

## BACKGROUND

This Code has been developed by the Canadian Advertising Advisory Board, in co-operation with The Proprietary Association of Canada and appropriate government departments, to complement the Canadian Code of Advertising Standards and the Broadcast Code for Advertising to Children.

The provisions herein recognize the growing concern for the manner in which the advertising of non-prescription medicines is generally perceived. These provisions are to be adhered to for intent as well as in the specific stipulations.

## CONFORMITY WITH LEGISLATION

This Code supplements Federal and Provincial regulations regarding the advertising of non-prescription medicines, as well as the guidelines issued by the Health Protection Branch of the Department of National Health and Welfare.\* All broadcast advertising for such products will continue to require review by the Health Protection Branch through the Canadian Radio-Television Commission before being accepted for broadcast scheduling by stations.

## DEFINITIONS

For the purpose of this Code, the following definitions shall apply:

1. Non-prescription medicine means proprietary medicines and over-the-counter drug products which are advertised directly to the consumer.
2. Advertising is any representation by any means whatever for the purpose of promoting the sale or disposal of any non-prescription medicine. This excludes the inner and outer labels which are specifically reviewed and approved for compliance with the Federal drug regulations.

\*The latest issue of this "Guide for Drug Advertisers" (dated July, 1973) is available to any member of the public without cost from the Health Protection Branch of the Department of National Health and Welfare, Ottawa, Ontario.

## CODE CLAUSES

### 1. Safety and Protection of Children

- (a) Advertisers of non-prescription medicines must exercise particular care to avoid encouraging unsafe practices, particularly among children.
- (b) Advertising for non-prescription medicines must not be placed on programmes or in any publications specifically directed to young children.
- (c) A non-prescription medicine must not be advertised in a manner likely to lead to its use by young children without parental supervision.
- (d) When children are included in advertising for non-prescription medicines intended primarily for adult use, they must not commend the product or handle the product.

### 2. Unwarranted Expectations

- (a) Advertisements must not arouse unwarranted expectations of product effectiveness, through the use of text, illustrations, or sound effects. Individual words should be carefully selected in terms both of their dictionary definitions and their general use by the public.
- (b) Product advertising must not mislead, directly or by implication, or through emphasis, comparisons or contrasts, with regard to usage or immediacy of relief.
- (c) Non-prescription medicines which are formulated for the relief of symptoms must not be advertised in such a manner as to claim or imply a cure.
- (d) Advertising must not misrepresent, or be likely to mislead the consumer as to, the contents, package size, price, or appearance of the product.

### 3. Claim Substantiation

- (a) Advertising must not make claims for product effectiveness without available supporting data, such as clinical or other scientific evidence, responsible medical

opinion, or experience through long use. The advertiser must, on request from the enforcement bodies, provide evidence supporting such claims.

- (b) Consumer or other studies referred to in the advertising of a non-prescription medicine must represent professionally performed and interpreted research, with results or conclusions presented honestly and accurately.

### 4. Improper, Irresponsible or Excessive Use

- (a) Products must not be advertised in a manner which is likely to suggest or imply their use for conditions other than those indicated on the product label.
- (b) Advertising must not encourage nor imply a less than responsible attitude toward the use of medicines.
- (c) Advertising must not depict consumers relying on medicines as a simplistic solution to emotional or mood problems.

### 5. Products for Internal Use

- (a) Advertising must not include scenes or illustrations of products being ingested (that is, being taken orally).
- (b) Advertising for products which are ingested must include a reference to follow label directions.
- (c) Advertising for ingested products must not include contest promotions, competitions, or offer prizes.

### 6. Persistent Symptoms

"Directions for Use" labelling for appropriate products must include a statement such as "Consult a physician if symptoms persist."

### 7. Sedatives and Stimulants

Advertising for products designed to calm, sedate, or stimulate should refer to the temporary symptomatic relief provided and must include a recommendation that label directions be followed.