

CAPSULAS Boletín de información jurídica



Number 223 Faus & Moliner Abogados

January 2022

Advertising of medicinal products on social media

Bulletin of Catalonia on Advertising of Medicinal Products of 30 December 2021

Update of the advertising Bulletin

On 30 December 2021, the Government of Catalonia updated its Bulletin on advertising of medicinal products on social media.

This update expressly foresees the possibility of companies conveying scientific content via social media. At the same time, it recommends restricting the access to the public, by using the available tools, if the scientific content redirects to materials on prescription medicines given that such materials should only be accessible to healthcare professionals.

The Bulletin also contains guidelines for each of the social networks it covers (i.e., Twitter, LinkedIn and Instagram), thus serving as a guide to clarify the terms under which the industry may interact with the general public and healthcare professionals.

Despite regulating the use of these tools, the Farmaindustria Code and the Catalan Guide on Advertising of Medicines do not regulate which measures must be adopted by companies to advertise medicinal products on social media. The Farmaindustria Code and the Catalan Guide only include a general statement attributing responsibility to companies for the content they publish on social media and requiring such companies to have policies for the use of social media. For this reason, the Bulletin is a useful guidance for companies that would like to advertise medicinal product on social media.

Guidelines for LinkedIn, Twitter and Instagram as explained in the articles

Linkedin. The Bulletin recommends that, if this network is used to inform about or advertise prescription medicines, a restricted group must be created and the rules governing the group must be specified. These rules should include warnings that access to the group is restricted to healthcare professionals and a prohibition on sharing materials beyond the group. According to the Bulletin, the creation of this kind of groups should be notified to the authorities.

As for Twitter, the Bulletin discourages using this platform to inform about or advertise prescription medicines to groups of healthcare professionals. This is because Twitter easily allows sharing content with persons other than healthcare professionals. According to the Bulletin, it is preferable to limit the use of Twitter for institutional and health-related messages.

Finally, as regards Instagram, the Bulletin advises against promoting/informing about prescription medicines through this network as it does not allow to restrict the dissemination of promotional material.