



# **SUMMARY GUIDELINES FOR BCAP SECTIONS 11-13**

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**SECTION 11 - MEDICINES, MEDICAL DEVICES, TREATMENTS AND HEALTH****General Rules:**

- If deemed necessary for assessment of claims, broadcasters are required to obtain scientific evidence and expert advice.
- Advertisements must not discourage essential treatment for conditions for which medical supervision should be sought.

**Unacceptable content:**

- Presentations made by individuals that give the impression of professional advice, i.e. doctors, dentists, chemists, nurses etc.
- Statements that imply professional advice or recommendation by people presented as being qualified to give that advice or recommendation, i.e. as above or individuals claiming to have had success using the advertised product.
- If a genuine testimonial or endorsement by health professionals is presented, it must be supported by documentary evidence. Fictitious testimonials should not be presented as genuine (see above).
- Creative treatments must not be directed at children.

**Unacceptable claims:**

- Absolutes must be avoided. Words, phrases or illustrations that imply the cure of an ailment, disease, illness or addiction, as distinct from the relief of its symptoms. (Instead of 'eliminates', words like 'alleviates', 'treats' or 'helps to relieve' should be used).
- Claims the effect of a product are guaranteed.
- Advertisements must not falsely suggest a product is necessary for the maintenance of physical or mental health, or that normal health could be enhanced by taking the product or affected or impaired by not taking it.
- No advertisement for a medical product or treatment may suggest, whether verbally or visually, that its effects are better than, or equivalent to, those of another identifiable brand for a like product.
- Text disclaimers pertaining to the improved effectiveness of a product, i.e. '60% better than our regular brand' should avoid exact numbers which are impossible to substantiate, instead, 'up to 60% better' should be used.
- Claims of performance in the market place, i.e. 'no.1 flu remedy' should be substantiated by appropriate and current supporting evidence or research from a qualified body. A maximum of 1 year is deemed acceptable in order for any supporting evidence to be deemed current.

**Mandatory information:**

Advertisements for medicinal products making health claims must include the following:

- Name of the product
- Name of the active ingredient
- 'Always read the label' or 'always read the leaflet'
- Clear indication of what the product is for

**Medical Devices:**

- A medical device is defined as the mechanical part of a treatment, i.e. magnetic wrist bands, orthopaedic shoes, heat treatment devices.
- Medical devices making specific health claims are subject to the same regulations that apply to medicinal products, treatments and those making health claims.
- If a medical device contains an active ingredient that is ingested, the mandatory information pertaining to medicines and treatments must also be applied.

**Smoking deterrents:**

- It must be made clear that will power is the indispensable factor when attempting to give up smoking.

**SECTION 12 – WEIGHT CONTROL AND SLIMMING****General Rules:**

- If deemed necessary for assessment of claims, broadcasters are required to obtain scientific evidence and expert advice.
- Advertisements for slimming or weight control products must not be addressed to people under the age of 18, use creative treatments likely to appeal to them, or feature any person who may appeal to or whose example people under the age of 18 are likely to follow.
- The above does not apply to advertisements for calorie-reduced or energy-reduced food/drink, provided the product is not presented as part of a slimming regime, and the advertisement does not use slimming or weight control as the theme.

**Unacceptable claims:**

- Promises or predictions of specific weight loss either verbally or visually for any slimming product.
- Claims referring to specific amounts of weight loss lost by a featured individual must state the period over which the weight was lost.
- This period must be acceptable as normal good medical and dietary practice.
- Low calorie products advertised as part of a slimming or weight control regime, must make clear that the product merely helps weight loss as part of a calorie-controlled diet and is not itself directly responsible for weight loss.

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**SECTION 13 – FOOD, FOOD SUPPLEMENTS, AND ASSOCIATED HEALTH OR NUTRITION CLAIMS****General Rules:**

- Advertisements that contain nutrition or health claims must be supported by documentary evidence to show they meet the conditions of use associated with the relevant claim.
- Advertisements marketed specifically as dietary supplements that make major medical health claims as a result of the use of the product, are subject to the same regulation as medicines and treatments. Claims must be substantiated by appropriate research, and the same mandatory information supplied.
- Advertisements should not encourage individuals to swap a healthy whole food diet for supplementation.

**Unacceptable claims:**

- No advertisement should suggest that a balanced and varied diet cannot provide adequate nutrients in general.
- Advertisements must not give a misleading impression of the nutrition or health benefits of a product. Claims must be presented clearly and without exaggeration.
- Claims that state or imply that an individual's health could be affected by not consuming a food or dietary supplement.
- Claims that a dietary supplement can provide additional or improved benefit to a whole food diet.
- Claims that state or imply that a food or dietary supplement can prevent, treat or cure human disease.
- Reduction of disease risk claims are acceptable if authorised by the European Commission.
- Health claims that refer to the recommendation of an individual health professional are not acceptable.
- Health claims that refer to the recommendation of an association, are only acceptable if that association is a health-related charity or a national representative body of medicine, nutrition or dietetics, i.e. Heart Foundation or Cancer Research.