

Direct to consumer advertising in New Zealand

Statement by the Council of Medical Colleges in New Zealand

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CMC does not support Direct to Consumer Advertising (DTCA) of pharmaceutical products in New Zealand
CMC considers DTCA can lead to increased costs, inappropriate prescribing, overtreatment and iatrogenic harm and may put the doctor-patient relationship at risk.

Direct to consumer advertising is a form of marketing that usually refers to, but not limited to, the marketing of pharmaceutical products.

Background

In terms of pharmaceutical products this form of advertising is directed towards consumers rather than medical professionals. To date, New Zealand is one of two developed nations worldwide to allow DTCA. In the United States of America, DTCA has been legal since 1962³, with a boom in print media in 1985¹.

The Food and Drug Administration is the regulator of DTCA in the USA.

In New Zealand, the Advertising Standards Authority (ASA) is an industry self-regulatory body. It decides on complaints and formulates Advertising Codes of Practice which are the “rules” by which all advertisements in all media should comply. The ASA provides a Code of Practice specifically for the advertising of Therapeutic products²

CMC notes:

1. DTCA can lead to increased costs to consumers because branded medications may cost significantly more than generic medications or non-drug therapy⁵. The resulting demand from patients for branded medications ultimately imposes a cost on the health-care sector.
2. DTCA can lead to inappropriate prescribing as doctors may feel pressured by patients to prescribe certain medications to the detriment of other non-drug modalities such as lifestyle modifications^{4,5}. There is considerable evidence that patients’ requests for a specific product can be a key cause of unnecessary prescribing (i.e. medicinal wastage) with little benefit and often high cost to the patient and health system.⁷ DTCA often focusses on particular disorders which can de-stigmatise those disorders but also has the potential for a consumer to self-diagnose.
3. DTCA can lead to overtreatment and may lead to iatrogenic harm as advertisements for pharmaceuticals in New Zealand are not of consistent quality and may cite publications which are inappropriate⁶. Online DTCA and social media can saturate the market and the FDA in the USA has

warned several pharmaceutical companies that their sponsored links on search engines were misbranded because they did not provide statements about adverse effects³.

4. It is considered that under the guise of consumer awareness and empowerment, DTCA contributes to deterioration in the doctor-consumer relationship³

The CMC opposes DTCA in New Zealand due to the potential of increased costs, inappropriate prescribing, overtreatment, the potential to jeopardise the doctor patient relationship, and iatrogenic harm.

CMC will advocate to include clauses in the proposed Therapeutic Products Bill that prohibit this type of pharmaceutical advertising direct to consumers.

References and Bibliography

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