



The Pharmacy
Guild of Australia

SUBMISSION

Sports Supplements – Proposed clarification that certain sports supplements are therapeutic goods¹

Date

3 December 2019



¹ <https://www.tga.gov.au/consultation/consultation-proposed-clarification-certain-sports-supplements-are-therapeutic-goods>

National Secretariat

Level 2, 15 National Circuit, Barton ACT 2600
PO Box 310, Fyshwick ACT 2609
P: +61 2 6270 1888 • F: +61 2 6270 1800 • E: guild.nat@guild.org.au
www.guild.org.au



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INTRODUCTION

The Pharmacy Guild of Australia (the Guild) is the national peak organisation representing community pharmacy. It supports community pharmacy in its role delivering quality health outcomes for all Australians. It strives to promote, maintain and support community pharmacies as the most appropriate primary providers of health care to the community through optimum therapeutic use of medicines, medicines management and related services.

1. Do you support the proposal for certain sports supplements to be declared to be therapeutic goods? What are the reasons for your answer?

We support the proposal for certain sports supplements to be declared therapeutic goods.

We agree with the sentiment in the discussion paper that the nature of many sports supplements in relation to ingredients and claims, and the manner in which they are used makes it appropriate that many of these products should be subject to the controls for therapeutic goods to safeguard consumers.

2. Would the proposed declaration have an impact on the availability and choice of sports supplements for consumers? What are the reasons for your answer?

There may be some impact as some manufacturers may decide not to continue production if their product is deemed to be a Therapeutic Good.

However we do not believe that this will materially impact on choice of supplements for consumers as this is a very dynamic sector and there will no doubt be many manufacturers that will continue to produce sports supplements that are deemed to be Therapeutic Goods.

3. Would the proposed declaration provide greater clarity for industry as to whether their products should be marketed as foods or medicines? What are the reasons for your answer?

We do believe that the proposed declaration will provide greater clarity for industry.

Currently there is some confusion regarding the status of some sports supplements because they could be defined as either foods or therapeutic goods depending on interpretation of the definitions.

The greater clarity will provide the TGA the ability to regulate sports supplements which should safeguard consumers.

**4. Are you aware of products on the market that would not be captured by the proposed declaration but should be?
What are the reasons for your answer?
Please provide specific details and the rationale for why these products should be therapeutic goods.**

Community pharmacy does stock some sports supplements but the majority of sports supplements we believe are being sold in specialist stores.

We are not aware of any products that would not be captured but should be.

**5. Are you aware of products on the market that would be captured by the proposed declaration but should not be?
What are the reasons for your answer?
Please provide specific details and the rationale for why these products should not be therapeutic goods.**

We are not aware of products on the market that would be captured by the proposed declaration but should not be.

**6. What impact would the proposed declaration, if made, have on your business?
If there would be a positive impact, what are the reasons for your answer?
If there would be a negative impact, please provide the following information (identified as confidential in the consultation submission cover sheet):**

- **the number of products affected**
- **operational impacts on your business**
- **approximate costs that these changes may impose on your operation**

As stated above we do not believe that sports supplements are a major product sold in community pharmacy. Whilst there would be some supplements sold we believe that the majority are sold in specialist health foods stores that sell protein shakes, gym equipment and the like.

There may be an increase in sales if sponsors decided to market in community pharmacy if the product is deemed to be a therapeutic good.

7. Do you have any other comments related to the consultation?

We have no further comments to make.