



Overview of Drug Advertising

What is drug advertising?

Drug advertising is considered to be any representation, by any means (e.g. television, radio), for the purpose of promoting directly or indirectly the sale or disposal of any drug.

What drugs can be advertised?

Only drugs that have been approved for sale in Canada by the Therapeutic Products Programme (TPP) may be advertised. In addition, specific requirements exist for advertisements of prescription drugs to consumers.

Are all messages which refer to drugs considered to be advertising?

No. Some messages, depending upon what is said in the message, may be considered as non-promotional information. These could include press releases, consumer brochures, scientific exhibits and journal articles. The TPP policy, *“The Distinction Between Advertising and Other Activities”* explains the criteria.

What factors determine whether or not a message is drug advertising?

No one factor alone is used to determine whether or not a message is advertising to promote the sale of a drug. Each message must be assessed individually. The purpose, content and context of the message is examined to determine if the intent is to promote the sale of a drug or to provide information. Other factors which must be examined include how and when the message is being delivered, to whom and by whom and how often the message is being conveyed.

Who reviews drug advertising?

Drug advertisements are reviewed and pre-cleared by independent agencies endorsed by the TPP. These are Advertising Standards Canada (ASC) and the Pharmaceutical Advertising Advisory Board (PAAB). ASC reviews advertising material for non-prescription drugs directed to consumers, while PAAB reviews advertisements for all drugs directed to health professionals. Additional information regarding the roles of the ASC and PAAB in relation to the TPP are located on the TPP Website under Policies.



Why do the agencies review drug advertisements?

ASC and PAAB review and pre-clear advertising material in order to determine compliance with the regulatory provisions of the *Food & Drugs Act and Regulations* and the various codes of advertising. These *Regulations* are intended to protect the health of Canadians. The agencies also offer independent mechanisms to resolve complaints on advertising for approved drugs.

What is the TPP's role?

The TPP is the national regulatory authority for drug advertisements. The TPP may intervene when an advertisement poses a significant safety concern, in the event that resolution is not achieved through the independent agencies' complaints mechanism, or when an unauthorized drug product is promoted.

The TPP is committed to ensure that information in a drug advertisement is not false, misleading or deceptive. In addition, the TPP sets the standards for drug advertising and develops policies and guidelines for the interpretation of the *Regulations*.

Is it mandatory to have drug advertisements reviewed prior to their release?

Although it is not mandatory, various manufacturer associations such as the Nonprescription Drug Manufacturers' Association of Canada and the Pharmaceutical Manufacturers' Association of Canada support pre-clearance by ASC and PAAB. The TPP strongly encourages **all sponsors** to comply with the voluntary pre-clearance review prior to exposure to health care professionals and consumers.

Is there a specified format for the submission of advertisements? Is there a cost?

Advertisers should contact the ASC or the PAAB to obtain further information on the format for advertisement submissions and the costs involved.



**How do I reach ASC
or PAAB?**

Advertising Standards Canada
Director, Consumer Drug Section
402-350 Bloor Street East
TORONTO, Ontario M4W 1H5
Telephone: (416) 961-6311
Fax: (416) 961-7904
www.adstandards.com

Pharmaceutical Advertising Advisory Board
Commissioner
200-375 Kingston Road
PICKERING, Ontario L1V 1A3
Telephone: (905) 509-2275
Fax: (905) 509-2486
www.paab.ca

**For further
information, please
contact:**

Therapeutic Products Programme
Health Canada
Bureau of Licensed Product Assessment
Head, Advertising and Communications Unit
Finance Building
Tunney's Pasture, Address Locator 0201D1
OTTAWA, Ontario K1A 1B9

Telephone: (613) 954-6780
Fax: (613) 952-7738

or visit our website:

www.hc-sc.gc.ca/hpb-dgps/therapeut
(see the Policies Section)

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The Therapeutic Products Programme is the national authority that evaluates and monitors the safety, effectiveness, and quality of drugs, medical devices and other therapeutic products available to Canadians.



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