

Code of Marketing Practices

Product Information

Consumer Health Products Canada (CHP Canada) is conscious of its unique position as a partner in the provision of consumer health products to the public. The industry promotes the concept of good health and a positive health-oriented approach to daily living.

Recognizing that consumer health products have been, and will continue to be, an important factor in modern health care, CHP Canada's members undertake to ensure that all products are supported by comprehensive technical and information services in accordance with accepted medical and scientific knowledge, experience and regulatory requirements.

As the primary source of information about their products, members shall ensure that disclosure of essential product information is available on request to the public, healthcare professionals and Poison Control Centres.

Product Safety

CHP Canada's members are committed to providing Canadians with safe, efficacious consumer health products while encouraging the use of all medicines appropriately, according to label directions.

Member companies have been in the forefront in pioneering the development of new consumer health products and delivery systems, as well as safeguarding the public with such devices as child resistant closures and tamper evident packaging.

As a key part of our responsibility, each member company has established an efficient and effective procedure for implementing a product recall. This procedure is a method of isolating and removing from the retail and wholesale distribution system products that may represent real or potential health hazards.

Environmental Responsibility

Member companies' environmental practices should be designed to reduce contribution to the waste stream throughout the complete manufacturing/distribution chain.

CHP Canada member companies are encouraged to identify areas where strides can be made to reduce environmental impacts associated with company operations by:

- a) Providing products and packaging that are environmentally responsible.
- b) Complying with the requirements of environmental laws or regulations.



- c) Reducing the environmental impacts of products by adherence to the "four Rs" of waste management - reduce, re-use, recycle and recover.
- d) Continually accessing technologies in order to achieve and maintain environmental protection goals.
- e) Continuing to seek ways to use energy-efficient technology and to reduce raw materials and waste output.
- f) Providing the public, employees, communities and public-interest groups with factual information about the environmental quality of products, packaging and operations.

Media Advertising and Promotion

When advertising to the public, member companies agree to abide by the requirements of Health Canada's guidelines for self-care/consumer health product advertising. For advertising to health professionals, members agree to abide by the *PAAB Code of Advertising Acceptance*, as amended from time to time.

The following portion of the code supplements federal and provincial regulations regarding the advertising of consumer health products.

Media Advertising

Advertising is defined as any representation direct to the public, professionals or trade groups in print, broadcast or at point of sale including electronic (audio and/or visual), interactive formats whose purpose is the promotion of the sale of consumer health products.

Advertising is an essential part of self-care and provides information to help Canadians arrive at a responsible decision about use of appropriate self-care.

The primary focus of all advertising messages should be clear and informative. Advertising will not be false, misleading or deceptive.

Promotions

- 1) Member companies shall establish and maintain the highest of standards in the development and execution of promotions and contests to both the public and healthcare professionals.
- 2) Members shall present honest and balanced information in promotions and contests. Statements which are misleading, directly or by implication, will be avoided.



Labelling

Role of Labelling

For a consumer health product to be used properly and safely, its label must convey information that is easy to understand and act upon. The information must describe how to use the product, the symptoms for which it is relevant, and any appropriate precautions and warnings.

Guidelines

Adequate information needs to be available, on the outer package or label of a product, to allow the public to make an informed choice at the time of purchase. All essential information to ensure proper usage must be on the product's primary packaging or inner label. Labelling can direct the reader to additional information which can be contained on a package insert leaflet.

Consumer health products are typically bought by an individual without the direct involvement of a healthcare professional. This means that information about their intended use must not require a scientific or medical background and that labels must be readily discernible to the public. It is the duty of the industry to translate scientific and medical information into language that can be understood easily by the public.

The main panel is a product's most visible identifier at point of purchase. Consequently, important information is required by the regulations on main panels, as well as other areas of the label, to aid the public in their search for appropriate products.

CHP Canada members recognize the importance of brand identification to the public and the benefits of consistent product names. Product names and labelling should facilitate accurate selection of the appropriate product for safe and effective self-care. In particular, manufacturers should ensure that they clearly identify product attributes (e.g., active ingredient or therapeutic classification) on the main panel when brand names are similar for different products.

Consumer Health Products Canada also endorses the need for manufacturers to "flag" the label of all products when significant changes are made to products or labels.

Trademark Equity

Consumer Health Products Canada recognizes that use of trademarks falls entirely within the purview of the individual manufacturers concerned. Notwithstanding recognition of this right, there are a number of guidelines which members of CHP Canada should adhere to when developing and naming line extensions.

- a) Product names should facilitate accurate selection of the appropriate product for safe and effective self-care.
- b) The product name, marketing and labelling of any line extensions must clearly distinguish the line extension from the original product.



- c) The product name, marketing and labelling of any line extension will not be false, misleading, or deceptive.

Sales Force Representation

General

A sales force is typically the key link in the communication chain between a CHP Canada member company and the consumer health product distribution network.

It is recognized that the scope and field of operations varies from sales force to sales force. This section contains only general principles and is not intended to be exhaustive. In the event that a specific case is not covered, the spirit of the Code must be applied.

Standards

- 1) The member companies shall establish and will maintain the highest of standards in the recruiting and selection of members of their sales forces.
- 2) Member companies shall provide their sales forces with ongoing training, with relevant and factual commercial data, as well as technical and scientific information, so that they can competently present their companies' products.
- 3) Members of the sales forces shall provide an honest and balanced presentation of information and must avoid statements that are misleading, directly or by implication.
- 4) CHP Canada member companies will ensure that their sales forces display the highest professional standards at all times.

Consumer Health Products Canada acknowledges that some member companies do, on a temporary or permanent basis, use third-party sales "agencies" in order to provide wider sales representation for their products. Under such circumstances, CHP Canada members undertake to familiarize third-party sales forces with the principles of ethics and standards of conduct established in this Marketing Code.

Public Relations

All Consumer Health Products Canada member companies recognize the responsibility to respond promptly and professionally to requests for information concerning consumer health products.

Priority attention will be given to public complaints regarding consumer health products.

Research

From time to time, companies may wish to communicate directly with individuals to explore qualitatively or quantitatively their personal preferences for consumer health products.



- a) Studies where no actual purchase and usage of a consumer health product is involved will be conducted according to accepted marketing research procedures.
- b) In studies where members of the public may actually use or taste a consumer health product, several conditions must be met.

All consumer health products being preference tested must have either a DIN or a NPN. This number must have been issued prior to any product placement. The product used must have adequate labelling for proper usage.

The research protocol must conform to all regulatory and medical requirements as it relates to product placement and trial with the public.

Complaint Mechanism

Complaints regarding infractions of the Consumer Health Products Canada Marketing Code should be addressed in writing to the office of the President of Consumer Health Products Canada.

Upon receipt, the President will contact both parties of the complaint in order to resolve it. If the parties fail to resolve the complaint, they may agree to seek a ruling from the Association.

The Executive Committee will review the complaint and make the necessary recommendations to the parties.

Members are reminded that the Bylaws of the Association require a certain responsibility for continued membership.

Failure to abide by the spirit of the Code should be grounds for the Board to review membership status under Bylaw 4.5 which states in part:

"The Board may by resolution passed by not less than three-quarters of the directors present at a hearing as hereinafter set out, expel any Member for any reason, including, without limitation, if the Board believes that such Member has failed to observe the laws of Canada or any Province thereof governing the manufacture, purchase, sale or advertisement of proprietary or other medicines."

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