

Advertising Guidelines

H2H media and Childcare Essentials acknowledges the important role of advertisements in ensuring their continued existence the website and publications.

The following sponsorship and advertising guidelines will be followed :

1. All advertisements will be subject to the approval of the editors of Childcare Essentials and H2H Media, which reserves the right to reject advertisements that are not considered to be consistent with the objectives of Childcare Essentials.

2. The Jakarta Declaration states that "both the public and the private sector should promote health by pursuing policies and practices that ... restrict production and trade in inherently harmful goods and substances such as tobacco and armaments, as well as unhealthy practices". Therefore, alcoholic beverages, tobacco products and other substances considered harmful to health may not be advertised.

3. Advertised products or services must be in compliance with act 101, "The code of Practice for the Marketing of Medicines in RSA", the National Drug Policy and regulations of the Medicines Control Council (MCC), Health Profession Council of SA (HPCSA) and the South African Code for the Marketing of Breastmilk substitutes.

4. For advertising by pharmacies and pharmaceutical companies, the following is important:

Section 1 (1) of the Medicines and Related Substances Act, 1965 (act 101 of 1965), (The Medicines Act) as amended defines advertisement as follows :

"...in relation to any medicine or scheduled substance, advertisement means any written, pictorial, visual or other descriptive matter or verbal statement or reference-

(a) appearing in any newspaper, magazine, pamphlet or other publication; or

(b) distribution to members of the public; or

(c) brought to the notice of members of the public in any manner whatsoever,

which is intended to promote the sale of that medicine or scheduled substance; and advertise "has a corresponding meaning".

In terms of Regulation 45, advertising of medicines should be conducted as follows :

Regulation 45 (1) the under mentioned requirements that shall apply to any advertisement of a medicine

(2) (a) medicines which do not contain a scheduled substance and medicines which contain a substance appearing in Schedule 0 or Schedule 1 may be advertised to the public; and (b) medicines, which contain a substance appearing in Schedule 2, Schedule 3, Schedule 4, Schedule 5 or Schedule 6 may be advertised only for the information of medical practitioners, dentists, veterinarians, pharmacists and other persons authorized to prescribe, or in a publication which is normally or only made available to persons referred to therein; (c) paragraph (b) shall not be construed as to prohibit informing the public of the prices, names, pack sizes and strength of medicines which contain a substance appearing in Schedule 2, Schedule 3, Schedule 4, Schedule 5 or Schedule 6.

The question is whether or not the legislation prohibits the use of "pack shots"?

"Pack shots" are loosely defined as any pictorial, photo or reproduction of the medicine pack or part thereof, any pictorial of the package or the logo or trade mark of a medicine. They fall within Schedule 2 to 6 inclusively, and the advertisements or pamphlets are aimed at the general public.

The provisions of Section 18 c of the Medicines Act, supported by Section 35(1)(x), that the form and content of an advertisement relating to any medicine or scheduled substance are issues in respect of which the Minister of Health is empowered to exercise strict control, to the extent also of "prohibiting the inclusion of any specified particulars in such an advertisement".

The purpose of such strict control of advertising becomes apparent when regard is had to provisions of the Medicines Act referred to above and specifically Section 22A(5), in terms of which access by members of the general public to medicines containing substances with certain specified schedule is limited.

The purpose of the relevant provisions in the Medicines Act and the general regulations is clearly to prevent self-prescription and self-medication by the general public in respect of medicines other than those containing a substance appearing in Schedules 0 and 1.

5. Advertisements in Childcare Essential Magazine and the website is separate from the content. Advertisers have no influence over editorial decisions or advertising policies.