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AMA submission – TGA draft therapeutic goods advertising code and guidelines

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The AMA supports, in principle, the changes proposed to the therapeutic goods advertising code because they will strengthen and clarify the advertising of therapeutic goods in a modern media environment.

However, the draft guidelines circulated for public comment are incomplete in significant areas. Large and important sections of the draft are annotated 'under development', for example, the section on how internet marketing of Schedule 3 medicines should be presented, and the section on advertising to children.

This is particularly concerning because the guidelines will form the main tool for therapeutic goods sponsors to comply with the code in a future 'self-regulatory' environment, when there is no pre-approval step for therapeutic goods advertisements.

The code and the accompanying guidelines should not have been circulated for public comment until they were complete.

The AMA also continues to oppose the default advertising of Schedule 3 medicines, especially given the intention to move to industry self-regulation.

The code should not be approved by the Minister for Health until a complete draft of the guidelines is available for public comment. Otherwise the AMA cannot be confident that the regulatory framework for therapeutic advertising has been seriously scrutinised and is robust and comprehensive.

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