

# Advertising example

## Issues explored in this example

- Testimonials
- Mandatory statements
- Prominent display
- Sample offers
- Clinical 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.*



**LET'S GO!**

Bean's Tonic for Women helps maintain and support women's:

- Skin health
- Healthy eyes and lashes
- General health and wellbeing

Bean's Tonic for Women contains Vitamin E, Zinc and Carthamus Tinctorius (safflower) to support women's health and wellbeing.

**SUPPORTING HEALTH AND WELLBEING FOR WOMEN**

**“** I really like Bean's for Women. I've been using it for two years and my psoriasis flare ups haven't happened nearly as often. **”**

**I recommend it to anyone.**

Always read the label. Do not use if you are pregnant or likely to become pregnant. Follow the directions for use.

Now in handy liquid capsules. Available in all good pharmacies.

**bean's tonic**  
for women

## Testimonials

- Any testimonials used in advertising must be documented, verified, not misleading and illustrate typical cases only
- This example includes a statement which is presented as a testimonial, but the **source is not documented or verified**
- Plus, it does not disclose whether a **valuable consideration** has been or will be received in exchange for providing the testimonial
- Refer to Code sections 17(2) and 17(3)



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**SUPPORTING HEALTH AND WELLBEING FOR WOMEN**

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Always read the label. Do not use if you are pregnant or likely to become pregnant. Follow the directions for use.

Now in handy liquid capsules. Available in all good pharmacies.

**bean's tonic**  
for women

## Mandatory statements

- Some **mandatory statements and product details** for medicines are missing
- This example includes claims **relating to a disease, ailment, condition or defect**, so it must also include the statement: IF SYMPTOMS WORSEN OR CHANGE UNEXPECTEDLY, TALK TO YOUR HEALTHCARE PROFESSIONAL
- The mandatory statements that are included and correct are not **prominently displayed**
- Refer to Code sections 12(3)(f), 13(6) and 13(7)



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**SUPPORTING HEALTH AND WELLBEING FOR WOMEN**

**“**

**I really like Bean's for Women. I've been using it for two years and my psoriasis flare ups haven't happened nearly as often.**

**I recommend it to anyone.**

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**bean's tonic**  
for women

Now in handy liquid capsules.  
Available in all good pharmacies.

## Advertising example

### Mandatory statements

- In this next example, some **mandatory statements and product details** for medicines are also missing
- Requiring a **health warning** due to the ingredient 'Carthamus Tinctorius', it must include the statement: **DO NOT USE IF YOU ARE PREGNANT OR LIKELY TO BECOME PREGNANT**
- The mandatory statements that are included and correct are not **prominently displayed**
- Refer to Code sections 12(3)(f), 13(6) and 13(7)



# LET'S GO!

Bean's Tonic for Women helps maintain and support women:

- Skin health
- Healthy eyes/vision
- General health and wellbeing

Bean's Tonic for Women contains Vitamin E, Zinc and Carthamus Tinctorius (safflower) to support women's health and wellbeing.

## SUPPORTING HEALTH AND WELLBEING FOR WOMEN



Clinically proven to be better absorbed than dietary forms.

Always read the label. Follow the directions for use.

ASK FOR A FREE SAMPLE AT THE COUNTER

**bean's tonic**  
for women

## Advertising example

### Sample offers

- This example includes an offer for a free sample, available in store
- Making the **offer of a sample** in an advertisement for most therapeutic goods is not permitted
- Refer to Code section 20(1)



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## SUPPORTING HEALTH AND WELLBEING FOR WOMEN



Clinically proven  
to be better  
absorbed than  
dietary forms.

Always read the label. Follow the directions for use.

**ASK FOR A FREE SAMPLE AT THE COUNTER**

**bean's tonic**  
*for women*

## Clinical representations

- Includes claims that the product is:
  - 'clinically proven to be better absorbed than dietary forms'
- The advertiser must hold appropriate **clinical evidence** that is consistent with the broader body of evidence relating to the type of goods
- References to scientific or clinical studies must be accompanied by **sufficient information for consumers to request and access details of the study**
- Refer to Code sections 15(2) and 15(3)



# LET'S GO!

Bean's Tonic for Women helps maintain and support women's:

- Skin health
- Healthy eyes/vision
- General health and wellbeing

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## SUPPORTING HEALTH AND WELLBEING FOR WOMEN



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**bean's tonic**  
*for women*

## Advertising example

### Compliance

- In this version, mandatory statements are **included, correct for the goods and prominently displayed**
- Testimonials are **not used**
- Sample offers are **not used**
- Claims requiring clinical evidence are **not used**



**bean's tonic**  
*for women*

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## SUPPORTING HEALTH AND WELLBEING FOR WOMEN

Now in handy liquid capsules. Available in all good pharmacies.

bean's tonic  
Chewable  
Active Ingredient  
500mg

Always read the label. Do not use if you are pregnant or likely to become pregnant.  
Follow the directions for use.



**Australian Government**

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**Department of Health**  
Therapeutic Goods Administration