

PRINCE EDWARD ISLAND *PHARMACY BOARD*

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Member Organization of the National Association of Pharmacy Regulatory Authorities (NAPRA)

ADVERTISING REGULATIONS

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Further to the Standards Regulations 29(o) of the P.E.I. Pharmacy Act, defining “professional misconduct”, a pharmacist must not advertise or permit any person to advertise professional services, devices or drugs, or any aspect thereof, on behalf of the pharmacy which he operates, other than in compliance with these regulations.

Professional Advertising

“Advertisement” means the use of space or time in a public medium (including electronic media), or the use of a commercial publication such as a brochure, handbill, professional card, announcement card, door plate or directory listing to communicate with the general public or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser.

Professional Services

In advertising relating to professional services, no pharmacist or pharmacy shall advertise any services, which are required or mandatory under provincial pharmacy regulations, unless the statement “required by law in all Prince Edward Island pharmacies” is presented in the same size and prominence as all other print in the advertising.

Prohibitive Advertising

Prohibitive Advertising includes:

- 1) Any advertising undertaken by a pharmacist that includes:
 - a. false information;
 - b. inaccurate statements;
 - c. unverifiable assertions;
 - d. statements that are deceptive or misleading, or takes advantage of the weakened physical or emotional state of a patient or uses coercion, duress, or harassment;
 - e. testimonials or comparative statements or endorsements relating to the quality of services;
 - f. anything contrary to the best interests of the public;
 - g. anything contrary to the maintenance of a high standard of professionalism;
 - h. disclosure of the names or identities of patients without their informed consent;
 - i. anything not in keeping with the moral standards generally accepted in the community, and would conceivably lower the honour and dignity of the profession; or,
 - j. information that encourages, or may be reasonably perceived to encourage, the improper use of medications.

- 2) The following language, either alone or in combination, is unacceptable and shall not be permitted on signs in or about the pharmacy or in any advertisement:
 - a. adjectives qualifying any aspects of professional or prescription services such as “fast, quick, prompt, speedy, super, better, best, licensed, professional, trusted, accurate” or similar meaning;
 - b. qualifications related to prescription prices, such as “discounted, low, lower, lowest, cheap, cheaper, cheapest, money-saving” or words of similar meaning;
 - c. use of the title “Specialist” or any similar designation suggesting a recognized special status or accreditation as a pharmacist or a pharmacy on any letterhead or business card or in any marketing activity, unless the person to whom the advertising related possesses a specialization granted pursuant to a program approved by the P.E.I. Pharmacy Board.
 - d. engage in any advertising that offers inducements of any kind related to the sale or distribution of prescription drugs.

- 3) A pharmacist or pharmacy shall not themselves, nor permit anyone to do so on their behalf:
 - a. distribute to any practitioner prescription pads or any other matter having the name of the pharmacist or pharmacy thereon, for use by the practitioner in issuing a prescription to be dispensed by a pharmacist; or,
 - b. engage in any advertising that may have the potential of interfering with the public’s freedom of choice of a pharmacy.

- 4) Schedule I Drugs: A pharmacist or pharmacy shall not allow the advertising or promotion, directly or indirectly, in or about the pharmacy or in any advertisement of the drugs listed in Schedule I of the Drug Schedule Regulations to the Pharmacy Act.

Schedule II Drugs: A pharmacist or pharmacy shall not allow the advertising or promotion, directly or indirectly, in or about the pharmacy or in any advertisement of the drugs listed in Schedule II of the Drug Schedule Regulations to the Pharmacy Act, except as to the name, price and quantity of the products containing the drugs listed.

- 5) Prescription drug pricing must not include any reference to the safety or effectiveness of the prescription drug product or service.

- 6) Except as otherwise provided in this Part, no pharmacy or pharmacist shall post, advertise, promote, or permit to be posted, advertised or promoted, any fee charge for professional services without including:
 - a. the professional fee; and
 - b. any applied mark-up (percentage or otherwise) on cost

All figures must be featured equally.