

ADVICE NOTE 21

PRODUCT ENDORSEMENT – VETERINARY PRODUCTS AND SERVICES

1. The purpose of this advice note is to provide clarification on the promotion of veterinary products and services.
2. *'All publicity must be legal, decent, honest and truthful in compliance with the general law and the British Codes of Advertising Practice and Sales Promotion ... and 'must not be of a character likely to bring the profession into disrepute ...' (see Part 2C of the Guide to Professional Conduct for Veterinary Surgeons).*
3. Veterinary surgeons may advertise medicines *in accordance with the legal restrictions in the current Veterinary Medicines Regulations* (see Part 2C of the Guide to Professional Conduct for Veterinary Surgeons).
4. Veterinary surgeons and veterinary nurses may only advertise veterinary products or services in accordance with Part 1 E of their respective Guides to Professional Conduct 'Your responsibilities to the general public', which states:
 - i. *'Veterinary surgeons (and veterinary nurses) must ... use their professional status to provide only factual information to the general public about veterinary products and services.'*
5. Three questions arise:
 - How may a veterinary surgeon or veterinary nurse use his or her professional status?
 - What is factual information?
 - What is included within the meaning of veterinary products and services?

Using professional status

6. A veterinary surgeon or veterinary nurse may be asked to use his or her professional status to endorse a product or service. Endorsement of a product or service may take many forms, for example, celebrity endorsement, where the reputation of the veterinary surgeon or veterinary nurse is linked with the product or service; and/or professional, where the professional qualification is associated with the product or service. Endorsement can be explicit or implicit, imperative or co-presentational. Whatever the type of endorsement, in principle, endorsement is not the provision of factual information.

7. Veterinary surgeons and veterinary nurses may endorse non-veterinary products and services, provided such endorsement does not bring the profession into disrepute.

Factual information

8. Often so called 'facts' are open to debate and to the public, veterinary surgeons and veterinary nurses are advised to describe as factual information that which is supported by evidence and generally understood by a body of veterinary surgeons to be factual.

Veterinary products and services

9. Veterinary products and services may include the supply or prescription of medicines, the diagnosis of disease, the treatment and tests of animals, vaccination services and other activities that may be described as part of *the practice of veterinary surgery*.
10. In addition, there are a number of retail products that may be sold by veterinary surgeons or veterinary nurses which may not be readily regarded as veterinary products or services, but when associated with or sold by veterinary surgeons or veterinary nurses may be regarded as 'veterinary' products, particularly if specific veterinary advice is given. These may include nutritional supplements, shampoos, dog leads, chewy toys and pet foods, including prescription diets.

Organisations employing veterinary surgeons and veterinary nurses or associated with the provision of veterinary services

11. An organisation may claim 'general' veterinary approval for a product or service. This has particular significance for veterinary surgeons or veterinary nurses employed by companies or charities promoting their own range of veterinary products or veterinary surgeons and veterinary nurses associated with a membership organisation. This type of endorsement is acceptable provided that it is legal, decent and truthful and in compliance with the British Codes of Advertising Practice and Sales. An organisation will need to be able to justify any such claims made, for example, by market research. Any such endorsement should not erode the clinical freedom of any individual veterinary surgeon or veterinary nurse employed by or associated with the organisation, or imply that veterinary surgeons or veterinary nurses employed or associated with the organisation endorse a veterinary product or service.
12. On such claims of 'general' veterinary approval for a product or service, individual veterinary surgeons are advised to follow the existing advice on comments to the media, at Part 2, C of the Guide:

In commenting to the media veterinary surgeons must ensure that any statement is factually correct, distinguishing clearly between personal opinion or political belief and established facts. They should be careful not to express or imply that any view is shared by the profession at large unless previously authorised by the RCVS, BVA or other professional body.

13. Insofar as Part 2 of the Guide to Professional Conduct for veterinary surgeons applies to veterinary nurses; *'All nurses working within the veterinary team should therefore*

know and, within the context of their role, adopt the guidance and registered nurses must do so' – (Appendix to the Guide to Professional Conduct for Veterinary Nurses).

14. Misleading claims could raise issues for trading standards as well as the RCVS.

Professional Conduct Department, Advisory Committee February 2008