

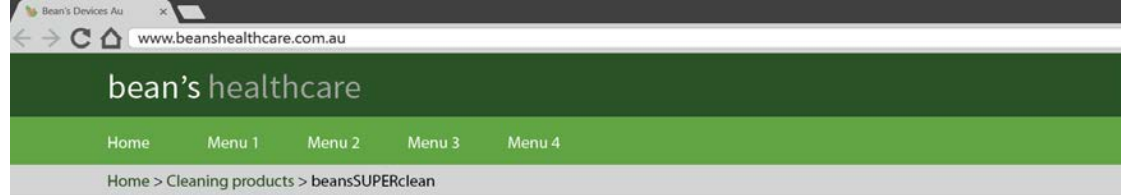
# Advertising example

## Issues explored in this example

- Substantiation of claims
- Consistency with ARTG entry
- Safe, harmless
- Mandatory statements and product details
- Prohibited representations
- Restricted representations

*These advertising examples are intended to be used as an educational aid to illustrate potential non-compliance with the therapeutic goods advertising requirements in Australia. The Australian Government Department of Health (of which the TGA is a part) advises that these examples should not be relied upon as representing a comprehensive description of the regulatory requirements.*

*The compliance of each advertisement has to be assessed on a case by case basis. To obtain further assistance regarding your advertising and what is required to address non-compliance with the requirements of the Therapeutic Goods Act 1989, the Therapeutic Goods Regulations 1990 and the Therapeutic Goods Advertising Code (No. 2) 2018, you may wish to seek independent legal advice or the assistance of a regulatory affairs consultant.*



### bean'sSUPERclean



#### bean'sSUPERclean

- Sanitiser and disinfectant
- Kills germs and pathogens in seconds
- Protects against 99% of germs
- Provides 30 days protection
- SAFE and ALCOHOL FREE

\$19.97

Buy now!

#### INGREDIENTS:

- 40% Triethylheptadecylammoniumbromide
- bean'sSUPERclean provides an antibacterial coating that will bond to surfaces protecting against serious pathogens including:
  - Norovirus
  - E coli
  - Mould
  - Fungi
  - Salmonella
  - Clostridium difficile
  - HIV
  - Influenza

Provides protection for up to 30 days

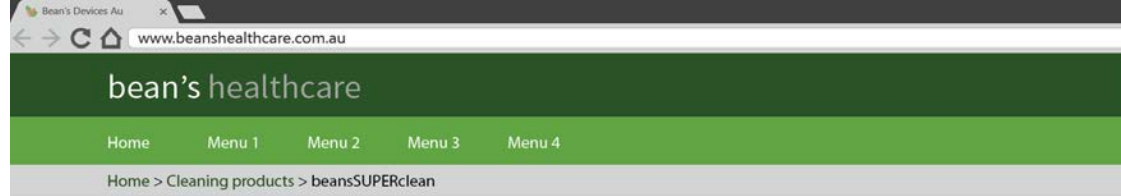


“When you want a germ-free home”

# Advertising example

## Substantiation of claims

- Includes claims that the product:
  - 'kills ... in seconds'
  - 'protects against 99% of germs'
  - 'provides 30 days protection'
- The advertiser must hold appropriate evidence to support these claims. Without substantiation, these claims are **false and misleading**
- Refer to Code sections g(a) and g(b)



### bean'sSUPERclean

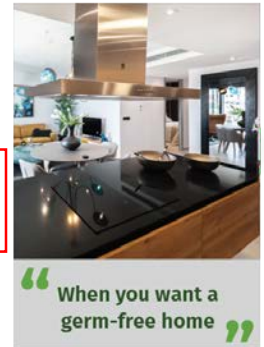


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\$19.97

Buy now!



“When you want a germ-free home”

#### INGREDIENTS:

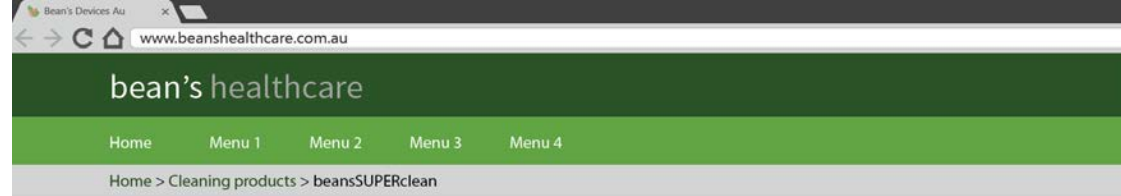
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# Advertising example

## Consistency with ARTG entry

- The claims and indications used are not **consistent with the ARTG entry** for the goods
- Refer to Code section 9(d)



### bean'sSUPERclean



### bean'sSUPERclean

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\$19.97

Buy now!



#### INGREDIENTS:

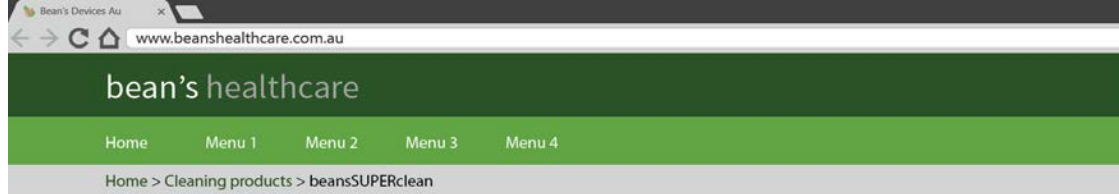
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Provides protection for up to 30 days

# Advertising example

## Safe, harmless

- Includes claims that it:
  - is 'safe'
  - gives you a 'germ-free home'
- Advertising for therapeutic goods **must not** claim that the goods are safe, cannot cause harm or have no side-effects
- Refer to Code section 10(d)(i)



### bean'sSUPERclean



### bean'sSUPERclean

- Sanitiser and disinfectant
- Kills germs and pathogens in seconds
- Protects against 99% of germs
- Provides 30 days protection
- **SAFE and ALCOHOL FREE**

\$19.97

Buy now!

#### INGREDIENTS:

- 40% Triethylheptadecylammoniumbromide

bean'sSUPERclean provides an antibacterial coating that will bond to surfaces protecting against serious pathogens including:

- Norovirus
- E coli
- Mould
- Fungi
- Salmonella
- Clostridium difficile
- HIV
- Influenza

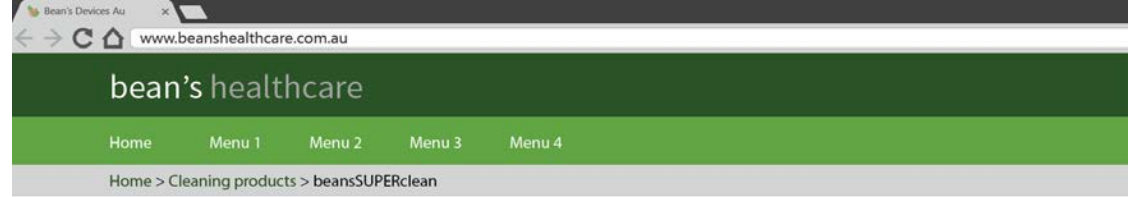
Provides protection for up to 30 days



# Advertising example

## Mandatory statements and product details

- Disinfectants are regulated as **other therapeutic goods**
- Some **mandatory statements and product details** for other therapeutic goods are missing:
  - a complete list of ingredients
  - the statement: FOLLOW THE INSTRUCTIONS FOR USE
- Not requiring a **health warning**, it is also missing:
  - the statement: ALWAYS READ THE LABEL
- Refer to Code sections 12(5)(d), 12(5)(e) and 13(6)



### bean'sSUPERclean



### bean'sSUPERclean

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\$19.97

Buy now!

#### INGREDIENTS:

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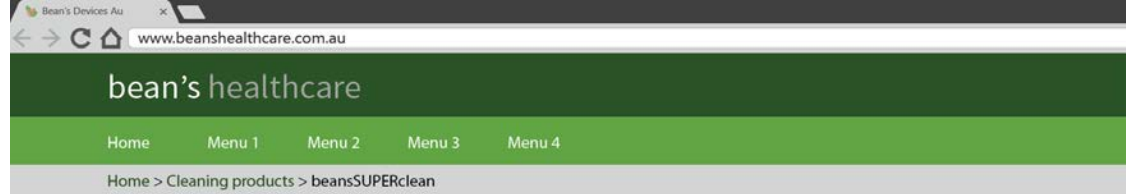
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Provides protection for up to 30 days

# Advertising example



## Prohibited representations

- Includes a claim that for protection against 'HIV', which is a **prohibited representation**
- Making this reference in advertising is **not permitted without TGA approval**
- Refer to Act sections 42DL(5) and 42DLB(2)

An advertisement for 'bean'sSUPERclean' sanitiser and disinfectant. It features a green bottle of the product on the left. The bottle label includes the brand name, 'Sanitiser and disinfectant', 'SAFE AND ALCOHOL FREE', and a claim that it 'Protects against 99% of germs'. To the right of the bottle, the product name 'bean'sSUPERclean' is displayed above a list of five bullet points: 'Sanitiser and disinfectant', 'Kills germs and pathogens in seconds', 'Protects against 99% of germs', 'Provides 30 days protection', and 'SAFE and ALCOHOL FREE'. Below this list, the price '\$19.97' is shown next to a green 'Buy now!' button. On the far right, there is a photograph of a modern kitchen with a quote: 'When you want a germ-free home'.

### INGREDIENTS:

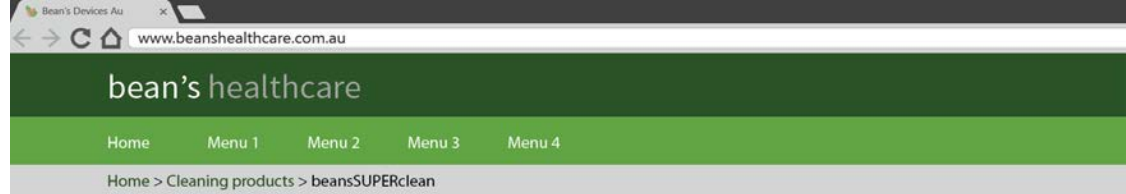
- 40% Triethylheptadecylammoniumbromide

bean'sSUPERclean provides an antibacterial coating that will bond to surfaces protecting against serious pathogens including:

- Norovirus
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- Mould
- Fungi
- Salmonella
- Clostridium difficile
- HIV
- Influenza

Provides protection for up to 30 days

# Advertising example



## Restricted representations

- Includes a claim for protection against 'influenza'. This is a serious form of a disease, condition, ailment or defect, and therefore is a **restricted representation**
- Making this reference in advertising is **not permitted without TGA approval**
- Refer to Act sections 42DL(7) and 42DLB(4)

An advertisement for bean'sSUPERclean. It features a green bottle of the product on the left. The bottle label says 'bean'sSUPERclean Sanitiser and disinfectant', 'SAFE AND ALCOHOL FREE', 'Protects against 99% of germs', and '400 ml'. To the right of the bottle, the text 'bean'sSUPERclean' is followed by a list of five bullet points: 'Sanitiser and disinfectant', 'Kills germs and pathogens in seconds', 'Protects against 99% of germs', 'Provides 30 days protection', and 'SAFE and ALCOHOL FREE'. Below this list is the price '\$19.97' and a green 'Buy now!' button. On the far right is a photo of a modern kitchen with a quote: 'When you want a germ-free home'.

bean'sSUPERclean

- Sanitiser and disinfectant
- Kills germs and pathogens in seconds
- Protects against 99% of germs
- Provides 30 days protection
- SAFE and ALCOHOL FREE

\$19.97

Buy now!

“ When you want a germ-free home ”

### INGREDIENTS:

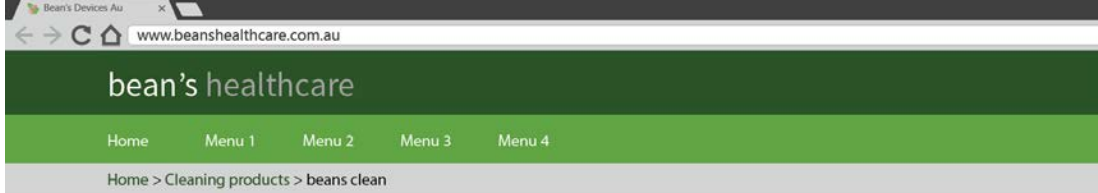
- 40% Triethylheptadecylammoniumbromide
- bean'sSUPERclean provides an antibacterial coating that will bond to surfaces protecting against serious pathogens including:
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Provides protection for up to 30 days

# Advertising example

## Compliance

- In this version of the ad, the mandatory statements are:
  - included in the ad
  - the correct statement for the type of good
  - prominently displayed
- A complete list of ingredients is included
- The claims are supported by appropriate evidence and consistent with the ARTG entry
- There are no references to restricted or prohibited representations



## bean's clean



### bean's clean

- Household grade disinfectant
- Kills up to 99% of household germs
- Lemon scented fresh aroma

Always read the label  
Follow the instructions for use

\$19.97

Buy now!

#### INGREDIENTS:

- 4.5% Triethylheptadecylammoniumbromide
- 0.5% Polyalkylammoniumphosphates
- 0.1% Cocamidopolsulfates

Kills up to 99% of household germs on hard surfaces, including:

- E coli
- Staph aureus
- Clostridium difficile





**Australian Government**

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**Department of Health**  
Therapeutic Goods Administration