

# Advertising example

## Issues explored in this example

- Mandatory statements
- Prominent display of statements

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.

**GOT GAS?**

Bean's Tonic helps relieve the symptoms of medically diagnosed Irritable Bowel Syndrome including:

- gas
- bloating
- constipation
- diarrhoea

Bean's Tonic contains peppermint oil which can start to relieve symptoms in under an hour.

**BE KIND TO YOUR GUTS WITH BEAN'S**

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

**Stands out - benchmark not met**

**Factors:**

- Font is too small compared with rest of ad
- Text colour and background colour provide insufficient contrast.
- Individual statements are not distinguishable – all appears as one line.

**bean's tonic**

If symptoms worsen or change unexpectedly, talk to your healthcare professional. Always read the label. Follow the directions for use.

## Advertising example

### Mandatory statements

- In this version, the statements required in relation to the type of medicine specified are included and correct for the goods
- However, the text:
  - is much smaller in size
  - is barely visible at the bottom of the image
  - has insufficient contrast to the background
- These statements need to be **prominently displayed**, which means they need to be clearly visible and easy to read
- Refer to Code sections 13(2)(c) and 13(6)

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## Advertising example

### Compliance

- In this version, the statements required in relation to the type of medicine specified are:
  - included
  - correct for the goods
  - prominently displayed



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**Stand out - benchmark met.**

**Factors:**

- Font size and type similar to the main representations in the ad.
- Good contrast from background.
- Good separation of individual warning statements assists

Always read the label. If symptoms worsen or change unexpectedly, talk to your healthcare professional.

Follow the directions for use

**bean's tonic**



**Australian Government**  
**Department of Health**  
Therapeutic Goods Administration