MEDICAL ONCOLOGY GROUP OF AUSTRALIA INCORPORATED

A.B.N 94 601 175 669

Friday 13 October 2017

Submission to
Therapeutic Goods Administration Consultation: Therapeutic Goods Advertising Code
Proposed improvement's including proposed framework for Schedule 3 medicine advertising
From
Medical Oncology Group of Australia
145 Macquarie Street
Sydney NSW 2000

INTRODUCTION:
I am making this submission on behalf of The Medical Oncology Group of Australia Incorporated (MOGA), the peak professional group for medical oncologists and medical oncology in Australia. The Association is a special society of the Royal Australasian College of Physicians and represents 660 members. MOGA welcomes the opportunity to contribute to this Consultation on the Therapeutic Goods Advertising Code.

The Association is of the view that the Therapeutic Goods Advertising Code is an important legislative mechanism established under the Ministerial Act that provides a framework for compliance and regulation in relation to the marketing and advertising of therapeutic goods to the Australian public. This is an important component of our national therapeutic goods regulatory and legislative system. The Association presents the following advice after reviewing the Consultation Paper:

- MOGA supports the development of a new Code to remove subjectivity in the interpretation of its provisions and that clearly communicates examples of compliant and non-compliant advertising. Eg., advertisements for complementary medicines should be subject to strict scrutiny and monitoring to ensure the public are aware of any contraindications that could arise with regard to traditional prescribed medicines and the need to check with their consulting physicians in the first instance if they are under medical care.
- MOGA supports minimising subjectivity in the interpretation of the provisions in the new code.
- MOGA agrees that guidelines to the new Code should be developed to assist with and ensure compliance. This guidance should be made available to stakeholders via a comprehensive communications strategy.
- MOGA is broadly supportive of the recommendations in sections 4.3 and 4.4 proposed by the Council for incorporation in a new code and the consultation comments, respectively.
- MOGA is of the view that the Price information Code of Practice should remain in the new Code as it is integral to compliance.
- MOGA has reservations about the broadening of the advertising framework for schedule 3 medicines to the public. Despite proposed specific provisions aimed at providing additional controls that will strengthen this section of the code there is a need for greater controls and active monitoring, especially as the new code is rolled out and advertiser/marketers test the system.
- The Association is of the view that all prescription medicines required for the treatment of chronic conditions such as cancer and that require a physician as part of the patient's treatment cycle should not be considered for inclusion in Appendix H.

[redacted]