

**The Management of Illegal Advertisement of Drugs and Health Products  
On Community Radio, Cable TV, Satellite TV, and the Internet**

The 4<sup>th</sup> National Health Assembly

Has considered the report on “The Management of Illegal Advertisement of Drugs and Health Products On Community Radio, Cable TV, Satellite TV, and the Internet”

*Worried* about the present worsening situation on the advertising of drugs and health products, which is the over claiming of their health benefits through community radio, cable television satellite television and the internet, worried because the advertisements are illegal in nature, has a damaging influence on the consumer, and the phenomena now tends to increase rapidly.

*Anxious* that the legal systems and mechanism in place are not up to date and lack effectiveness in implementation.

*Realizing* the harm to health of consumers and losses to the economy resulting from the influence of such kind of advertisements, and realizing also of the importance of having an efficient system and mechanism of control and monitoring.

*Appreciative* of attempts made by all parts concerned with the problem to develop systems to controlling and monitoring of advertisement of drugs and health products so that it will not be riddled with over claims, boasting, false information, and deceit.

*Is of the opinion that* the effective way to solve the problem of drug and health product advertisements is to place importance on developing the potential of the consumer and that of society in general to see through the tactics of advertisers, and to recruit all parts of the society in the endeavor.

The NHA, thereby resolves to:

1. Request the Food and Drug Administration and the Office of the Consumer Protection Commission to be the core responsible agency in doing the following:
  - 1.1 Support the establishment of an up to date data base on the advertising problem that exists, in a way that officials concerned and consumers can access, e.g. data on permits, technical information on products.
  - 1.2 Improve laws related to drug and health products advertisement, to be more effective, and increase the penalties.
  - 1.3 Effectively monitor, be vigilant, manage and take to court those who illegally advertise drugs and health foods. Draw up standard guidelines, and get the agencies responsible to use them. Disseminate to the public continually the truth on advertised products that violate the laws, so the Thai public and society know about such deceptions.

2. Request the National Broadcasting and Telecommunication Commission to do the following:
  - 2.1 Announce and enforce standards for radio, television and related telecommunication business that are related to drugs and health products. Also, draw up a clear supervisory mechanism.
  - 2.2 For those who receive a permit to engage in the advertising business via the above channels, specify that they must allocate airtime for the consumer protection agencies or organizations to disseminate facts to people so the latter can see through drug and health product advertisements.
  - 2.3 Allocate money from the Radio, Television and Telecommunication Research and Development Fund for the Public Interest to support the people so they have knowledge on and are able to consume media in an intelligent way.
  
3. Request the Food and Drug Administration be the core agency in cooperation with the Office of Consumer Protection Commission, of the National Broadcasting and Telecommunication Commission, and the Ministry of Technology and Communications to do the followings
  - 3.1 Prepare a strategic plan to manage the problem of drug and food supplement advertising with a process of broad based participation built in, and finish the plan by 2012. Then propose it for approval in a specific health assembly or national health assembly.
  - 3.2 Study and research urgently to develop a system and mechanism covering advertisement of drugs and health products at the local level. Do this in cooperation with local governmental organizations and the civil society. Also, do testing on the system and mechanism developed.
  - 3.3 Support research organizations and agencies such as the Public Health Research Institute, Office of the Health Promotion Fund to do work on developing a system of continuous monitoring of advertising and assessing its impact, doing this in cooperation with civil society networks.
  - 3.4 Accelerate actions to communicate to the public, so that they would know about laws covering advertising and realize their consumer rights. Educate them to see through advertisements. These efforts are to be done with the support of the Office of the Health Promotion Fund.
  
4. Request that the Ministry of Technology and Communication Technology integrate all efforts to monitor advertisements of drugs and health products, using the Computer-Related Offences Act of 2007 as the framework, this is order to increase effectiveness and unity of efforts. Also, consider improving the law on computer crimes such that it is able to efficiently and promptly manage channels of communication that are covered by the law.
  
5. Request the local governmental organizations at all levels give support in terms of budget to the work of alliance organizations and networks in the localities, and also set up a control and monitoring mechanism that incorporates participation, in the interest of effective implementation.
  
6. Request that professional mass media, professional health organizations as well as other such organizations e.g. teachers and lawyers, determine measures and guidelines to supervise ethics of the communication of drugs and health products messages to consumers.
  
7. Request that members of the National Health Assembly participate proactively in the process of preparing a strategy on local control and monitoring of media in the localities.
  
8. Request the Secretary of the National Health Commission:
  - 8.1 To accelerate efforts to coordinate relevant agencies to implement the National Health System Statute of 2009 Part 8 article 74 on consumer protection, and Part 9 article 85 on building and disseminating knowledge on health.
  - 8.2 Report progress to the 5<sup>th</sup> National Health Assembly.

