



Veterinary
Medicines
Directorate

**VETERINARY MEDICINES
GUIDANCE NOTE**

No 4

**CONTROLS
ON
ADVERTISING**

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QUICK START GUIDE

This Veterinary Medicines Guidance Note (VMGN) is aimed at veterinary surgeons, suitably qualified persons (SQPs), pharmacists, marketing authorisation holders (MAHs), manufacturers of veterinary medicines and wholesale dealer authorisation (WDA) holders. It is intended to provide guidance on the advertising restrictions on veterinary medicine in the UK.

The quick start guide is a summary of the provisions of the Veterinary Medicines Regulations (VMR); detailed information is found in the body of the guidance note.

The Veterinary Medicines Directorate (VMD) considers an advertisement to be any sort of activity that promotes a veterinary medicinal product (VMP). This applies to all forms of media including electronic (e.g. online websites) and hard copy (e.g. waiting room posters).

Price lists of products available on prescription are not considered to be advertising material provided that one product do not feature more prominently than the rest. For more information on price lists please see the body of the guidance note.

It is an offence under the VMR for a product available on prescription to be advertised to the general public.

Advertisements for products classified as POM-V may be advertised to:

- veterinary surgeons,
- pharmacists,
- veterinary nurses, and
- professional keepers of animals (this does not include anti-microbial medicines).

Advertisements for products classified as POM-VPS may be advertised to:

- veterinary surgeons,
- pharmacists,
- suitably qualified persons (SQPs)
- other veterinary health care professionals,
- professional keepers of animals, and

There are no restrictions placed on the advertising of NFA-VPS and AVM-GSL products in terms of the target audience, providing the information in the advert is not misleading or makes claims that are not in the products' SPCs.

It is an offence to advertise a VMP that is not authorised for use in the United Kingdom.

FURTHER INFORMATION

For more information on the requirements for advertising please contact the VMD's Legislation team on 01932 338321 or alternatively contact VMD reception on 01932 336911 and quote "advertising".

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Introduction

1. This is one of a series of Veterinary Medicines Guidance Notes (VMGNs) explaining the requirements under the Veterinary Medicines Regulations (VMR). The VMR are revoked and replaced on a regular basis, so the references to them should be read as referring to the ones that are currently in force. Therefore, the date and number of the Statutory Instrument are not included in this VMGN. The VMGN will be updated as necessary and the date of the most recent update is shown on the front cover. The VMR set out the UK controls on veterinary medicines, including their manufacture, advertising, marketing, supply and administration.
2. The purpose of this note is to provide guidance on the advertising provisions within the VMR.
3. The VMR considers an advertisement to be any activity that is aimed or designed to promote the sale, supply or use of a veterinary medicine regardless of the form or media used.
4. Some examples of types of promotional advertisements are:
 - mail shot e-mails to customers;
 - postal flyers;
 - website banners or 'pop-ups';
 - sponsored banners on Internet search engines;
 - text providing information about animal illnesses that specifically promotes the use of particular veterinary medicinal products.

General Points on Advertising

5. Advertisements for POM-V products may only feature in publications aimed at veterinary surgeons, pharmacists, veterinary nurses and professional keepers of animals. (This does not apply to advertisements to professional keepers of animals for anti-microbial medicines which are prohibited.)
6. Advertisements for POM-VPS products may only feature in publications aimed at veterinary surgeons, pharmacists, suitably qualified persons (SQPs), other veterinary health care professionals, professional keepers of animals.
7. It is an offence under the VMR for a product available on prescription to be advertised to the general public.
8. There are no restrictions placed on the advertising of NFA-VPS and AVM-GSL products in terms of the target audience, providing the information in the advert is not misleading or makes claims that are not in the products' SPCs.
9. Educational information, designed to give a balanced overview of the disease and all available treatments may be made available to the general public providing that product or brand names are not mentioned and all other advertising restrictions are adhered to.

10. Advertising information aimed at the general public may not include the brand name of a POM-V/POM-VPS product in relation to treatment but it may name active substances and contain a small strap line at the top or bottom of the article stating 'this information was provided by [company] makers of [product]'.
11. It is an offence to advertise the use of a product in a way that it has not been authorised for (e.g. not used in accordance with the SPC) or if the advertisement is misleading.
12. It is an offence to advertise a VMP that is not authorised for use in the United Kingdom.

Advertising of products on the internet

13. The advertising controls within the VMR apply to promotional material placed on the internet.
14. Veterinary prescription products can feature in sponsored/paid for adverts on internet search engines. These searches are carried out by people who have been issued with a prescription for the product by a veterinary surgeon, which results in a list of retailers who can supply that product.

Promotions

15. Selection and supply of VMPs must be based on clinical suitability rather than economic incentive. All advertising campaigns should reflect this responsibly. Discounts and other types of promotions (such as "buy one, get one free") must not drive the prescription or supply of a veterinary medicinal product. Any promotion that attempts to influence the decision of the prescribing professional, especially for financial gain, is inappropriate.

Information for retailers

16. The displaying of a poster for a specific POM-V or POM-VPS product in a public place, e.g. a veterinary surgeon's waiting room or a shop wall, would be considered as advertising material aimed at the general public and is therefore considered a breach of the advertising restrictions. However, information/educational material that do not contravene the points raised above would be acceptable.
17. The Veterinary Medicines Directorate (VMD) does not consider the storage of veterinary medicines within view of a public area (e.g. on display behind a retail counter) to be an advert provided that no product(s) is being promoted. This practice is acceptable as long as no attempt is made to make any product(s) more prominent than the others. However, for safety reasons it is considered good practice for all VMPs included in the POM-V distribution category to remain out of the sight and reach of clients unless they are actually being used on the animal as part of the consultation.

18. Veterinary medicines included in the distribution category POM-V, POM-VPS and NFA-VPS must be stored behind the sales counter and must not be available for self-selection.
19. Retailers of veterinary medicines may wish to send their clients/customers vaccination reminder cards produced by the manufacturers of a particular vaccine. Any document that features information about a single product is deemed to be advertising. However, it is acceptable to send a complimentary vaccination reminder card to a client, featuring a company 'strap line, i.e. 'Brought to you by [company name], makers of [product brand name]'.

Price lists

20. Retailers of veterinary medicines may wish to promote their prices to their customers. This is acceptable as a pricelist is not considered to be advertising material provided that it does not feature any product(s) more prominently than the rest. Price lists may be displayed in public areas such as waiting rooms. Care should be taken so that font size/colour/formatting are consistent and no particular product(s) is highlighted.
21. Price lists should consist of a list of all products belonging to a particular category e.g. all wormers or all vaccines. It is not acceptable to have a list of one product from several different categories e.g. one vaccine, one horse wormer, one sheep wormer etc as those products will be considered to be being promoted over similar products.
22. The following guidelines should be followed:
 - the text and images displayed must all be of the same size and type throughout the publication;
 - the name of each product, its image and a description may be shown within a price list, provided that the wording is in accordance with the product's published Summary of Product Characteristics (SPC). The name of the product should be its full authorised name. This is important as different products within the same brand should be clearly distinguished;
 - a description may be given such as – 'dog flea treatment' as long as this is in accordance with the SPC;
 - any image used must show the product with UK authorised packaging.
23. The publication of price lists of UK authorised veterinary medicines is allowed in accordance with the restrictions listed above. This includes electronic price lists used to display products for sale on websites.
24. Price lists which do not meet the above requirements will be considered to be advertisements and must then meet the legislative requirements for advertisements, given earlier.

Information for Marketing Authorisation Holders

25. Any claims in the advertising literature prepared by the Marketing Authorisation Holder (MAH) must be supported by the information present in the SPC. However, sometimes an MAH may wish to provide veterinary surgeons with additional, supporting information about a veterinary medicinal product in the context of the disease situation, as part of a promotional campaign. Where an MAH presents this type of material to users of the product, any information provided that is not cited on the SPC must contain a reference to the published literature, so that the reader can make an objective assessment of the validity of the materials contents. References to data presented in the product's application dossier are not acceptable unless this information is also publicly available.

In addition to the information relating to promotions detailed earlier in this guidance note, MAHs may offer a gift or similar incentive as part of the marketing of a product. This gift must relate directly to the correct use, administration or disposal of the product in question. For more information relating to gifts and their suitability under the VMR the VMD recommends the *National Office of Animal Health (NOAH) Code of Practice on promotion of animal medicines* available on the NOAH website. <http://www.noah.co.uk>.

Advertising POM-V antimicrobial products

26. There is widespread concern regarding the development of antimicrobial resistance and the VMD, like many other organisations, encourages the responsible use of antimicrobials. For this reason, all antimicrobial products authorised in the UK are classified as POM-V and advertising of these products is restricted to veterinary surgeons, veterinary nurses and pharmacists.

For the purposes of this section antimicrobials mean antibiotics, which are antibacterial in their action.

27. Promotion of antimicrobial products should not encourage unnecessary use of these medicines and all advertising material should contain a strap line indicating that the prescription and administration of the product should be in accordance with the responsible use of antimicrobials: For example, "Use antimicrobials responsibly. Accurate prescribing and administration helps to reduce resistance". NOAH publishes additional guidance for MAHs in their *Code of Practice on promotion of animal medicines*.
28. Sensible use of antimicrobials is promoted by the World Organisation for Animal Health (OIE) http://www.oie.int/eng/en_index.htm, the European Commission's Committee for Medicinal Products for Veterinary Use (CVMP) <http://www.ema.europa.eu/htms/general/contacts/CVMP/CVMP.html>, as well as the UK Government and the Responsible Use of Medicines in Agriculture Alliance (RUMA) <http://www.ruma.org.uk>

Advertising information for products available under the VMD import certificate schemes

29. It is an offence to advertise an unauthorised veterinary medicine for administration to an animal; this includes products available under the VMD's Import Certificate Schemes.

Advertising information for Wholesale Dealer's Authorisation holders

30. It is an offence to advertise any human medicine for administration to an animal – this applies even if there is no equivalent veterinary medicine.
31. Wholesale dealers may send a price list of authorised human medicinal products to a veterinary surgeon for use under the Cascade but only when specifically requested by the veterinary surgeon. The list must clearly state that the products do not have a Marketing Authorisation (MA) for veterinary use.

Products manufactured under the Exemptions for Small Pet Animals

32. There are no restrictions on advertising for products manufactured under the Exemptions for Small Pet Animals. For further information please refer to VMGN 12 Exemptions for Small Pet Animals, which is published on the VMD's website http://www.vmd.defra.gov.uk/public/vmr_vmgn.aspx

Advertising information for Specials Manufacturers

33. Specials Manufacturing Authorisation (ManSa) holders may advertise the services they provide. ManSa holders cannot promote the specific substances that can be manufactured, however they may provide information on the different types of dosage forms that are available i.e. capsules, syrups...etc.
34. ManSa holders may provide lists of active substances and formulations with prices to veterinary surgeons but only on request.
35. Manufacturers of specials may also provide placebo samples to veterinary surgeons enquiring about their services.

Advertising Complaints

36. If you are concerned about an advert you have seen for a veterinary medicinal product, please contact the VMD Legislation team.

Further Information

37. Further information is available from the Veterinary Medicines Directorate, Woodham Lane, New Haw, Addlestone, Surrey, KT15 3LS - Tel: +44 (0)1932 336911; Fax: +44 (0)1932 336618 or E-mail: VMGNNotes@vmd.defra.gsi.gov.uk. Veterinary Medicines Guidance Notes and other information, including details of VMD contacts, are available on the VMD website (www.vmd.defra.gov.uk).

List of Abbreviations

AVM-GSL	Authorised Veterinary Medicine – General Sales List
CVMP	Committee for Medicinal Products for Veterinary Use
Defra	Department for Environment, Food & Rural Affairs
MA	Marketing Authorisation
MAH	Marketing Authorisation Holder
ManSa	Specials Manufacturing Authorisation
NFA-VPS	Non-Food Animal – Veterinarian, Pharmacist, Suitably Qualified Person
NOAH	National Office of Animal Health
OIE	World Organisation for Animal Health
POM-V	Prescription Only Medicine - Veterinarian
POM-VPS	Prescription Only Medicine – Veterinarian, , Pharmacist, Suitably Qualified Person
RUMA	Responsible Use of Medicines in Agriculture Alliance
SPC	Summary of Product Characteristics
SQP	Suitably Qualified Person
VMD	Veterinary Medicines Directorate
VMGN	Veterinary Medicines Guidance Note
VMP	Veterinary Medicinal Product
VMR	Veterinary Medicines Regulations
WDA	Wholesale Dealers Authorisation

VETERINARY MEDICINES GUIDANCE NOTE

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