



association of
television and radio
sales houses

position paper

Patient information on pharmaceutical products

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Egta members are fully aware of the specific features of pharmaceutical products as opposed to general consumer goods. We are therefore also aware of **the need to place specific limits on commercial communications** for such products.

Furthermore, it is worth drawing a distinction between OTC medicines and those only available on prescription; indeed, the advertising approach adopted differs enormously from one type of product to another.

1. Advertising OTC medicines: combating national differences

The European Directive of 31 March 1992 concerning the advertising of medicines for human consumption establishes an entirely satisfactory legal framework for the advertising of OTC medicines to the general public.

Under these restrictions, **OTC medicines must be treated like any other product**. They are therefore not exempt from the basic principles of the single market, namely: the free movement of goods and the development of real competition between national markets, as pointed out by the Commission in its Communication of 25 November 1998.

Nonetheless, these objectives cannot really be achieved without the free movement of the commercial communications themselves.

However, considerable differences between national legislation concerning the advertising of medicines make the strategies for trans-national, even European, commercial communications very difficult to implement. This is despite the fact that such commercial communications are vital to the achievement of the single market.

That is why **egta advocates a convergence of national legislation concerning the advertising of OTC medicines** on the basis of the 1992 European Directive. This will make it possible to implement single market policies in this area and thus offer information that is as open and freely available as possible, in the best interest of consumers.

2. Prescription medicines: DTCI, Direct-to-Consumer Information

In the case of prescription medicines, the approach is **different because the need for medical supervision** of treatment is greater.

Although consumers also have the right to be kept informed regarding the products they consume, egta members consider that commercial communications for these products must be aimed at meeting needs, not desires (as is the case with traditional advertising). **It must play an essentially informative role.** Unlike cosmetics or other products, medicines are necessary to people's health.

Moreover, nowadays it is clear that consumers would like to be more actively involved in the decision-making process concerning their own health. **Direct-to-consumer information (DTCI)**, a new form of commercial communication, is therefore used to meet this need and plays a key role in making consumers more responsible for their own health.

Furthermore, the development and globalisation of new means of communication, such as satellite television and the Internet, make prohibitive national laws absurd. In order to avoid the negative effects of electronic commerce and the Internet from spiralling out of control, egta advocates the development of wide-reaching self-regulation, both by the pharmaceutical industry and the advertising industry. Working together, they would themselves define the specific limits to be placed on this form of commercial communication. This would provide consumers with adequate protection and maintain the freedom of commercial communication for the industries involved.

This could lead to the creation of **a European Code of conduct concerning on-screen DTCI** (TV, Internet and Interactive media) to be adopted by both industries. Such a code of conduct would be perceived by consumers as a label of quality and safety as far as information on prescription medicines is concerned.

egta is the association of television and radio sales houses

The egta membership is composed of:

- **51 TV members** (30 independent and/or private sales houses) based across 26 European countries + Canada, Korea, Morocco, New-Zealand and South-Africa. All together, the egta TV members collect **€19.1 billion** (consolidated turnover) through more than 100 mainstream TV channels almost equally public and private. That amount of money represents **65% of the TV advertising investments** in Europe.
- **25 Radio members** based in 16 European countries. In 2003, these members collected over **€2 billion** (consolidated turnover) through over 150 radio stations. That amount represents **50 % of the Radio advertising investments** in the countries represented within egta's radio department.

Egta provides a network for its members based on relationships with more than 1000 high-level executives from 32 countries.

Over the years, egta has clearly become **the reference centre for television and radio advertising in Europe.**