or not, whether the property is not found in nature or artifacts such as refrigerators, cars and so on. "

Or other definition reads:

"The disadvantage is the lack of product value and profit less conventional."

But the fact that pharmaceuticals are a variety of effects, explain the flaw in these products difficult. Therefore, diagnostic criteria and different definitions in dealing with side effects of medication, and any condition requiring greater precision and sensitivity in diagnosing drug should be considered

Section IV: examples of essential information on medicinal products

Sometimes too much information in the speech, have an adverse effect on the accuracy of the ban and even consumers are confused him. Therefore, it is natural that provide specialized information to a doctor, part of his duty to be alert and provide the information. Is aware of this and followed by the rule, he said. So is not reasonable to expect that all the information relating to a pharmaceutical product or products associated with the product are divided into three major categories: (1) name and profile information about the product, the manufacturer and license number and ... 2. Information on how to use the product; 3. deter and avoid product risks and how to prevent damage and loss In pharmaceuticals, information on how to use their products fall into two categories: specialized information for physicians and delivers the information to patients and the general audience and understandable to the public. Information on drug precursors is placed in the area of expertise (Dehkhoda, 1998; Amid, 2001). Below are two examples of essential information and warnings standard of pharmaceutical products will be reviewed and their legal effect will be explained as an example. The first speech: civil liability pharmacists (Hekmatnia, 2007).

3. Discussion and results

The first paragraph fault in the manufacture of drugs (production)

At this stage, the manufacturer is trying to implement and enforce the formula is obtained, he would have earned under the plan, raw materials combine together and produce the desired product. Therefore, it is required to match the composition or design resulting in permanent control. So that the product is the same government agency that is licensed. He is obliged to import the raw materials and factory, the study necessary to ensure the soundness and compliance with provisions that are concerned to ensure that the.

Second paragraph: the provision of information and warnings from drug use

For information on how to use, dosage, adverse side effects and are pharmaceutical products. It is essential that this information is easily readable and easily understandable without any production. So that every consumer, no doubt, know and realize. The mere mention of the phrase "eat during the drug" cannot be given to patients when eating outside the harms of drug use and subsequently attract prove producing error. Third paragraph: civil liability system

pharmacists and drug distributors Second speech: civil liability pharmacists

The first paragraph fault drug seller

Any actions taken in pharmacies, the name and the Technical Director will be responsible. The pharmacy must provide the drug companies that have distribution license from the Ministry of Health. The Ministry of Health has banned the drug are required, to return and get a distributor refuse.

In contrast, prescription medication should be provided. Crime and punishment has been provided without a prescription. The sale of certain drugs without a prescription and freely allowed. Ministry of Health each year a list of free medicines (OTC) announces.

The second paragraph of responsibility Chemic nonpharmacist.

The assumption that your pharmacist medication but not professional service and product offers others have said, it is true that an expert pharmacist is seen, but not in cases where the seller of the product manufacturer and the role of intermediaries between producers and consumers there is, especially in a place that sells canned goods he cannot guarantee the product to be regarded as hidden defects. Fourth speech: civil liability for doctors (prescription drug) Iran is the only person allowed to prescribe and issue instructions on the use of medicinal products, and in other words, only prescribers doctor, doctor. Of course there are drugs by pharmacies without a doctor's prescription for the patients who have this responsibility is a professional distributor of prescription drugs that are not considered in our country according to the list released by the Ministry of Health and Medical Education are appointed. The aim of the responsibility of the physician in this regard, the role and responsibilities. In compensation for damages caused by medicinal products.

Second paragraph: the division of responsibilities

In cases where the cause of damage is involved, that the responsibility for determining who is and who should be held accountable and whether or not all children can be responsible for holding the division of responsibilities Wheat everyone how is that? Several issues are raised that a summary of the main ideas expressed in the following paragraphs. The liability arising from the unseen production in German law states that if a producer are jointly responsible for damage, they all share and independence will be held accountable. (Solidarity is their responsibility). In the absence of regulations relating Mdyvnyn opposition to interference ratio is based on the circumstances.

4. Conclusion

1. There is no doubt that medicinal products are different from other commodities are, therefore, in exercise of its general regulations must be accurate. Which causes defects that are not detected by ordinary check and sometimes the experts are wrong in its investigation. The above facts reason these products can also be encouraged to research.
2. Fravdh medical compensation, the aggrieved can appeal to a civil liability contract and coercive, and as was said in the industrialized world today, the traditional rules of the two types of responsibility, changed and Foundations replace traditional rights and what was the significance, the easiest way is to compensate the injured party.

In the issues raised in this essay can be said to still based on contractual liability for compensation in respect of medicinal products has not lost its effectiveness. Because the drugs in hospitals or by physicians to come directly to the patient are injected, other medicinal products often in pharmacies or by professional dealers sold to the patient or consumer. The relationship can be a benefit.

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