

# NEWFOUNDLAND AND LABRADOR PHARMACY BOARD

## Standards of Pharmacy Practice



### Advertising in Community Pharmacies

*(as per Bylaw 99)*

Approved by the Newfoundland and Labrador Pharmacy Board September 20, 1999

## 1. Definition of advertising

*"Advertising"* means using paid space or time in a public medium or using a commercial publication to communicate to all or part of the general public for the purpose of promoting services or enhancing the image of the advertiser.

## 2. Words not permitted

A pharmacist or pharmacy may make information about the pharmacy staff or professional services available to the public, subject to the following:

1. the advertising shall not use any qualifying words such as professional, trusted, prompt, licensed, accurate, cheap, or words of similar meaning; and
2. the advertising shall not use the words "specialist" or "expert" or words of similar meaning unless the person to whom the advertising related possesses a specialization granted to a program approved by the Board.

## 3. Mandatory services

A pharmacist or pharmacy may advertise, without further qualification, those professional services that are required or mandatory under the Act only when followed by the statement, "Required by law in all Newfoundland and Labrador pharmacies" and this must be displayed in the same size and prominence as all other print in the advertising.

## 4. Factual and accurate information

A pharmacist or pharmacy may communicate factual and accurate information but shall not engage in advertising that:

1. is inaccurate or is otherwise capable of misleading the public by the inclusion or omission of any information,
2. is not in keeping with the standards of good taste generally accepted in the community,
3. misrepresents pharmaceutical knowledge or fact,
4. compares, directly or indirectly, the pharmacist's or pharmacy's service or ability with that of any other pharmacist or pharmacy, or promises more effective service or better results than those already obtained,
5. deprecates another pharmacist or pharmacy as to service, ability or fees,
6. creates an unjustified expectation about the results the pharmacist can achieve,
7. is made under any false or misleading guise, or takes advantage of the weakened physical or emotional state of a patient,
8. discloses the names or identities of patients without their informed consent, or
9. contains anything that, because of its nature, cannot be verified .

## 5. Prohibitions

A pharmacist or pharmacy shall not:

1. distribute to any practitioner prescription pads or any other matter having the name of the pharmacist or pharmacy thereon, for use by a practitioner in issuing a prescription to be dispensed by a pharmacist,
2. give anything of value to another person for recommending the pharmacist's or pharmacy's services (This clause does not apply to the payment of costs or advertising),

3. engage in any advertising that may be capable of interfering with the public's freedom of choice of a pharmacy, or
4. engage in any advertising that offers inducements of any kind related to the sale or distribution of prescription drugs.

## 6. Drug Schedules

Except as otherwise provided in this Part, a pharmacist or pharmacy shall not advertise or promote, directly or indirectly, about the pharmacy or in any advertisement, the drugs listed from time to time in Schedule I.

A pharmacist or pharmacy shall not advertise or promote, directly or indirectly, the drugs listed in Schedule II except as to the name, Anatomical Therapeutic Classification (ATC) of drug, quantity or size and price.

## 7. Advertising or posting of prescription drug prices

A pharmacist or pharmacy may advertise, or post in or adjacent to the dispensary area in a pharmacy, in the format and size prescribed by the Board, descriptive information in respect of the names, strengths, quantities and current prices for prescription drugs, but every advertisement or posting shall:

1. include with respect to each drug listed:
  - i. the generic name of the drug,
  - ii. the strength of the drug,
  - iii. the brand name and the name of the manufacturer of the drug,
  - iv. a standard reference quantity of 100 for tablets or capsules, 100 milliliters for liquids and 30 grams for solid dosage forms,
  - v. the dosage form, and
  - vi. the drug cost, the mark-up if any, the professional fee and the total charge for the prescription;
2. include not less than fifteen drugs of which there shall be at least one from each of at least ten of the following anatomical therapeutic chemical (ATC) classifications:
  - i. alimentary tract and metabolism agents,
  - ii. blood and blood forming organ agents,
  - iii. cardiovascular system agents,
  - iv. dermatologicals,
  - v. genito-urinary system and sex hormones,
  - vi. systemic hormonal preparations,
  - vii. general anti-infectives for systemic use,
  - viii. antineoplastics and immunomodulating agents,
  - ix. musculo-skeletal system agents,
  - x. nervous system agents,
  - xi. anti-parasitic products,
  - xii. respiratory agents,
  - xiii. sensory organ agents,
  - xiv. miscellaneous;
3. not include any representation as to the safety, effectiveness or indications for the use of the drugs listed,
4. include the phrase "Only available by Prescription", and
5. have all letters, words and prices of the same size, colour and prominence.

## 8. Fees for professional services

Except as otherwise provided in these Guidelines, no pharmacy or pharmacist shall advertise or post, or permit to be advertised or posted any fee charged for professional services without also including the total prescription price, as outlined in section 7.

#### **9. Professional fees**

Except as otherwise provided in these Guidelines, no pharmacy or pharmacist shall advertise, post, or promote, or permit to be advertised, posted, or promoted, their professional fee.