

# Professional Standards and Guidance for Advertising Medicines and Professional Services

## About this document

The Code of Ethics sets out seven principles of ethical practice that you must follow as a pharmacist or pharmacy technician. It is your responsibility to apply the principles to your daily work, using your judgement in light of the principles.

The Code of Ethics says that you must **'Be honest and trustworthy'**. In meeting this principle you are expected to:

- Ensure you do not abuse your professional position or exploit the vulnerability or lack of knowledge of others.
- Be accurate and impartial when teaching others and when providing or publishing information to ensure that you do not mislead others, or make claims that cannot be justified.

This document expands on the principles of the Code of Ethics to set out your professional responsibilities when advertising medicines and services to patients. It is designed to meet the Society's obligations under the Pharmacists and Pharmacy Technicians Order 2007 and other relevant legislation.

This document does not detail legislative requirements, but when advertising medicines or professional services, you must comply with legislative requirements and with other relevant codes of practice and guidelines.

## Status of this document

Principle 6.6 of the Code of Ethics states that you must comply with legal requirements, mandatory professional standards and accepted best practice guidance.

This document contains:

- Mandatory professional standards (indicated by the word 'must') for all registered pharmacists and pharmacy technicians; and
- Guidance on good practice (indicated by the word 'should') which you should follow in all normal circumstances.

If a complaint is made against you the Society's fitness to practise committees will take account of the requirements of the Code of Ethics and underpinning documents, including this one. You will be expected to justify any decision to act outside its terms.

## 1. BACKGROUND

It is in the public interest to publish information about pharmacy opening hours and pharmaceutical services. All information or publicity material regarding pharmacy services must be honest and accurate and reflect the professional nature of pharmacy. Promotional material and advertisements come in various formats including:

- TV, radio and internet advertisements
- Newspaper and magazine articles
- Posters
- Leaflets
- Emails and other forms of electronic messaging

Legislation prohibits the advertising of Prescription Only Medicines (POM) for human use to members of the public. However, there are exemptions to allow information such as price lists and reference materials, for example Summary of Product Characteristics, to be made available. The advertising and promotion of General Sales List (GSL) and Pharmacy (P) medicines are permitted, but you must adhere to the standards in this document and other relevant documents as listed in 'Other useful sources of information' at the end of this document.

There are specific restrictions on the advertising of veterinary medicines set out in the current Veterinary Medicines Regulations. Further guidance on these requirements can be found in the Society's guidance 'Guidance on the sale and supply of veterinary medicines' ([www.rpsgb.org](http://www.rpsgb.org)).

The Association of the British Pharmaceutical Industry Code of Practice sets out the requirements for the promotion of medicines by the pharmaceutical industry. It covers the promotion of medicines to health professionals and appropriate administrative staff. The advertising and promotion of non-prescription medicines is regulated by the Proprietary Association of Great Britain through its Codes of Advertising Practice. These self-regulatory codes reflect and extend beyond UK legislative requirements.

## **2. INFORMATION AND PUBLICITY**

### **STANDARDS**

All information and publicity for goods and professional pharmacy services, including publicity issued by a third party on your behalf, must:

- 2.1** be accurate, legal, decent and truthful.
- 2.2** not bring the profession into disrepute.
- 2.3** be presented and distributed in a way that allows the recipient to decide independently whether or not to use a service. Information held in a patient's patient medication record must not be abused.
- 2.4** not abuse the trust or exploit the lack of knowledge of the public.
- 2.5** be compatible with the role of pharmacy professionals as skilled and informed advisors about medicines, common ailments, general health care and well being.
- 2.6** be presented in a manner that does not disparage the service of other pharmacies or pharmacy professionals.

### GOOD PRACTICE GUIDANCE

- Consideration should be given to what creates a professional image in the eyes of the general public. The style, presentation and content of the advertisement need to be considered.
- Care should be taken to ensure that the public are not misled as to the specific services being offered at the pharmacy and their availability. For example:  
‘Pharmacist is available at all times for consultation’ – Is this always the case?
- The use of the article ‘The’ is accepted in proposed pharmacy business names.
- Advertisements dealing with both professional and non professional services are generally accepted, but the two types of service should be detailed separately.
- Leaflets, or other similar materials, can be left in GP practices for self-selection by patients of the surgery; however, you should not seek exclusive deals in this respect.
- Particular care should be exercised when preparing advertisements for inclusion in newspapers or other forms of media. It is advisable to check the final proof of the article or advertisement before going to print.

### **3. PROMOTION OF MEDICINES**

#### **STANDARDS**

Pharmacies may advertise the prices at which they sell medicines (subject to any legal restrictions) including any discounts offered. However, medicines are not ordinary items of commerce and there is a professional responsibility to ensure that promotions emphasise the special nature of medicines and do not encourage inappropriate or excessive consumption or use of them. Pharmacy owners and superintendent pharmacists have a responsibility to ensure that medicines promotions are professionally acceptable. Individual pharmacists and pharmacy technicians must be able to justify decisions to supply medicines to a particular purchaser. Promotions for medicines aimed at the public must:

- 3.1** comply with relevant legislation and codes of practice.
- 3.2** be carried out with respect to the special nature of medicines.
- 3.3** not make any medicinal claim that is not capable of substantiation.
- 3.4** be consistent with the summary of product characteristics approved by the Medicines and Healthcare products Regulatory Agency (MHRA) as part of the licensing procedures. Where the product is an herbal or homeopathic remedy, promotions must be consistent with the MHRA registration scheme.
- 3.5** not promote a medicine by way of endorsement by a pharmacist or pharmacy technician. You may recommend a product only in response to a request for advice from an individual patient, or their representative.
- 3.6** not promote inappropriate or excessive consumption or use of medicines, or promote their misuse, injudicious or unsafe use which may be injurious to health.
- 3.7** not seek to persuade patients to obtain medicines that are not needed, or quantities substantially in excess of those needed.

### **GOOD PRACTICE GUIDANCE**

- The Blue Guide – Advertising and promotion of medicines in the UK, published by the Medicines and Healthcare Regulatory Agency, contains specific advice regarding ‘multiple purchase promotions for analgesics’ and advertising medicines via the internet, which you should comply with.
- Promotions involving Pharmacy (P) medicines need to be considered on their merits. Consideration should be given to the product, the pack size, the condition to be treated and the intended recipient. You have to make a professional judgement in deciding where to draw the line. For instance, a 3 for 2 promotion on Kaolin and Morphine is unlikely to be justifiable, but a similar promotion on an antihistamine product, where the pack size is small and the patient is likely to need the medicine for an extended period of time, may well be acceptable provided that you are able to justify your decision.

## **4. THE GREEN CROSS**

### **STANDARDS**

The faceted Green Cross is a symbol over which the Society holds intellectual property rights in order to restrict its use. The Green Cross can be used to identify pharmacy premises and any material or qualified pharmacy professional associated with pharmacy premises, for example on notepaper, labels, visiting cards and compliments slips. The Green Cross can also be used to identify the profession of pharmacy as an entity as opposed to in connection with an individual pharmacy company. When using the Green Cross on promotional material you must comply with the conditions of use of the logo. Further information on the Green Cross can be obtained from the Society’s legal and ethical advisory service (tel: 020 7572 2308; e-mail: [ftp@rpsgb.org](mailto:ftp@rpsgb.org)).

## 5. SOCIETY CREST

### STANDARDS

The use of the Society's coat of arms by third parties, for whatever purpose, is not permitted. Its use is restricted to publications (both printed and electronic) generated directly by the Society.

### Guidance that supports this document

We have produced documents or guidance bulletins on the following which should be considered in conjunction with these standards:

- Code of ethics for pharmacists and pharmacy technicians
- Guidance on the sale and supply of veterinary medicines

You can download these documents and more copies of this document from our website ([www.rpsgb.org](http://www.rpsgb.org)) or you can telephone us on 020 7735 9141.

### Other sources of Society advice

Further information or advice on the professional or legal obligations of the pharmacy profession can be obtained by contacting the Society's legal and ethical advisory service on 020 7572 2308 or e-mail [ftp@rpsgb.org](mailto:ftp@rpsgb.org).

### Other useful sources of information:

- The Blue Guide – Advertising and Promotion of Medicines in the UK: [www.mhra.gsi.gov.uk](http://www.mhra.gsi.gov.uk).
- Association of British Pharmaceutical Industry Code of Practice: [www.abpi.org.uk](http://www.abpi.org.uk).
- Proprietary Association of Great Britain Codes of Advertising Practice: [www.pagb.co.uk](http://www.pagb.co.uk).