

Summons

In accordance with Article 42 of the Federal Act of 22 March 1974 on Administrative Criminal Law (ACL; SR 313.0), you are summoned to appear

on Wednesday, 22 July 2026 at 9:00 a.m.

at 7 Hallerstrasse, 3012 Bern (see attached map) for questioning as a suspect

in an administrative criminal investigation opened against you for suspected violation of the Therapeutic Products Act. This questioning concerns the alleged illegal importation by mail of unauthorized medicines into Switzerland (22 packages from the Maria Hilf pharmacy in Völkermarkt, Austria) in October 2025. Any unjustified absence may result in your being summoned to the police (Article 42, paragraph 2, ACL). You may be required to pay the costs incurred due to your absence (Section 42, Paragraph 3, LPA).

The hearing will be conducted in German. If you anticipate needing an interpreter, please inform us immediately.

You will be required to present official identification at the hearing. 2638

Summons to an Interview as a Person Concerned – Legal Provisions (Rights and Obligations)

This document is sent to you following your summons to an interview as a person concerned in administrative criminal proceedings. It contains the main legal provisions relating to your rights and obligations. You have the right to refuse to make a statement at the interview and the right to consult a lawyer. Your statements will be recorded and may be used as evidence. You have the right to challenge investigative measures and the right to request further investigative measures. Please read these provisions carefully. Your rights and obligations will be explained to you at the interview, and you will be asked to confirm that you understand them.

Swissmedic, Criminal Law Service, Administrative Criminal Law (VStrR; SR 313.0)

Art. 26 Appeals against investigative measures; In the case of coercive measures

1. Appeals against coercive measures (Art. 45 et seq.) and related official acts and omissions may be lodged with the Appeals Chamber of the Federal Criminal Court. 2. The appeal must be lodged: a. if it is directed against a cantonal judicial authority or against the director or head of the administration concerned: with the Appeals Chamber; b. in all other cases: with the director or head of the administration concerned. 3. If, in the cases referred to in paragraph 2 b), the director or head of the administration concerned remedies the act or omission in accordance with the requests made, the appeal is dismissed; Otherwise, the director or head must forward the appeal, along with their observations, to the Appeals Chamber no later than the third working day following its receipt.

Art. 27. Cases of Other Investigative Measures

1. Except where an appeal is possible under Article 26, appeals against the acts and omissions of the investigating officer may be lodged with the director or head of the administration concerned.
2. The decision regarding the appeal must be communicated in writing to the appellant and must include information on their right of appeal.
3. An appeal against the appeal decision may be lodged with the Appeals Chamber of the Federal Criminal Court, but only for violations of federal law, in particular abuse of discretionary power.
4. Paragraphs 1 to 3 apply mutatis mutandis to appeals concerning investigative measures and omissions of bodies or agencies entrusted with public-law missions of the Confederation. However, the higher department is the court of first instance for appeal.

Article 32 Defense Counsel; Appointment

1. The accused may be represented by a lawyer at any stage of the proceedings.
2. The following are authorized to provide defense in administrative matters:
 - a. lawyers registered with the bar of a canton;
 - b. members of professions authorized by the Federal Council to provide defense in administrative criminal matters under certain conditions.
3. By way of exception and subject to reciprocity, the competent administrative authority may also appoint a foreign lawyer.
4. The authority may require written authorization from the lawyer.

Article 33 Court-Appointed Counsel

1. Unless the accused is represented by another lawyer, the competent administrative authority shall appoint a court-appointed lawyer from among the persons referred to in Article 32, paragraph 2, point a), taking due account of the wishes of the accused:
 - a. if the accused is manifestly incapable of defending himself;
 - b. for the duration of pre-trial detention, if it is maintained beyond three days.
2. If the accused, due to lack of resources, cannot retain the services of a lawyer, a court-appointed lawyer shall be assigned to them upon request. This provision does not apply to cases where only a fine of less than 2,000 Swiss francs is at issue.
3. The fees of the court-appointed lawyer shall be set by the competent administrative authority on the basis of a scale established by the Federal Council, subject to the right of appeal to the Appeals Chamber of the Federal Criminal Court (Art. 25, para. 1), and shall be included in the costs. An accused person ordered to pay costs must reimburse these fees to the Confederation in the cases referred to in paragraph 1 if, taking into account their income or assets, the use of a lawyer would have been justified.

Art. 37. Scope (of Investigative Measures)

2. The accused may request the execution of specific investigative measures at any time.

Criminal Code (CCP; SR 311.0)

Art. 292 Disobedience to official orders

Anyone who fails to comply with an order given to him by a competent authority or official, with reference to the penal provisions of this article, is liable to a fine.