

THERAPEUTIC GOODS ADVERTISING CODE 2022

DSA Guide for Direct Sellers



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What is the Therapeutic Goods Advertising Code 2022?

The Advertising Code regulates advertising for listed medicines and other therapeutic goods and sets out minimum requirements which must be met when advertising therapeutic goods to the public.

It does not apply to products regulated as **cosmetics** or **foods**.



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Overarching Goal

- Support informed and rational health choices
- Ensure consumers are not mislead or deceived
- Promote the safe and proper use of therapeutic goods

How will the Advertising Code impact the direct selling industry?

The Advertising Code outlines when **testimonials** and **endorsements** about therapeutic goods can be used and refers to people engaged in the production, marketing or supply of the goods.

This includes **direct sellers** and **influencers**.



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Endorsement and Testimonial

What is an **Endorsement**?

An **endorsement** is an expression of support for a product or brand. The endorsement must not reference the individual's personal experience from using the product. If an endorsement about a therapeutic good references health benefits, then it must be consistent with the typical outcome resulting from use of the good when used according to the label or directions.

What is a **Testimonial**?

A **testimonial** is made when an individual references their personal experience of using the therapeutic good and may include before and after photos.



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How does it affect direct sellers?

Direct sellers and influencers are permitted to promote therapeutic products through endorsements.

They are not permitted to make testimonials about these products.



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Former Health Professionals and Direct Sellers

The Advertising Code prohibits a current or former health practitioner, health professional or medical researcher; and anyone who represents themselves as being qualified or trained to diagnose, treat or prevent disease, from making an endorsement or a testimonial, whether disclosed or otherwise.



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When did the 2022 Advertising Code come into effect?

The updated Advertising Code came into effect on 1 January 2022, with a six-month transition period for compliance in effect until 30 June 2022.

From 1 July 2022, all advertising will be assessed against the 2022 Advertising Code, including all current and previously posted content across social media platforms.

The prohibition on direct sellers making testimonials about therapeutic goods has been in effect since 2018 and applied under the old Advertising Code.



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What products does the Advertising Code apply to?

The Advertising Code applies to therapeutic products, including products that are required to be included on the Australian Register of Therapeutic Goods (ARTG):

www.tga.gov.au



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What about genuine customer testimonials?

Advertisements posted by direct sellers can contain genuine customer permitted testimonials.

The advertisement cannot contain testimonials from health professionals or from anyone who received, or would receive, valuable consideration for the testimonial.



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Posting on Social Media

Permitted

You may describe or list the product's benefits and credentials as set out in the products permitted indications. You may use images of the product as long as they do not suggest that you are using it.





Non-Permitted

Sharing your personal experience, positive effects, or feelings about a therapeutic good, for example, language such as "I love this product". You should refrain from using images showing you using or consuming the product.







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Social Media Content Examples

Image	Accompanying Text	Permitted
	<p>Did you know?... Brand-X sunscreen is dermatologist tested and formulated for sensitive skin making it suitable both adults and children. With SPF50+ broad spectrum UVA and UVB protection, it is a summer staple in every household!</p> <p>#independentconsultant</p>	
	<p>I have thoroughly loved using Brand-X sunscreen all summer long. It rubs in easily and my skin is never oily or sticky. Brand-X is the only sunscreen I use on myself and my family.</p> <p>#independentconsultant</p>	



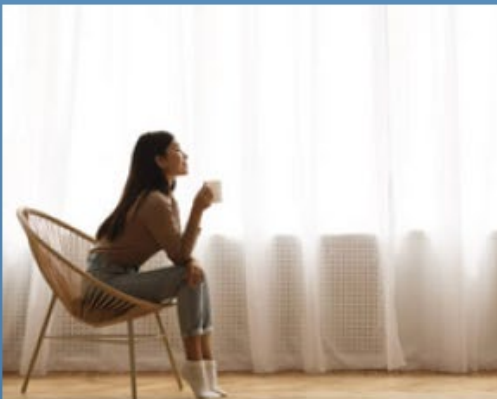



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Image	Accompanying Text	Permitted
	<p>I trust Brand-X to help my wellbeing.</p> <p>#independentconsultant</p>	
	<p>I love everything about this product. When I look better, I feel better. Brand-X helps me feel better.</p> <p>#independentconsultant</p>	



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Image	Accompanying Text	Permitted
	<p>Looking after your skin and hair from the inside out with Brand-X Beauty Collagen range.</p> <p>#independentconsultant</p>	
	<p>Looking after my skin and hair from the inside out with Brand-X Beauty Collagen range. I've been taking the original collagen tablets for over a year now, but have recently added the collagen shots.</p> <p>#independentconsultant</p>	









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Image	Accompanying Text	Permitted
	<p>As a hairdresser, I look after my hair with regular treatments. Brand-X is my holistic approach to wellbeing.</p> <p>#vitamins #health #independentconsultant</p>	
	<p>As a hairdresser, I look after my hair with regular treatments but since having a baby I worry about losing my hair after it's become so healthy. Brand-X is my holistic approach to wellbeing. I love this product!</p> <p>#vitamins #health #independentconsultant</p>	



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Image	Accompanying Text	Permitted
	<p>Did you know Brand-X is specifically formulated to wear under makeup? It sits perfectly under your base and gives your complexion the perfect dewy glow we all know and love. With added healing properties of aloe vera and sea buckthorn, Brand-X calms inflammation and redness.</p> <p>#itrustmyhealthtobrandx #independentconsultant</p>	
	<p>I put my trust in Brand-X. Brand-X is my holistic approach to wellbeing.</p> <p>#independentconsultant</p>	
	<p>I started using Brand-X a few week's ago and my skin has never been better. My overall complexion has changed dramatically. I have less redness and my skin looks and feels calmer.</p> <p>#independentconsultant</p>	



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Further Information and Resources

For further information, including access to the full Therapeutic Goods Advertising Code 2022 - DSA Guide for Direct Sellers FAQ, please visit:

directselling.org.au/tga-advertising-code-for-direct-sellers/

For more resources, please visit:

directselling.org.au/seller-resources/

