

DIRECT-TO-CONSUMER ADVERTISING

CNA POSITION

Consumers have the right to evidence-based, independently developed, comparative information on which to make decisions about their health. The Canadian Nurses Association (CNA) believes that in developing and distributing information, public safety must be paramount. CNA recognizes that, with regard to over-the-counter drugs and prescription products, information distribution is one of the influencers of use and prescribing patterns. At the same time, CNA recognizes that expertise and skill are needed to diagnose health problems and select appropriate remedies.

CNA believes, therefore, that the federal government must maintain and enforce the legislated prohibition on distributing information to consumers about:

- pharmacological treatment options for diseases and conditions;
- new products offering unspecified treatment options; and
- product-specific therapeutic claims.

CNA is prepared to work with governments and others to establish an independent process to assess and approve the content of non-promotional information proposed for dissemination to consumers about over-the-counter drugs and prescription products.

CNA also believes that governments must invest in research to assess the impact of information disseminated to consumers about over-the-counter drugs and prescription products on health outcomes and health care. This research should build on:

- existing studies of the effects of such information;
- consumption and overall costs of over-the-counter drugs and prescription products;
- interactions (qualitative and quantitative) between consumers and their health professional(s); and
- the prescribing practices of health professionals.

In addition, CNA recommends that governments and producers of over-the-counter drugs and prescription products develop and implement programs to promote patient safety by improving consumer understanding about products and their impact.

BACKGROUND

Information about over-the-counter drugs and prescription products appears in magazines, direct-mail solicitation, radio, television, billboards and on the Internet. Except in the United States and New Zealand, such advertising is prohibited. The European community recently reconfirmed its prohibition against advertising of these products.

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In Canada, the legislative framework for the prohibition of direct-to-consumer advertising (DTCA) is provided by the *Food and Drugs Act*. Federal government policy has defined three types of advertising related to over-the-counter drugs and prescription products. These are:

- consumer information about diseases, conditions and new, unspecified treatment options;
- product name information; and
- product-specific information related to specific therapeutic claims.

Between 1997 and 2001, spending in the United States on information dissemination to consumers about over-the-counter drugs and prescription products doubled to \$2.7 billion, according to an October 2002 report by the U.S. General Accounting Office. In the next two years, that number is expected to rise to \$5 billion. The report claimed that drugs promoted directly to consumers are among the best-selling medications. The report also noted that sales of prescription drugs promoted to consumers have increased faster than sales of drugs not advertised.

In the January 2003 *Journal of the American Medical Association*, Mello et al. point to research that suggests drug advertising, which combines promotional and risk-related information, may confuse consumers regarding the safety and effectiveness of products. Moreover, the article argues that risk information is poorly conveyed in advertisements, citing time and space constraints that require consumers to rely on other media to obtain comprehensive information.

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Bibliography

The author consulted the following texts in the creation of this document.

Barer, M. (2004). Should Canada permit direct-to-consumer advertising of prescription pharmaceuticals? A CIHR-funded researcher raises some concerns. *Healthcare Quarterly*, 7(2), 24.

Evans, K., Griffiths, K. M., & Christensen, H. (2002). Pharmaceutical company websites as sources of information for consumers: How appropriate and informative are they? *Disease Management & Health Outcomes*, 10(4), 205-214.

Foley, L. A. (2000-2001). The medication information gap: Older consumers in the void between direct-to-consumer advertising and professional care. *Generations*, 24(4), 49-54.

Food and Drugs Act. R.S.C. (1985), c. F-27, s. 3.

Gardner, D. M. (2003). Direct-to-consumer prescription drug advertising in Canada: permission by default? *CMAJ*, 169(5), 425-427.

Gollust, S. E. (2002). Limitations of direct-to-consumer advertising for clinical genetic testing. *JAMA*, 288(14), 1762-1767.

Graham, J. R. (2004). Direct-to-consumer advertising. *CMAJ*, 170(5), 768-770.

Holmer, A. F. (2002). Direct-to-consumer advertising: Strengthening our health care system. *New England Journal of Medicine*, 346(7), 526-528.

Huang, A. J. (2000). MSJAMA: The rise of direct-to-consumer advertising of prescription drugs in the United States. *JAMA*, 284(17), 2240.

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- Hull, S. C. (2001). Reading between the lines: direct-to-consumer advertising of genetic testing. *Hastings Center Report*, 3(3), 33-35.
- Kelly, P. (2004). Perspective: DTC advertising's benefits far outweigh its imperfections, *Health Affairs*. Retrieved from: <http://content.healthaffairs.org/cgi/content/abstract/hlthaff.w4.246v1>
- Kemper, D. W. (2002). A consumer-empowered response to direct-to-consumer advertising of prescription drugs. *Managed Care Quarterly*, 10(2), 52-54.
- Lewis, C. (2003). The impact of direct-to-consumer advertising. *FDA Consumer*, 37(2), 8.
- Lexchin, J. (1999). Direct-to-consumer advertising: Impact on patient expectations regarding disease management. *Disease Management & Health Outcomes*, 5(5), 273-283.
- Mello, M. M., Rosenthal, M. B., & Neuman, P. J. (2003). Direct-to-consumer advertising and shared liability for pharmaceutical manufacturers. *JAMA*, 289(4), 477-81.
- Mintzes, B. (2003). How does direct-to-consumer advertising (DTCA) affect prescribing? A survey in primary care environments with and without legal DTCA. *CMAJ*, 169(5), 405-412.
- Riggs, D. L., Holdsworth, S. M., Stacy, M., & McAvoy, D. R. (2004). Perspective: Direct-to-consumer advertising: Developing evidence-based policy to improve retention and comprehension, *Health Affairs*. Retrieved from: <http://content.healthaffairs.org/cgi/content/abstract/hlthaff.w4.249v1>
- Rosenthal, M. B. (2002). Promotion of prescription drugs to consumers. *New England Journal of Medicine*, 346(7), 498-505.
- United States General Accounting Office. (2002, October). *Prescription drugs: FDA oversight of direct-to-consumer advertising has limitations*. Available from: <http://www.gao.gov/new.items/d03177.pdf>
- Viale, P. H. (2003). What nurse practitioners should know about direct-to-consumer advertising of prescription medications. *Journal of the American Academy of Nurse Practitioners*, 15(7), 297-304.
- Weissman, J. S., Blumenthal, D., Silk, A. J., & Newman, M. (2004). Physicians report on patient encounters involving direct-to-consumer advertising, *Health Affairs*. Retrieved from: <http://content.healthaffairs.org/cgi/content/abstract/hlthaff.w4.219v1>
- World Health Organization. (2003). Direct-to-consumer advertising and patients. *WHO Drug Information*, 17(4), 262-263.
- Wolfe, S. M. (2002). Direct-to-consumer advertising: Education or emotion promotion? *New England Journal of Medicine*, 346(7), 524-526.
- Woloshin, S., Schwartz, L., & Welch, H. (2004). The value of benefit data in direct-to-consumer drug ads, *Health Affairs*. Retrieved from: <http://content.healthaffairs.org/cgi/content/abstract/hlthaff.w4.234v1>
- Young, D. (2003). FDA examines direct-to-consumer advertising data. *American Journal of Health Systems Pharmacy*, 60(23), pp. 2420, 2422, 2424 passim.
- Zachry, W. M., III. (2002). Relationship between direct-to-consumer advertising and physician diagnosing and prescribing. *American Journal of Health Systems Pharmacy*, 59(1), 42-49.