

Strategic Plan for Tackling Illegal Advertisements of Drugs, Foods, and Health Products (2014-2018)

Problem situation and impact

1. The advertising cost of drugs and health products tends to be double within a decade. Drug advertising during 2006-2009 costed more than 2.5 billion baht per year. Moreover, food advertising costed 17 billion baht per year which was 12 times higher than that of 1996^[1]. This cost was particularly high for dietary supplement advertising. Data from an advertisement production company revealed that the cost of dietary supplement advertising was as high as 821 million baht in 2002^[2]. Food and drug advertising is continuously expanding across various media, especially local radio, cable television, satellite television, and the internet, in order to increase consumers' exposure to advertised products. As of 2010, there were more than 7,700 local radio stations, and it is estimated that more than 12 million households or 60% of all households in Thailand have accessed to cable and satellite television. It is calculated that the advertisement spending on cable and satellite television is approximately 2-3 billion baht per year^[3, 4].

2. Dietary supplement is the most advertised products on local radios^[3]. The marketing tactics of dietary supplements include motivating and reiterating product names and their exaggerated properties. According to the information of the Consumer Protection Center, Khon Khan Consumer Association, advertisements on local radio and cable television are repeated at least 4 times and up to 11 times per day^[5]. In Chiang Mai, there are many local radios leased by only one entrepreneur for whole day advertising^[6]. This finding is consistent with the prosecution of Genu food products advertised on cable and satellite television throughout the day, on up to 11 channels^[7]. In addition, there are a number of tactics such as live broadcasting by well-known radio/TV presenters to guarantee their products, direct advertising, dialogue between announcer and persons claimed as the products users, letters from audiences affirming the products' effectiveness, and product placement in health education programs by health professionals to

deceive consumers into buying the products ^[6, 8]. Most consumers believe that the advertised products in these media are safe and approved by the government ^[6].

3. According to the studies of drug and health product advertisements on local radio in Khon Kaen, Roi Et, Sisaket, Chaiyaphum, Chaing Mai, and Songkla ^[6, 9-10], it was found that there were 64% of advertisements violating the Drug Act (B.E. 2510), and 95.2% violating the Food Act (B.E.2522) violations. Concerning the content of their advertisements, 55.9 % of drug advertisements and 74.5 % of food advertisements misled consumers.

4. One of the most advertised food products in the internet are dietary supplements. The advertising pattern of this product consists mostly of claims of FDA safety and quality approval (52.5%) ^[13]. According to the statistics of internet advertising surveillance by the Health Product Surveillance and Complaint Center, Food and Drug Administration from October 2010 to September 2011, there were 1,461 complaints of illegal advertisements, consisting of 556 food ads, 335 drug ads, 319 cosmetic ads, 208 medical device ads, and 73 hazardous substance ads. In addition, 160 exaggerated advertisements of dietary supplements in the internet were inspected and prosecuted in 2008, and this number increased to 237 cases in 2011. Moreover, from January 2009 to July 2010, the Food and Drug Administration had closed 62 websites (719 URL) and 155 web boards (349 URL) because of exaggerated advertisements ^[4].

5. Although there has been no study about the economic impact of illegal advertisements, the Thai Health Report 2011 showed that health product advertisements cost at least ten billion baht ^[4]. Therefore, the consumers had wasted a lot of money for the use of drugs and health products which were unnecessary and sometimes dangerous. For example, the use of bio-extracts advertised on cable television as an eye drop resulted in blindness ^[11], serious hospital admission after taking a “Therapeutic Enzyme” or “Herbal wine” orally ^[12], and the premature death of students consuming anti-obesity drugs from websites ^[4].

6. According to measure 8, section 71 of the Statute on National Health System B.E.2552 (2009), “Support the inspection of health information dissemination to the public to ensure accuracy and impartiality and arrange for proportionally appropriate space to provide knowledge for the consumer, with emphasis on cultivating ethical mass media and responsibility in advertisement and sales promotion that have health impacts.” , the 4th National Health Assembly (2011) had decided to tackle illegal advertisement of drugs, foods, and health products on radio, television, and the internet. The cabinet subsequently approved this resolution on May 29th, 2012 and authorized relevant organizations to implement it. The Food and Drug Administration, together with related agencies and the civil society sector, have been assigned to develop the strategic plan for tackling illegal advertisements of drugs, foods, and health products on radio, television, the internet, and other media, comprehensively, by an integrative cooperation from all organizing levels as well as other actions under the above resolution.

Strategic plan for tackling illegal advertisements of drugs, foods, and health products

7. After adopting Resolution 5 of the 4th National Health Assembly (2011) regarding tackling illegal advertisements of drugs, foods, and health products on radio, television, and internet, the Food and Drug Administration and allied network including Office of the National Broadcasting and Telecommunications Commission, Ministry of Information and Communication Technology, Drug System Surveillance Mechanism Development Plan, and other relevant agencies, have appointed the strategy driving committee to integrally collaborate and support problem-solving *via* the domestic procedures of relevant organizations.

8. The committee had set priorities to drive tackling illegal advertisements for 1 year, including 4 main issues; 1) developing a network of surveillance and tackling illegal advertisement, 2) developing media professional competency, 3) developing law and law enforcement, and 4) campaigning for public awareness.

9. During the past two years, the tackling illegal advertisements of health products were targeted to stop and prevent dissemination of illegal advertisements, especially via satellite and cable television. Therefore, the Food and Drug Administration together with the Office of the National Broadcasting and Telecommunications Commission had developed a mechanism managing surveillance, law enforcement, and information linkage. Moreover, in 2012, the Office of the National Broadcasting and Telecommunication Commission had started to register radio, television, and telecommunication entrepreneurs, for better monitoring them.

10. However, in the long term, to sustainably and extensively solve the problem of illegal advertisements of health products in the media, particularly internet advertising which is increasing rapidly in the digital world, preventative mechanisms and problem execution must be developed with the cooperation of all stakeholders including practitioners and policy makers at both central and regional levels. Food and Drug Administration together with participation of relevant agencies and the civil society sector had drafted the Strategic Plan during 2014-2018 for Tackling Illegal Advertisements of Drugs, Foods, and Health Products. Public hearings will also be organized to improve this draft through a central and 4 regional meetings, with an audience of approximately 700, including officials of the Office of the National Broadcasting and Telecommunications Commission, Chiefs of the consumer protection division of Provincial Health Offices, authorized staff of health products in local radio and cable television, health product entrepreneurs, village health volunteers, representatives of non-government organizations, and representatives of the Food and Drug Administration.

Issue to Consider by National Health Assembly

Request the National Health Assembly to consider the document, Health Assembly 6/Resolution 2: Strategic Plan for Tackling Illegal Advertisements of Drugs, Foods, and Health Products (2014-2018).

References:

- [1] Suwit Wibulpolprasert, (ed.). (2008). Public Health Report 2005-2007. Bureau of Policy and Strategy, Ministry of Public Health. Publisher: Printing House of the War Veterans Organization of Thailand, Bangkok
- [2] Health promotion without dietary supplement. [online] [Accessed on Aug 22rd, 2011]. Retrieved from <http://www.consumerthai.org>
- [3] Suthep Wilailert. (2010). Situation report of right and freedom of the small radios in Thailand 2010: Differentiation to Control the Right and Freedom of Small Radios under the Thai Government. The Commission of Media Reform Campaign. Bangkok
- [4] Churnrurtai Kanchanachitra et. al. (2011). Exaggerated health advertisements without control in Thai Health 2011: HIA Developmental Mechanism of Health Policy for Life and Health. 1st Edition. Institute for Population and Social Research, Nakorn Pathom.
- [5] ASTV Manager online. Northeastern Consumer Organization reveals abundant unauthorized health product advertisements, requests FDA to tackle. [online] [Accessed on Aug 22rd, 2011]. Retrieved from <http://www.manager.co.th/Local/ViewNews.aspx?NewsID=9540000064549>.
- [6] Mullika Chantarawong, Hataikarn Chaowanapulpol, and Pakwipa Suwanprom. (2011). Situation and Impact of illegal advertisements of drugs and health products in the local radio on Chiang Mai Consumers. MS. Thesis. Faculty of Pharmacy, Chiang Mai University.
- [7] Food and Drug Administration. (2011). FDA prosecutes GenuFood Enzymes Advertisements, overclaiming for various diseases treatments. Press release for the public (Published on Jan 14th, 2011).

[8] Chakrapong Chantura and Paiboon Suknasang. (2011). People's Perception on Advertisement from Local Radio in Kumphawapi, Udonthani. BS. Thesis. Business Computer Program, Faculty of Management, Tertiary Education Institutions in Udonthani.

[9] Kornkaew Chantapasa. (2011). The final report of the research on Drug and Health Product Advertisements on Radios in Khon Kaen.

[10] Sanguan Luekiatbandit and Ornusa Suwanmanee. (2011). The final report of the research on Illegal Advertisement of Drug Categories on Local Radio.

[11] Public and Consumer Affairs Divisions, Food and Drug Administration. Newsletter. [online] [Accessed on March 18st, 2011]. Retrieved from http://www.moph.go.th/ops/iprg/iprg_new/include/admin_hotnew/show_hotnew.php?idHot_new=30803.

[12] Supawadee Plengchai. (2011). Surveillance of adverse events from the use of drugs and health products: from hospitals to communities. Documents from Annual Academic Conference for Drug System Development 2011, Driving Drug System: Joint Mission of the Developmental Plan of Drug System Surveillance Mechanism and Networks (Aug 22-23, 2011), Bangkok.

[13] Netnapa Ratanapongjinda. (2011). Survey of Advertisements of Weight-reduced and Claimed Weight-reduced Products Disseminated on the Internet. Self-learning Documents of MS. In Pharmacy, Department of Community Pharmacy, Naresuan University.