
Code of Marketing Practice

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**Canadian Animal
Health Institute**

CODE OF MARKETING PRACTICE – CANADIAN ANIMAL HEALTH INSTITUTE

2025 Edition

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INTRODUCTION

The Canadian Animal Health Institute (CAHI) is the trade association representing the developers, manufacturers and distributors of veterinary drugs, veterinary biologics, feed additives, veterinary health products and animal pesticides. CAHI is a national association, whose members are responsible for the sales of approximately 95% of the animal health product market in Canada, thus providing a significant contribution to our economy. Associate members include related industries such as distributors, logistics providers, research firms, public relations companies, regulatory consultants, pet food manufacturers, representatives of allied industries, and other interested groups. CAHI member business activities are part of a dynamic and diverse marketplace that is highly competitive. The CODE OF MARKETING PRACTICE (The **CODE**) is not intended to restrict competition.

Our mission is to promote the timely availability of safe and efficacious animal health products that contribute to the health and welfare of animals, and a safe and productive food supply, both of which contribute to overall human health and well-being.

An objective of the CAHI is to provide a "CODE OF MARKETING PRACTICE" by which members will conduct daily business that results in activities leading to increased value, today and in the future, for our stakeholders. We recognize our stakeholders to include animal health care professionals, the public, customers, employees, shareholders, animals, and their owners.

The **CODE** is consistent with the following Acts: [Food & Drugs Act & Regulations](#), [Health of Animals Act](#), [Pest Control Products Act](#), [Controlled Drugs and Substances Act](#) and the [Competition Act](#). Its signatories are committed to following the policies and guidelines of the respective government organizations responsible for those Acts.

It is the CAHI's policy that high ethical standards be the cornerstone of all our business activities. Holding our members accountable and responsible to a high standard of ethics may be our best strategy to ensure the orderly marketing and correct usage of our products in the marketplace. The **CODE** emphasizes the importance in the public interest of providing accurate, fair and objective information on animal health products so that rational decisions for prescribing and use can be made.

The **CODE** represents an act of self-regulation. Acceptance and observance of its provisions are a condition of full membership in the CAHI.. A full list of companies which have agreed to follow the Code can be found on the [CAHI website](#) as a way to publicly affirm their respective corporate commitment to the principles and obligations of the animal health industry as outlined in this CODE OF MARKETING PRACTICE. Companies outside of CAHI are invited to accept and observe the Code because it is considered that ethical standards should be followed throughout the whole industry if to maintain the confidence of all the interests of which it serves.

In order to widely disseminate the information contained in The **CODE** to members of the veterinary profession and to ensure that its provisions become better known, The **CODE** is posted on the [CAHI website](#).

1. DEFINITIONS

1.1 The term "Advertisement" or "Advertising" means all member employee-stakeholder interactions, marketing activities and any representation by any means whatever for the purpose of promoting directly or indirectly the use or sale of animal health products in Canada, including but not limited to veterinary drugs, veterinary biologics, animal pest control products, veterinary health products, therapeutic diets, animal feed, or veterinary devices.

1.2 The term "Animal Health Product" means any product intended for and labelled for use in animal care and/or production. This includes innovative or generic products that are approved for use under the Food and Drugs Act and Regulations (including veterinary drugs and veterinary health products), Health of Animals Act (including veterinary biologics), Pest Control Products Act, Controlled Drugs and Substances Act or the Feeds Act.

1.3 The term "Animal Health Care Professional" includes licensed veterinarians, registered veterinary technicians/technologists, unregistered veterinary technicians/technologists, animal nutritionists, and other professionals who provide animal health care services to the animals of others. Any other person, including but not limited to producers, farmers, farm managers, breeders, groomers, though knowledgeable and involved in animal health, are considered to be a subset of the general public.

1.4 The term "Direct To Consumer Advertising" refers to any advertising directed to the general public, including but not limited to mail-in rebates/coupons, websites accessible by the general public and social media posts.

1.5 The term "**Fair**" refers to full and factual information well supported by scientific evidence without misrepresentation or exaggeration. Statements must be accurate and complete. They should not be misleading either directly or by implication.

1.6 The term "Market Research" means information that points out and defines marketing opportunities and problems; information that generates, refines, and evaluates marketing programs; information that monitors marketing performance; and information that improves understanding of marketing as a process. Market research details the information needed to address these issues, designs the method for collecting information, manages and implements the data collection process, analyzes the results, and communicates the findings and their implications. It is carried out within the framework of various forums including studies, individual and group interviews, and focus groups etc.

1.7 The term "Promotional Materials" are communications for the purpose of encouraging directly or indirectly the use or sale of Animal Health Products sold in Canada. It includes various aspects of sales promotion including information provided in journals and direct mail advertising; the use of films and other audio-visual material, websites and all other digital media (including social media); as well as exhibitions; loyalty programs; cash rebates and the provision of samples and gifts. Peer-reviewed published scientific articles may be a nonpromotional activity provided

they are available in a complete unedited format and no link between the test and the promotion of a drug is established by the manufacturer.

2. GUIDING PRINCIPLES

The CAHI recognizes that sound animal health management is fundamental to overall animal health and welfare, and helps maintain the international competitiveness of Canadian livestock agriculture. Keeping animals healthy is the reason for the animal health industry's existence and is the underlying goal of all industry activities. The following guiding principles are intended to guide our industry's interactions with all stakeholders.

2.1 The health and welfare of animals and all Canadians is our first priority.

2.2 All interaction with animal health care professionals is to be conducted in a highly professional, business-like, and ethical manner.

2.3 All product information provided to animal health care professionals and animal owners must be accurate and fair.

2.4 Clinical trials are conducted to further science, support product label claims and intended product use.

2.5 Prescription products must be sold on their own merit with the intent that prescribing is under the full control of the veterinarian.

2.6 All CAHI members marketing animal health products in Canada must adhere to The **CODE** and its intent as a condition of membership.

Recognizing that animal health products are an important factor in the management of animal health and welfare, the industry undertakes:

2.7 To provide animal health products that conform to the highest standards of safety, quality and efficacy as defined by Canadian regulatory authorities.

2.8 To ensure that animal health products are supported by comprehensive technical and information services in accordance with currently accepted veterinary and scientific knowledge and experience.

2.9 To use candor in dealing with animal health care professionals, public health officials, and the public.

The industry is committed to the prudent use of animal health products by the public and urges that its products be used only in accordance with the label directions and/or the directions of a licensed

veterinarian. The industry takes an active role in the life cycle stewardship of animal health products and is committed to the responsible use of antimicrobials. Our members work to achieve the best health for people, animals and the environment. *Healthier animals for a healthier Canada.*

3. ADVERTISING AND INFORMATION DISSEMINATION

3.1 Advertising

In Canada, health product advertising is subject to the principle stating that advertising cannot be false or misleading with respect to the product. The following general standards can help manufacturers develop product advertising that is compliant with Canadian requirements:

- Only animal health products that are approved or notified for sale in Canada can be advertised.
- Health claims in advertising must be consistent with the approved product label.
- Products should be advertised on their own merits, in a positive manner, and not by negative statements or comparison to other products. Negative statements are not recommended because they may confuse or mislead the consumer by requiring an interpretation of the implications of the statement.
- Descriptive adjectives must be adequately substantiated by statistically sound data.
- Superlative and absolute statements are generally false and misleading, unless they are substantiated.
- Vague/ dangling comparisons should not be used. In the case of a dangling comparison (e.g., *Better, Faster*), the basis for the comparison should be clearly described.
- Product endorsement by veterinarians or other health professionals is not permitted.
- Advertising veterinary drugs which emphasize only positive features of a product, while ignoring negative aspects, is not acceptable. Including a disclaimer "*Refer to product label for complete product information*" will satisfy this requirement. This includes testimonials in advertising.
- Since all health products generally carry some degree of risk, it is unacceptable to broadly suggest that a product is "safe".
- The vocabulary of the advertisement should be that of the audience to whom the advertisement is directed. Statistics or references selected from technical literature are generally unsuitable for advertising to the general public.
- Comparisons of products must be factual, fair and capable of scientific substantiation. They should not mislead by distortion, by undue emphasis or in any other way. Where comparisons include results of a comparative trial, the level of statistical significance must be included.
- Claims should be able to stand on their own merit, without requiring an explanation elsewhere in the advertisement, such as in a footnote or disclaimer. Footnotes/disclaimers should only be used to clarify a claim and should not contradict it.
- The term "New" and other similar claims should be limited to one year following the initial marketing of the product.
- Images and other visuals must not be used in a manner which will exaggerate, mislead or misrepresent the value and/or merit of the product.

- Advertising should not provoke purchase of the product by means of fear-inducing copy. It is improper to suggest that, unless the particular product is used, the animal's health will or may suffer.
- Advertising should not imply that a specific brand of product is "needed", as there is no particular brand which is essential to the well-being of an animal.

For additional advertising guidelines issued by various health authorities in Canada, consult the following appendices to this Code:

3.1.1 Veterinary Drugs

Guidelines for Advertising of Drugs for Veterinary Use ([Appendix I](#))

Issued by: Veterinary Drugs Directorate, Health Products and Food Branch, Health Canada

3.1.2 Veterinary Biologics

Guidelines for Advertising Veterinary Biologics ([Appendix II](#))

Issued by: Canadian Centre for Veterinary Biologics, Animal Health Division, Canadian Food Inspection Agency

3.1.3 Animal Pesticides

Guidelines for Advertising of Animal Pesticide Products Marketed by CAHI Member Companies ([Appendix III](#))

Issued by: Canadian Animal Health Institute

3.1.4 Veterinary Health Products

Guidelines for Advertising of Veterinary Health Products ([Appendix IV](#))

Issued by: Canadian Animal Health Institute

Illegal Marketing of Veterinary Health Products ([Appendix V](#))

Issued by: Veterinary Drugs Directorate, Health Products and Food Branch, Health Canada

3.1.5 Competition Act

3.1.6 Policy- Guidance on distinction between advertising and other activities for health products ([Appendix VI](#))

Issued by: Health Products and Food Branch, Health Canada

CAHI members should comply with the above guidelines for all animal health product advertising and promotion, including Direct to Consumer Advertising (DTCA). **Prescription drugs cannot be advertised to the general public except for name (which includes brand name, common name and proper name), price and quantity.** Advertising of non-prescription drugs should follow the [Guidelines for Consumer Advertising of Consumer Health Products](#).

CAHI members should be aware and adherent to the regulatory requirements applicable to DTCA of prescription veterinary drugs under the Food and Drugs Act and Regulations, as well as potential enforcement actions that could be taken by Health Canada. Refer to the Health Canada letter to CAHI regarding DTCA of prescription veterinary drugs ([APPENDIX VII](#)).

No animal health product shall be advertised in a manner that is false, misleading, deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety. All animal health product advertising and promotion should be managed as per the three-phase complaint process identified in [Section 11: COMPLAINT RESOLUTION PROCESS](#) of The **CODE** .

3.2 New Product Information

In any message to announce a new product, a new indication for an existing product, or new scientific findings, members must ensure that all facts communicated are correct and objective, and where a prescription drug is concerned, that such message does not constitute DTCA either directly or indirectly as a secondary audience.

3.3 Nature and Substantiation of New Product Claims

3.3.1 Upon reasonable request, members shall promptly provide animal health care professionals and, subject to the standards governing DTCA, to the members of the general public with appropriate information about the animal health products, which they market. In the case of economic analysis, companies will promptly provide assumptions made in the analysis.

3.3.2 Information provided about animal health products should reflect current knowledge or responsible opinion and be well supported by scientific evidence without misrepresentation or exaggeration and must not contradict current scientific consensus.

3.3.3 Information provided about animal health products must be accurate, balanced and must not mislead, either directly or by implication, so that critical unbiased judgements and decisions can be made.

Explanatory Notes:

All statements about the safety and efficacy of an animal health product should be supported by references to pertinent, scientifically accurate, and unbiased studies, conducted and analyzed to current scientific standards using established research methodologies and validated end points.

Scientific evidence of product claims in messages can be based on peer-reviewed published articles, data presented as a poster during an international meeting and studies used in support of marketing authorization. Non-therapeutic product claims such as syringe-ability and cost effectiveness require support from adequate, unbiased, and statistically valid data.

Where promotional material refers to supporting information, such information must be available on request, or a clear reference must be given to where it can be found. The phrase 'Data on File' should not be used as reference unless a company is willing to share the data upon request. Comparative data and references to published information, regardless if it is a section of a dossier or from an external source, should also be provided. When comparative data with respect to other company products is used in promotional materials, such information must be available upon request, whether it is an internal study, a poster, or an article as described above. A clear reference as to where it may be found must be provided. Non-comparative study data remains proprietary.

Comparative trials conducted post-marketing authorization which are used to promote a product must be of the highest standard whereby:

- *Products compared must have the same use;*
- *Comparisons must be done under the same conditions of use in a similar population;*
- *The claim cannot conflict with the marketing authorization;*
- *The claim must be conclusive and based on relevant data, current scientific standards using established research methodologies and endpoints as well as statistical analysis; and,*
- *The compared drug cannot be disparaged in any way. Comparisons of products must be factual, fair and capable of scientific substantiation. Care must be taken to ensure they do not mislead by distortion by undue emphasis or in any other way.*

3.3.4 All members shall have an SOP (Standard Operating Procedure) in place addressing dissemination of extra-label information by itself and/or its representatives. This SOP shall be consistent with The **CODE**, the Food and Drugs Act and Regulations and any other applicable legislation ([Appendix VIII](#)).

3.3.5 Promotional materials prepared and distributed by the member company and its employees or agents shall not present information or claims that are not consistent with the approved label.

Explanatory Notes:

Promotional materials include product information on websites and digital channels. This information is subject to the same scrutiny as other forms of advertising or promotion. It is the responsibility of the Canadian animal health company to ensure that Canadian websites are up-to-date.

3.3.6 The products or services of other companies must not be disparaged either directly or by implication.

3.3.7 The clinical and scientific opinions of members of the veterinary and associated animal health professions must not be disparaged either directly or by implication.

3.3.8 Companies may provide non-promotional educational pieces about a disease or condition directed to the general public, as long as there is no focus of one drug product/ class/ active

ingredient or product claims and no mention of product brand name. In addition, such material should encourage animal owners to consult their Animal Health Care Professional for complete information on the disease/ condition and available treatment options. The material should focus on the disease/ condition rather than the product.

For example: Emphasis cannot be made on one product or drug class through the use of capital letters, bold text and/or links. Risks cannot be minimized, and benefits cannot be exaggerated. If available, non-health product treatment options should be discussed, including those that don't involve drugs.

3.3.9 Patient brochures that contain material that is consistent with, and in addition to, the approved product labelling may be provided following a prescription or the administration of the product by an Animal Health Care Professional. The patient brochure should focus on educating patients about particular diseases/ conditions and the optimal use of the product by the patient for whom it has been prescribed. The product information in the patient brochure must be consistent with the product's terms of market authorization, and the product's risks and benefits must be discussed fairly and objectively.

3.4 Signing of Promotional Materials by Veterinary/ Medical/ Scientific Personnel

An individual's job title and company name must be disclosed on signed promotional material such that use of a title or degree would not lend undue credibility to "promotional material." If a person signing or presenting is external to the company but is sponsored by the company, the promotional material must clearly indicate that the signing person is sponsored by the company.

3.5 Gating Web Content

3.5.1 Access to websites providing information on drugs which cannot be advertised to the general public (see section 3.1) is restricted to animal health care professionals. As such, a validation mechanism on the front end is required. Validation based on the subscriber's good faith, (e.g., being given the choice of clicking on 'I am an animal health care professional' or 'I am not an animal health care professional'), is not sufficient.

3.5.2 For animal health care professionals, access must be granted. This can be accomplished by using their license number or a password distributed in a controlled manner by the manufacturer. This can also be accomplished by providing the direct URL to the website only to animal health care professionals and deindexing the website so that others cannot land on it when navigating the Internet.

3.5.3 For the general public accessing a drug site, this must be accomplished by using the DIN or a password provided by the manufacturer through the animal health care professional. If the DIN is used, the DIN cannot be present on any promotional material for the drug.

3.5.4 Websites with links to the Compendium of Veterinary Products are permitted provided they are not used for product promotional purposes.

3.6 Industry Guidance for Antimicrobial Advertisement and Use

The animal health industry is committed to the responsible use of antimicrobials. This commitment recognizes that antimicrobials are key to treating infections in humans and animals and there are no alternatives to treating life threatening bacterial infections.

The use of antimicrobial products in the absence of clinical disease or specific pathogen infections and, in particular, administration to prevent disease, should not be practiced without a clear justification with respect to the health and welfare of the treated animals.

Given the importance of responsible use of antimicrobials and to not reduce confidence in the industry:

3.6.1 Antimicrobials should be used only in accordance with the label directions and/or the direction of a licensed veterinarian.

3.6.2 Members will support industry initiatives to minimize and reduce the development of antimicrobial resistance.

3.6.3 Members may not register or promote the use of antimicrobials for growth promotion that are relevant to human medicine. This statement does not apply to category IV antimicrobials¹ (e.g., ionophores) as this category is currently not used in human medicine.

3.6.4 Members may not advertise or give gifts or similar inducements (including but not limited to rebates, mail-in offers, reward programs and gift cards), to the general public including animal owners and producers for the purpose of encouraging directly or indirectly the use or sale of medically important antimicrobials (a list of medically important antimicrobials are found in [Appendix XII](#)).

3.6.5 Gifts for the general public featuring the name of a medically important antimicrobial are not permitted. Examples of such items would include hats, coffee mugs, pens, etc.

3.6.6 Promotional materials (including clothing worn by sales representatives and banners at booths) used at events that include the general public are permitted for medically important antimicrobials but are restricted to name (including brand name, common name, proper name), price and quantity.

¹ Categorization of Antimicrobial Drugs Based on Importance in Human Medicine. <https://www.canada.ca/en/health-canada/services/drugs-health-products/veterinary-drugs/antimicrobial-resistance/categorization-antimicrobial-drugs-based-importance-human-medicine.html>

3.6.7 Medically important antimicrobials are prescription products and members must adhere to the regulations applicable to DTCA of prescription animal drugs under the Food and Drugs Act and Regulations. All advertisement of medically important antimicrobials to the general public, including animal owners and producers, must comply with what is permitted for prescription products as per Section C.01.044 of the Food and Drugs Regulations.

3.7 “Product of Canada” and “Made in Canada” Claims

3.7.1 Animal Health Products (including Prescription Products) can state “Product of Canada” on product labelling and promotional material if at least 98% of the total direct costs of manufacturing the product were incurred in Canada AND the last substantial transformation of the product occurred in Canada.

3.7.2 Animal Health Products (including Prescription Products) can state “Made in Canada” on product labelling and promotional material if at least 51% of the total direct costs of manufacturing the product were incurred in Canada AND the last substantial transformation of the product occurred in Canada. A qualifying statement must also be included indicating the product contains imported content.

3.7.3 This is in accordance with the [Competition Act](#) and the [Consumer Packaging and Labelling Act](#).

4. SAMPLE DISTRIBUTION

Member sampling policy must comply with applicable Federal (Section 14 of the Food and Drugs Act) and Provincial regulations.

4.1 Samples of products (DIN and veterinary biologics) shall only be given to licensed veterinarians and/or pharmacists who have filled out a request form for the sample. (See Section C.01.048 and C.01.049 of the Food and Drugs Regulations for prescribed conditions for the distribution of samples.) Samples provided to a licensed veterinarian in the context of a veterinary clinic do not need to be identified or labeled as a sample.

4.2 DIN demo samples at convention/clinic displays must not be given and must be identified DISPLAY ONLY-NOT FOR DISTRIBUTION OR USE on the sample label itself unless the container is empty.

4.3 Samples of veterinary biologics are permitted and can be distributed to licensed veterinarians or pharmacists who have submitted a signed request form for the sample. The veterinary biologic sample must meet the same regulatory requirements as a purchased veterinary biologic in terms of licensing, importation, storage and pharmacovigilance (e.g., a vaccine packaged and sold in a multi-vial tray should not be provided as an individual vial sample). Proper cold chain measures

must be put in place where applicable to ensure the veterinary biologic is maintained at the appropriate temperature during transport.

4.4 Samples of veterinary health products and veterinary biologics should not be given to the general public unless traceability can be ensured. Veterinary biologics samples intended for use in food animals should not be given directly to the general public but should be distributed through a veterinarian.

4.5 Advertising for drug sampling is unacceptable and thus advertisements must not include offers for samples to the general public.

5. CONVENTION/ CLINIC DISPLAYS

The principal objective of the display shall be to disseminate accurate information concerning the properties of the products being displayed.

5.1 A convention/ clinic display should be attended by at least one suitably qualified representative of the displaying company.

5.2 Promotional and educational materials prepared by the company and available at the display shall not present information or claims that are not consistent with the approved label.

5.3 Reprints of scientific papers may be available at the display, provided they are reprinted verbatim.

5.4 Representatives attending a display shall abide by the standards specified in The **CODE** for animal health representatives.

5.5 Payment or donation for shelf space placement of point of purchase exhibits and/or veterinary waiting room displays is considered inappropriate.

5.6 Promotion of a drug and/or biologic at an international conference in Canada must be in accordance with [Appendix IX](#).

6. GIFTS, PRIZES AND REWARDS

Members may not offer gifts or inducements (including but not limited to rebates, mail-in offers, reward programs and gift cards) to the general public including animal owners and producers for the purpose of encouraging directly or indirectly the use or sale of medically important antimicrobials ([Appendix XII](#)).

Gifts, hospitality, prizes or other rewards; and other corporate material offered to animal health care professionals and/or animal owners in association with advertising must be nominal and must not bring discredit upon or reduce confidence in the industry, namely by the nature of promotional items offered. Promotional items shall be reasonable and proportional to the situation.

Differentiation should be made for trade show giveaways and contests that don't have application to the care of animals and limited to a monetary value of \$200. Examples of such items would be coffee mugs, water bottles, headphones, etc.

Other rewards of higher value, whose value is not excessive, such as animal health textbooks, educational items, diagnostic aids, or veterinary equipment, etc. will be allowed when they have a direct application to patients and/or a veterinary clinic.

Explanatory Notes:

Promotional items must reflect the spirit of The Code. Promotional items offered in advertisements must be related directly to the product or its use(s) or be of practical value to the animal health professional or animal owner. Such items must withstand professional and public scrutiny. Items intended for distribution to animal owners via a health professional must be useful as aids to animal owners' understanding of, or adaptation to, their animal's condition(s) or for encouraging compliance with recommended therapy.

7. SOCIAL MEDIA

The CAHI guideline regarding advertising on social media is intended to guide interactions on social media platforms by CAHI members their employees their agents/service providers, as well as any other content sponsored by CAHI members that could be perceived as advertising.

By "social media", we refer to any interactive online platform that allows users to create and share content. Examples of social media include but are not limited to: Facebook, X, LinkedIn, YouTube, Instagram, blogs, discussion forums, website "share" functions.

7.1 The requirements for animal health product advertising apply to all activities that are considered advertising regardless of whether these activities are online (including on social media) or by traditional media.

7.2 User Generated Content (UGC – includes content created by users in response to online content) can be found on social media and can render compliant social media advertising non-compliant (e.g., if a user adds UGC that is off-label or goes beyond what is permitted in advertising). On Member social media platforms where third-party posts or UGC is permitted, members must implement adequate oversight/ monitoring measures to ensure that UGC does not render their advertising non-compliant (including any advertising disseminated by their employees on their personal accounts). Members must moderate the content and third-party posts or comments must be edited where necessary to ensure compliance with The **CODE** and

Regulations. Such edits must be completed within 5 working days of the non-compliant material being posted. For example, if a member is advertising a prescription drug on its Facebook page, it needs to ensure that any UGC relating to the therapeutic use of this drug is promptly removed from the advertising or is prevented from being posted.

7.3 Requirements for animal health product advertising extend to member companies' employees/ staff, agents and other entities that the member company has a material connection with. Therefore, The **CODE** explicitly prohibits these individuals/ groups from sharing content that is not compliant with advertising standards applicable to animal health products as they are considered an extension of the member company. This applies to posting organic content and sharing content posted by a third party.

7.4 "Liking", "retweeting" or "sharing" social media posts that are not compliant with Canadian advertising regulations is considered non-compliant social media advertising. Members must implement adequate oversight/ monitoring measures to ensure that member companies' employees/ staff, agents and other entities that the member company has a material connection with do not violate Canadian advertising regulations.

7.5 Any Canadian-based website or social media under the control of a member, which links to another site or platform that may include information about animal health products not authorized in Canada or to conditions not relevant to Canada, must provide suitable and prominent warning of this to readers.

7.6 CAHI member companies are permitted to compensate social media influencers for product promotion, but the relationship must be disclosed during product promotions and member companies are responsible for ensuring the influencer does not violate Canadian advertising regulations for the product. Disclosures must be compliant with the [Influencer Marketing Disclosure Guidelines](#).

8. REPRESENTATIVES

Member representatives shall be adequately trained and possess sufficient medical, veterinary, technical and/or professional knowledge to present information on their company in an accurate and responsible manner.

Standards for employment training:

8.1 When a representative is hired, supervised training must be provided to enable the person to become familiar with and carry out their responsibilities. This training will require new employees to acquire both technical and scientific information on Member products, as well as knowledge of the ethical principles and standards of conduct set out in The **CODE** (please refer to [Appendix XI](#) for a sample training procedure).

8.2 The Code Training Program is available through the CAHI member portal. Every employee at a CAHI member company that markets animal health products in Canada (including general managers/ representatives), that is responsible for the creation or approval of marketing materials, is required to complete The **CODE** Training Program and receive a Certificate of Completion from CAHI. The Code Training Program must be completed by new hires within two months of the initiation of their employment. The Code Training Program must be completed by existing employees each time The **CODE** is updated, within two months of the update.

8.3 CAHI member companies that market animal health products in Canada must ensure that every employee responsible for product promotion has been trained on The **CODE**. Members are responsible for ensuring the rigour and timeliness of such training.

8.4 From time to time, Members shall conduct refresher courses for representatives. Members should also encourage all representatives to take courses of study and self-improvement.

8.5 Member representatives must display the highest professional and ethical standards at all times. This must be reflected in both their conduct and appearance. Representatives are expected to understand and abide by established codes of conduct and courtesy in veterinary clinics and wherever they may appear in a professional capacity.

8.6 Representatives must provide full and factual information on products, without misrepresentation or exaggeration. Representatives' statements must be accurate and complete; they should not be misleading, either directly or by implication. Their assertions must be scientific and should not vary in any way from the official product label and current Canadian veterinary thinking.

8.7 Under no circumstances shall Member representatives pay a fee to gain access to an animal health care professional.

8.8 Representatives must transmit to their companies without delay any information which they receive in relation to the use of or the properties of the products which they promote, which appears to reflect upon the safety or efficacy of such products. In particular, having regard to the companies' commitment to pharmacovigilance, they must transmit reports of suspected adverse events as required by applicable law.

9. PRICE RELATED MATTERS

All member companies must be aided by Federal and Provincial laws and regulations relating to product pricing.

10. MARKET RESEARCH

General Principles:

10.1 The purpose of an individual or group interview must be made clear to the participant(s).

10.2 Market research must not be a disguise for selling or developing sales contacts.

10.3 Participation in a market research project must not be used to deliberately sway the opinion of the participant.

10.4 Honoraria offered to animal health care professionals who gather or provide market research information should be based on rates similar to (and not higher than) their usual rate of pay or based on a fair market value for the work completed. Compensation must be in line with the service provided and not be excessive such that it may appear to be a fee for endorsement.

10.5 Even when a consent form is not signed, the confidentiality of participant(s) must be preserved. The identity of the participant(s) must not be revealed for purposes of promoting Member products to them in the future.

11.COMPLAINT RESOLUTION PROCESS

The complaint resolution process is comprised of 3 phases:

1. Company to company discussion involving the company business heads.
2. Expert Opinion Assessment (EOA) coordinated by the CAHI, using the services of the Pharmaceutical Advertising Advisory Board (PAAB).
3. Arbitration under the authority of the Marketing Practices Review Committee (MPRC).

12.ENFORCEMENT AND FEES

12.1 Companies are encouraged to make every attempt to resolve differences on their own without discrediting the right to lodge a complaint. However, a CAHI member company may, at any time, move to Phase 2 of the Complaint Resolution Process if it is thought that adequate progress is not being made.

12.2 Phase 2 of the Complaint Resolution Process:

1. An initial complaint is made to the CAHI Programs Director via email, copying the CAHI President & CEO, by the Country Head of a company or a representative of the Country Head (the plaintiff). This will establish transparency and a timeline.
2. The CAHI Programs Director notifies the offending company (the defendant), via email, of the initial complaint, copying the President & CEO.
3. The offending company has 5 business days to respond to the initial complaint.

4. The complainant company and the offending company each pay \$5,000 CDN to CAHI. If payment is not received from one of the companies by CAHI within 10 business days from the day of the initial complaint, the fee will increase to \$15,000 CDN for that company. CAHI will hold this money in trust until an Expert Opinion Assessment (EOA) is provided and there is agreement between the plaintiff and defendant on a course of action to be followed.
5. Once payments have been received, the CAHI Programs Director will contact PAAB with the request for an EOA.
6. PAAB will conduct the EOA and provide an Expert Opinion within 15 business days which will include a follow-up course of action between the plaintiff and defendant. If a meeting is required prior to PAAB providing the Expert Opinion, a fee of \$2,500 CDN per company will be applied for each meeting.
7. The party found not to be at fault will have their \$5,000 (or \$15,000) returned to them. The party found to be at fault will not have their \$5,000 (or \$15,000) returned to them.
8. The EOA including the PAAB opinion, the names of the companies involved and the course of action will be posted by the CAHI Programs Director on the CAHI member portal for the purpose of internal learning and is not for recirculation in the field.

If members are found to be recirculating this information, they will be subject to a \$10,000 penalty. CAHI will redact the Expert Opinion Assessment prior to posting to disclose only sections of the Expert Opinion Assessment that pertain to the dispute and the question that was posed.

12.3 Phase 3 of the Complaint Resolution Process:

If one of the parties does not accept the Expert Opinion Assessment, Phase 3 is initiated as per the steps below.

1. The dissenting party (The Plaintiff) must indicate in writing to the CAHI Programs Director (copying the CAHI President & CEO and the other party) that they do not accept the Expert Opinion Assessment. This must be done within 5 working days of receiving the Expert Opinion.
2. Each party must submit \$15,000 to CAHI within 10 working days after the written communication from the dissenting party has been sent. Funds will be held in trust until a decision is made by the Marketing Practices Review Committee (MPRC).
3. The CAHI Programs Director (copying the CAHI President and both parties) will contact the MPRC via email for adjudication. The arbitration process is initiated. Arbitration dates are set within 60 days following receipt of payment by each party.
4. The MPRC reviews the complaint at their next meeting. The decision will be communicated to both parties via email within 7 calendar days of the meeting. The decision by the MPRC is final. There is no appeal process and both parties agree to abide by the decisions of the MPRC.
5. The party found to be at fault will forfeit all mediation(s) and arbitration fees. The party found to be not at fault will have their fees returned to them in full. If additional fees are incurred during the mediation and arbitration process, the party found to be at fault will cover these fees.
6. If one of the parties is found to be non-compliant with The **CODE**, a Code Infraction Letter is sent to the party listing the corrective measures that must be taken.

7. If one of the parties is found to be non-compliant with The **CODE**, a Notice of Code Infraction is published in the next available publication of the Canadian Veterinary Journal and posted on the CAHI website.

Any party found to have lost three decisions before the Committee in a two-year period will be surcharged an additional penalty of \$30,000.

12.4 The **CODE** is enforced by a Marketing Practices Review Committee (MPRC) appointed by the CAHI Board of Directors. The MPRC, with an independent, legally qualified Chairman from outside the industry, comprises two practicing veterinarians, two public representatives and four industry members that are drawn from senior management, two of which are veterinarians. The Chairman of the Committee is empowered to call witnesses in addition to the parties if their input is determined to be necessary. CAHI Members of the Marketing Practices Review Committee must, if possible, not be employed by a company marketing product within the same therapeutic class as the product for which the complaint was filed.

12.5 The Marketing Practices Review Committee will meet as required.

12.6 Costs of industry members attending the meeting will be borne by their companies while the costs of outside members will be paid for by the CAHI. These costs will be covered by the penalties levied by the MPRC.

The following is the fee schedule for Committee activities:

Charging Categories	Plaintiff	Defendant
	Individual Meeting Charge	Individual Meeting Charge
Expert Opinion Assessment	\$5,000	\$5,000
Arbitration	\$15,000	\$15,000
Party at fault	All monies submitted to CAHI from point of initial expert opinion assessment through to arbitration forfeited.	
Party not at fault	All monies submitted to CAHI from point of initial expert opinion assessment through to arbitration refunded.	

12.7 Where a decision is rendered following Arbitration that a company is in noncompliance with the **CODE** the following actions will be taken:

12.7.1 Code Infraction Letter to Company – Should a company be found guilty of an infraction, in addition to the costs mentioned above, a letter will be sent to the offending company listing the corrective measures determined by the Committee. These measures will depend on the nature of the case and may include instructions to cease and desist advertising, recall of promotional materials and/or writing of a letter of apology or correction for circulation either by mail or publication.

12.7.2 Notice of Code Infraction to veterinary professionals, the public and CAHI membership with details of Code violations will be published in the next available publication of the Canadian Veterinary Journal, appropriate trade journals when deemed necessary by the Committee and posted on the CAHI website.

See [Appendix X](#) for Standard Operating Procedure (SOP) for a Complaint Filed Before the Canadian Animal Health Institute (CAHI) Marketing Practices Review Committee.

Non-CAHI member complaints: Anyone may make a complaint under The **CODE**. In the event that the “Complainant” is not a CAHI member, they may make a complaint under The **CODE** so long as the complainant agrees in writing to be bound by the Complaint Resolution Process.

13. REVISIONS TO THE CODE

13.1 The Code will be reviewed every 2 years, or as needed, and updated if deemed necessary by the Code of Marketing Practice Committee and approved by the CAHI Board of Directors. Member input is encouraged.

13.2 Authorized representatives of CAHI member firms will be asked annually, or as needed, to be signatory to the intent of The **CODE**.

13.3 This is the 2025 edition of the CODE OF MARKETING PRACTICE for the promotion of animal health products. It embodies the basic principles and provisions which the Animal Health Industry believes are essential for the conduct of its marketing activities and for the maintenance of standards which are in the interests alike of the Animal Care Profession, the general public and all those who use animal health products.

APPENDIX I

GUIDELINE FOR ADVERTISING OF DRUGS FOR VETERINARY USE

Prepared by the Veterinary Drugs Directorate, Health and Food Products Branch, Health Canada.

INTRODUCTION

This guide was developed by the former Bureau of Veterinary Drugs, currently Veterinary Drugs Directorate, Health Products and Food Branch, Health Canada in consultation with representatives of the veterinary drug industry in Canada. It is intended for use by all who advertise drugs for veterinary use to health professionals or to the general public.

This publication is designed to assist manufacturers in developing advertising material in compliance with Canadian requirements. The two key quotations from the Food and Drugs Act and Regulations impacting on the advertising of drugs for veterinary use are the following:

“Advertisement” includes any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device.” (Section 2, FOOD AND DRUGS ACT).

“No person shall label, package, treat, process, sell or advertise any drug in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.” (SUBSECTION 9(1), FOOD AND DRUGS ACT).

Certain regulations have been enacted to prohibit the advertising of particular drugs to the general public or to restrict the claims, which may be made.

GENERAL ADVERTISING POLICY

Food and Drugs Act:

3 (1) No person shall advertise any food, drug, cosmetic or device to the general public as a treatment, preventative or cure for any of the diseases, disorders or abnormal physical states referred to in Schedule A.1.

DRUGS WHICH CANNOT BE ADVERTISED TO THE GENERAL PUBLIC

NARCOTIC DRUGS

A narcotic drug, as defined by the Narcotic Control Act.

Section 70 of the Narcotic Control Regulations:

70 It is prohibited to

advertise a narcotic to the general public;

advertise a preparation referred to in section 36 in a pharmacy; or

publish any written advertisement respecting a narcotic unless that advertisement displays the symbol “N” in a clear and conspicuous colour and size in the upper left quarter of its first page.

CONTROLLED DRUGS

A controlled drug, as included in Schedule G.06.004 of the Food and Drugs Regulations

G.06.004 It is prohibited to

(a) advertise a controlled drug to the general public; or

(b) publish any written advertisement respecting a controlled drug unless that advertisement displays the following symbol in a clear and conspicuous colour and size in the upper left quarter of its first page:



PRESCRIPTION DRUGS

Drugs listed and described the Prescription Drug List section C.01.044 of the *Food and Drugs Regulations*:

C.01.044 If a person advertises a prescription drug to the general public, the person shall not make any representation other than with respect to the brand name, the proper name, the common name and the price and quantity of the drug.

NEW DRUGS

Any “New Drug” as defined by Section C.08.001

Any drug classified as a new drug cannot be advertised unless those conditions listed in section C.08.002 have been met.

INTREPRETATION OF SECTION 9(1) PROHIBITIONS

False Advertising

False advertising is advertising which is not consistent with label claims.

Misleading advertising and erroneous impression

Product endorsement

Professional Endorsement

Product endorsement by veterinarians or other health professionals is not permitted.

Quotations from the Media

The use or quotation of media articles may be misleading, particularly if they contain statements to which exception would be taken if they had been developed for use in advertisements.

Statements taken out of the context of the article are often misleading, and a particular statement used in isolation may express a view entirely different from the conclusions reached by the writer or speaker.

Seals or Certificates of Approval

The logo of an organization must not be used as a seal of approval, but may appear only to show affiliation of the advertiser.

No implication of approval by the Health Products and Food Branch (HPFB) may appear in any advertisement. Section C.01.007 of the Regulations prohibits any reference, direct or indirect, to the Food and Drugs Act and Regulations in a drug advertisement unless such mention is specifically required.

Testimonials

Testimonials and reports of individual cases frequently constitute an unfair selection. Testimonials, which emphasize only positive features of a product while ignoring negative aspects, are not acceptable.

If testimonials are used, any statement made therein becomes the responsibility of the advertiser. In addition, the testimonial must not violate the Food and Drugs Act and Regulations.

Comparisons

Advertisers are encouraged to promote drugs on their own merits in a positive manner and not by comparison with other products.

Comparisons of products must be factual, fair and capable of scientific substantiation. Care must be taken to ensure that they do not mislead by distortion, by undue emphasis or in any other way. Where comparisons include results of a comparative trial the level of statistical significance must be included.

Composition and Potency

The word "Concentrated" is rarely applicable to synthetic drugs, since the manufacturer has full control over their composition. When two strengths of a drug product are supplied, the stronger of the two is not necessarily concentrated.

To say that a drug is "Rich in" a factor implies a standard against which the drug can be measured and so introduces a comparison. The terms "High" and "Low" also imply a comparison and should be avoided.

The quantitative composition of a drug is known and should be stated rather than using vague terms such as those outlined above.

"Potency" and "Strength" are difficult terms to use without creating a false impression as to the merits of the drug. Terms such as "Double strength" and "Triple strength" require pre-existence of a stated or recognized normal strength to which the product can be compared. Such terms, if used at all, should be restricted to differentiating between two strengths of a drug marketed by the same manufacturer.

Dangling Comparatives

Such words as "Better" and "Richer" imply a comparison, often without indicating the basis of the comparison. If the product is an improvement over one previously made by the same firm, it should be so stated.

Negative Statements

As stated above, drugs should be promoted in a positive fashion to provide the consumer with useful information. Negative statements are not recommended because they may confuse or mislead the consumer by requiring an interpretation of the implications of the statement.

On those occasions that a chemical substance is prohibited in drugs by a Federal or Provincial agency, it is permissible to include a statement that the drug does not contain that ingredient. Such a statement will be considered acceptable for twelve (12) months following the date of the action, for products that did or did not previously contain the subject ingredient.

Scientific or Technical References

Statistics or references selected from technical literature are generally unsuitable for advertising to the general public. The vocabulary of the advertisement should be that of the audience to whom the advertisement is directed.

Trial data presented in advertisements should support claims not exceeding those which appear on the labelling of the drug.

Other practices which may be misleading

Accepted Opinions and Claims

Claims made in an advertisement must not exceed the label claims for a drug product or the terms of a Notice of Compliance. The use of unjustified claims in the advertising of any drug could lead to the product being classed as a "New Drug".

Questionnaires

Questionnaires are used to obtain from selected groups of people their opinions upon various subjects as suggested by the questioner. In most cases, the opinions thus obtained are of no scientific consequence or significance even when they can be classed as Case Reports.

Qualifying Statements

Advertisers sometimes attempt to justify the presence of unacceptable claims for a product by inserting a qualifying statement elsewhere in the advertisement, which rarely achieves equal prominence in the presentation. Such practices are objectionable in drug advertising. Claims should be able to stand on their own merit, without requiring an explanation elsewhere in the advertisement.

Examples of misleading terminology

- *Fortification, Enrichment or Added*

"Fortification", "Enrichment" and similar terms are exceedingly difficult to employ without creating an erroneous impression, particularly where the actual operation carried out is merely an addition of an ingredient to the formulation or an increase in the quantity of a constituent which is already present. This would apply generally to products derived from natural sources to which a factor has been added, in such cases, "Added" would be the correct term to use.

Where a manufacturer formulates a product and thus has a complete choice of the ingredients and their proportions, there can be no “Enrichment” or “Fortification” through a variation of quantities. Indeed, the designation of an ingredient as “Added” in such a product would probably be considered misleading.

Guarantee

The word “Guarantee” should not be used to create the impression that successful results will be achieved with the use of the product.

Guarantees, which refer to the quality of the product, are generally acceptable, provided that the manufacturer will support the guarantee. If there are conditions under which the guarantee is invalidated, such conditions should be stated.

Need

Objection is taken to the word “Need” when used in a statement such as “(The Drug) Your Animals Need”. There is no particular brand of a drug, which is essential to the well-being of an animal.

Prescribed

“Prescribed”, when referring to drugs, generally implies a recommendation by a veterinarian. Since the general public lacks the veterinarian’s knowledge and judgement the word should be avoided in advertisements directed at the general population.

Scare advertising

The promotion of a drug product should not provoke purchase of the drug by means of fear-inducing copy. It is improper to suggest that, unless the particular drug is used, the animal’s health will or may suffer.

Illustrations

Pictures and charts are a common and valuable aid in advertising. However, they must not be employed in a manner which will exaggerate, mislead or misrepresent the value of the product.

Any drug label being reproduced in an advertisement should represent a current and acceptable Canadian label.

Use of “new” and “improved”

The word “new” should not be used in advertising to describe a drug product unless it is a new product marketed in Canada for the first time or a different version of an existing medicine.

Although the use of “new” should be limited to a period of time not to exceed one year, it may be used for a similar period of time outside a test marketing area, providing agreement has been reached with the Health Products and Food Branch that such a test area will be used for a defined period.

The word “Improved” should not be used in advertising unless the advertisement presents the previous version of the product.

The use of this word should be limited to a period of time not exceeding one year.

GENERAL DRUG USEAGE AND STORAGE

Objection will be taken to advertising material, which illustrates unsafe drug storage or encourages excessive drug use.

If advertisements illustrate the storage of drugs, the storage illustrated should be in accordance with storage recommendations for the product and should reflect general inaccessibility to small children.

MASS MEDIA ADVERTISING

RADIO AND TELEVISION

Effective May 1, 1997 it is no longer a requirement to have mass media veterinary advertisements precleared.

POINT OF PURCHASING MATERIAL

Display material, which does not normally accompany a drug and is designed to draw special attention to the drug, is considered to be advertising.

This material is expected to meet all legislative requirements for advertisements which appear in the Food and Drugs Act and Regulations. It should be noted that such material cannot be used to draw attention to drugs which cannot be advertised to the general public or for which advertising to the general public must be limited (for example, advertising of prescription drugs to the general public is limited to the name, price, and quantity of the drug).

APPENDIX II

GUIDELINE FOR ADVERTISING OF VETERINARY BIOLOGICS

Prepared by: Canadian Food Inspection Agency, Canadian Centre for Veterinary Biologics, Animal Health Directorate. Veterinary Biologics Guideline 3.5: Guideline For Advertising of Veterinary Biologics

INTRODUCTION

The purpose of this guideline is to provide information on the requirements for the advertising of veterinary biologics (VB) in Canada. The Canadian Centre for Veterinary Biologics (CCVB) regulates the advertising of VB under the legal authority of the *Health of Animals Regulations*. There is no requirement for approval of an advertisement by the CCVB prior to its publication. Consequently, the CCVB does not ordinarily review and provide comments on the acceptability of draft advertisements. The CCVB investigates all complaints about inappropriate advertising, and will take necessary actions against false or misleading advertisements.

LEGAL AUTHORITY

Health of Animals Regulations, Part XI

135. (1) No person shall, in any advertisement for the sale of a veterinary biologic, make any claim with respect to the purity, safety, potency and efficacy of the veterinary biologic that is not supported by the product outline for such veterinary biologic.

135. (2) No person shall, in any advertisement for the sale of a veterinary biologic, make any representation that is false, misleading or deceptive or that is likely to create an erroneous impression regarding the character, value, quality, composition, merit or safety of the advertised veterinary biologic.

DEFINITION OF ADVERTISEMENT

An advertisement is any and all information about a VB intended for publication in order to present a VB product to a target audience. The publicity can be done through, but is not limited to, television, radio, the Internet, social media, newspapers, magazines, scientific journals, promotional brochures, and handouts. Items bearing the logo or trade name of a veterinary biologic, but not making claims about the product, are not covered by the scope of this guideline. Peer-reviewed published scientific articles are not considered to be advertisements, provided they are available in a complete unedited format.

GENERAL GUIDANCE

Advertisers should observe the following general guidelines when preparing advertising materials:

Advertise and promote VB on their own merits, in a positive manner

Do not advertise or promote in Canada VB that are not licensed for general sale and distribution in Canada

All advertisements must be consistent with the approved label claims

All claims must be supported by the most recent version of the Outline of Production and research reports, filed with the CCVB

All statements about the safety and efficacy of a VB should be supported by references to pertinent scientifically accurate, and unbiased studies, conducted and analyzed to current scientific standards using established research methodologies and validated end points

Descriptive adjectives must be supported by statistically sound data

Comparisons of products must be audience appropriate, factual, and fair

Specific comparisons between competing products must be based on objective scientific data that can be made available on request to all interested parties

The relative merits of a VB should be presented in a positive manner

The use of unsubstantiated superlative statements, negative statements, absolute statements, and vague comparisons are considered to be misleading and should not be used

Testimonial statements are not exempt from other requirements listed in this guideline, and should be referenced to clearly identify the source

Guarantees, which apply to the quality of the product, are generally acceptable, provided the manufacturer will support them

If there are conditions under which the guarantee is void, such conditions must be stated

All complaints about published advertisements, that have not been resolved through the CAHI Complaint's Resolution Process, along with the details of the complaints and supporting documents, should be submitted to the CFIA-CCVB in writing.

APPENDIX III

GUIDELINE FOR ADVERTISING OF ANIMAL PESTICIDE PRODUCTS

Animal Pesticides include those animal health products registered under the Pest Control Products Act.

While member companies are not allowed to promote or advertise unregistered products for sale, it is recognized by industry, consumers and government, that there is a need to communicate information about products in development.

Within the current legislation, Croplife Canada has developed with PMRA (Pest Management Regulatory Agency) an understanding of acceptable communication activities as they pertain to New Product in Development and Unregistered Use Extensions as outlined in the following charts. The intent of this communication must be to inform and to educate, not to sell, or promote non-registered use. CAHI agrees with these activities.

Registration Status	Do's	Don'ts
New product in development (Registration must have been applied for)	All information must be technical in nature and must bear or contain the description *RESEARCH PRODUCT* in a bold and prominent fashion. Include research, environmental, animal and human safety information.	No advertising or promotion for selling purposes. No speculation on the registration approval or dates. No selling prior to receipt of registration certificate. No reference to the specific content of the final label.
Label extension in development. (Registration must have been applied for)	All information must be technical in nature and must bear or contain the description *THIS PRODUCT NOT REGISTERED FOR THIS USE. IT IS A VIOLATION OF THE PEST CONTROL PRODUCTS ACT TO USE THIS PRODUCT IN A NON-REGISTERED APPLICATION* in a bold and prominent fashion. Include research, environmental, animal and human safety information.	No advertising or promotion for selling purposes. No dosages or other information that would encourage unlabelled applications. No speculation on the registration approval or dates. No selling of product with new label prior to receipt of registration certificate. No reference to the specific content of the final label.

<p>Newly approved product or newly approved label extension prior to receipt of registration certificate.</p>	<p>Label copies must indicate "Draft". Advertising copy must include the draft claim, dosage and warnings and a statement "The clearance of the product in Canada is pending receipt of the registration certificate".</p>	<p>No sale of product prior to receipt of registration certificate.</p>
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APPENDIX IV

GUIDELINE FOR ADVERTISING OF VETERINARY HEALTH PRODUCTS (VHPs)

Prepared by: Canadian Animal Health Institute, December 2012

INTRODUCTION

This guideline draws from the Veterinary Drugs Directorate, Health Products and Food Branch, Health Canada Guideline for the Advertising of Drugs for Veterinary Use, but is intended for use by all who advertise notified veterinary health products for use in companion and production animals.

This publication is designed to assist manufacturers in developing advertising material in compliance with Canadian requirements. The two key quotations from the Food and Drugs Act impacting on the advertising of drugs for veterinary use are the following:

“Advertisement” includes any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device (Section 2, FOOD AND DRUGS ACT)”.

“No person shall label, package, treat, process, sell or advertise any drug in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety” (SUBSECTION 9(1), FOOD AND DRUGS ACT).

GENERAL ADVERTISING POLICY

The veterinary health product has been labeled in accordance with the labeling requirements for the VHP Notification program.

PROHIBITIONS

False Advertising

False advertising is advertising which is not consistent with label claims.

Misleading advertising and erroneous impression

Product endorsement

Professional Endorsement

Product endorsement by veterinarians or other health professionals is not permitted.

Quotations from the Media

The use or quotation of media articles may be misleading, particularly if they contain statements to which exception would be taken if they had been developed for use in advertisements.

Statements taken out of the context of the article are often misleading, and a particular statement used in isolation may express a view entirely different from the conclusions reached by the writer or speaker.

Seals or Certificates of Approval

The logo of an organization must not be used as a seal of approval, but may appear only to show affiliation of the advertiser.

No implication of approval by Veterinarian Drugs Directorate may appear in any advertisement.

Testimonials

Testimonials and reports of individual cases frequently constitute an unfair selection. Testimonials, which emphasize only positive features of a product while ignoring negative aspects, are not acceptable.

If testimonials are used, any statement made therein becomes the responsibility of the advertiser. In addition, the testimonial must not violate the Food and Drugs Act or Regulations.

Comparisons

Advertisers are encouraged to promote veterinary health products on their own merits in a positive manner and not by comparison with other products.

Comparisons of products must be factual, fair and capable of scientific substantiation. Care must be taken to ensure that they do not mislead by distortion, by undue emphasis or in any other way. Where comparisons include results of a comparative trial the level of statistical significance must be included.

The terms 'Prescription' or 'Prescribed' cannot be used in advertising to imply a product's equivalence with a drug. If a VHP claim is compared with a drug claim, the VHP manufacturer must have data on file that supports the accuracy of the claim / comparison and that it meets federal advertising & promotional regulation.

Dangling Comparatives

Such words as "Better" and "Richer" imply a comparison, often without indicating the basis of the comparison. If the product is an improvement over one previously made by the same firm, it should be so stated.

Negative Statements

As stated above, VHPs should be promoted in a positive fashion to provide the consumer with useful information. Negative statements are not recommended because they may confuse or mislead the consumer by requiring an interpretation of the implications of the statement.

Scientific or Technical References

Statistics or references selected from technical literature are generally unsuitable for advertising to the general public. The vocabulary of the advertisement should be that of the audience to whom the advertisement is directed.

Trial data presented in advertisements should support claims not exceeding those which appear on the labeling of the VHP.

Other practices which may be misleading

Accepted Opinions and Claims

Claims made in an advertisement must not exceed the label claims for a VHP or the terms of a Notification Number.

Questionnaires

Questionnaires are used to obtain from selected groups of people their opinions upon various subjects as suggested by the questioner. In most cases, the opinions thus obtained are of no scientific consequence or significance even when they can be classed as Case Reports.

Qualifying Statements

Advertisers sometimes attempt to justify the presence of unacceptable claims for a product by inserting a qualifying statement elsewhere in the advertisement, which rarely achieves equal prominence in the presentation. Such practices are objectionable in VHP advertising. Claims should be able to stand on their own merit, without requiring an explanation elsewhere in the advertisement.

Examples of misleading terminology

Fortification, Enrichment or Added

“Fortification”, “Enrichment” and similar terms are exceedingly difficult to employ without creating an erroneous impression, particularly where the actual operation carried out is merely an addition of an ingredient to the formulation or an increase in the quantity of a constituent which is already present. This would apply generally to products derived from natural sources to which a factor has been added, in such cases, “Added” would be the correct term to use.

Where a manufacturer formulates a product and thus has a complete choice of the ingredients and their proportions, there can be no “Enrichment” or “Fortification” through a variation of quantities. Indeed, the designation of an ingredient as “Added” in such a product would probably be considered misleading.

Guarantee

The word “Guarantee” should not be used to create the impression that successful results will be achieved with the use of the product.

Guarantees, which refer to the quality of the product, are generally acceptable, provided that the manufacturer will support the guarantee. If there are conditions under which the guarantee is invalidated, such conditions should be stated.

Need

Objection is taken to the word “Need” when used in a statement such as “(The VHP) Your Animals Need...”. There is no particular brand of a veterinary health product, which is essential to the well-being of an animal.

Prescribed

“Prescribed”, generally implies a recommendation by a veterinarian. Since the general public lacks the veterinarian’s knowledge and judgment the word should be avoided in advertisements directed at the general population.

Scare advertising

The promotion of a VHP product should not provoke purchase of the VHP by means of fear-inducing copy. It is improper to suggest that, unless the particular VHP is used, the animal's health will or may suffer.

Illustrations

Pictures and charts are a common and valuable aid in advertising. However, they must not be employed in a manner which will exaggerate, mislead or misrepresent the value of the product.

Any VHP label being reproduced in an advertisement should represent a current and acceptable Canadian label.

Use of "new" and "improved"

The word "New" should not be used in advertising to describe a VHP unless it is a new product marketed in Canada for the first time or a different version of an existing product.

Although the use of "New" should be limited to a period of time not to exceed one year, it may be used for a similar period of time outside a test marketing area, providing agreement has been reached with the Health Products and Food Branch that such a test area will be used for a defined period.

The word "Improved" should not be used in advertising unless the advertisement presents the previous version of the product. The use of this word should be limited to a period of time not exceeding one year.

GENERAL DRUG USEAGE AND STORAGE

Objection will be taken to advertising material, which illustrates unsafe veterinary health product storage or encourages excessive product use.

If advertisements illustrate the storage of veterinary health products, the storage illustrated should be in accordance with storage recommendations for the product and should reflect general inaccessibility to small children.

MASS MEDIA ADVERTISING

POINT OF PURCHASE MATERIAL

Display material, which does not normally accompany a veterinary health product and is designed to draw special attention to the product, is considered to be advertising.

This material is expected to meet all requirements for advertisements which appear in the CAHI Code of Marketing Practice.

APPENDIX V

Illegal Marketing of Veterinary Health Products

Veterinary health products (VHPs) are low risk drugs in dosage form that are used to maintain or promote the health and wellness of companion and food-producing animals, contain ingredients such as vitamins and minerals, include traditional medicines, must conform to strict inclusion criteria and must contain only active ingredients listed in List C. The difference between veterinary health products and veterinary drugs are VHPs cannot claim to treat, cure or prevent disease. Once notified, VHPs are issued a Notification Number (NN). Veterinary drugs are used specifically to treat, cure or prevent disease. Once approved, veterinary drugs are issued a Drug Identification Number (DIN). Various substances are specifically excluded from being notified as VHPs as outlined in the VHP Notification Program.

Veterinary health products are regulated in Canada under the:

Food and Drugs Act

Food and Drug Regulations

Natural Health Products Regulations

All VHPs being advertised in Canada must be on the List of Notified Products. Advertising of VHPs must be within the scope of the recommended use notified to Health Canada and apply only to species listed in the intended species notified to Health Canada. Since all health products, including those derived from nature, carry some degree of risk, it is unacceptable to suggest that a product is “safe”, is “side effect free” or has “no known side effects”. It is also unacceptable to suggest that a product that is “natural” or “naturally-sourced” is safer than a synthetic, man-made pharmaceutical.

APPENDIX VI

Guidance on distinction between advertising and other activities for health products

Prepared by: Health Canada, 2023-07-31

NOTE: The below text does not reproduce the guidance document in its entirety. For the complete document, click [here](#).

Purpose

Health Canada recognizes that it is important for industry to disseminate non-promotional, accessible information on human and animal health products to health care professionals (HCPs) and the general public. Since advertising is for the purpose of promoting the sale of a health product, it is critical to determine whether the purpose of a message is to promote the sale of a health product or to provide information. This is in accordance with the *Food and Drugs Act* (FDA).

This guidance document outlines the factors that contribute to rendering a message or activity promotional. When deciding if advertising legislative and regulatory provisions apply, one needs to first determine whether a particular message or activity is promotional or non-promotional.

Scope

This guidance document applies to the following health products:

vaccines

biologics

those regulated under Health Canada

medical devices

prescription drugs

includes controlled substances

non-prescription drugs

animal health products

natural health products

This document applies to the following messages and activities:

those involving medical conditions and/or any health-related matters, regardless of the target audience in Canada

although the target audience is a factor to be considered in assessing the nature of the messages and activities

those targeting consumers through any messaging media (such as television, radio, print, online, digital platforms) or setting

This document does not constitute part of the FDA, CDSA or their associated regulations. If there is inconsistency or conflict between the acts or regulations and this document, the acts or regulations take precedence. This is an administrative document to help the regulated party comply with the FDA, CDSA, their regulations and applicable administrative policies.

Background

There are numerous provisions within the FDA, CDSA and their respective regulations that apply to health product advertising.

The FDA concerns food, drugs, cosmetics and medical devices. Health products, including controlled substances that are sold in Canada, must meet relevant requirements as set out in this act and its associated regulations. The requirements establish a product's terms of market authorization (TMA), which includes:

the notice of compliance (NOC)

drug identification number (DIN)

natural product number (NPN)

DIN-homeopathic medicines (DIN-HM)

veterinary health product (VHP) notification number (NN)

medical device licence

These in turn authorize the sale of a health product in Canada.

Section 2 of the FDA defines "advertisement" as "including any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device." Health Canada will rely, as a general principle, on the ordinary meaning of "promote" as encouraging or inciting the sale of a health product.

The CDSA concerns the control and sale of controlled substances and their precursors. It is not used to establish the TMA but provides provisions for stakeholders to legally handle and conduct activities with these substances.

Similarly, Section 2(1) of the *Narcotic Control Regulations* (NCR), which is a set of regulations made under the CDSA, defines advertisement as "including any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of a narcotic."

Section 1 of the *Benzodiazepines and Other Targeted Substances Regulations* (BOTSR), which is a set of regulations under the CDSA, defines advertisement as "in respect of a targeted substance, includes any representation by any means for the purpose of promoting, directly or indirectly, the sale or other disposal of the targeted substance".

Part G of the *Food and Drug Regulations* (FDR), which is a regulation under the authority of the CDSA, defines advertisement as "includes any representation by any means whatever for the purpose of promoting, directly or indirectly, the sale or other disposal of a controlled drug".

Promotional messages and activities, as specified in the FDA and CDSA, are considered advertising.

Sections 9(1) and 20(1) of the FDA prohibit advertising any drug or device in a manner that is:

false, misleading or deceptive or

likely to create an erroneous impression regarding its character, value, quantity, composition, merit, design, construction, performance, intended use or safety

Section C.08.002 of the FDR for a new drug and section 27(a) of the *Medical Devices Regulations* (MDR) prohibit promoting a health product before market authorization.

If a message about a health product is not considered to promote the sale of a health product, it is not subject to the advertising provisions.

General principles

It is necessary to determine if a message or activity is promotional (considered advertising) in order to establish if the legislative and regulatory requirements on advertising apply. When making such a determination, the following principles will be upheld:

Each message will be evaluated on its own merit in its entirety, with consideration given to the context within which the message is being delivered.

Any linkages to various materials related to the message will be considered as well.

As the following list of factors is not exhaustive, other factors or circumstances will also be considered if they provide insight on whether the purpose of the message or activity is to promote the sale of a specific health product.

In general, no single factor will determine if a particular message is promotional.

In addition to this guidance, Health Canada recommends that stakeholders consult advertising preclearance agencies (APAs), where applicable, for assistance in conducting these case-by-case assessments. These agencies will provide advisory opinions on specific messages or activities and can validate that they are either non-promotional or in compliance. Notwithstanding that a manufacturer may seek advice from an APA, there is no legislative or regulatory requirement to use an APA.

Note that Health Canada is the regulatory authority for all health product advertising in Canada.

Factors that contribute to a promotional determination

The following questions will help stakeholders determine whether the message is primarily intended to promote the sale of a drug:

What is the context in which the message is disseminated?

For example, when and how is the message delivered? What is the milieu or medium of dissemination? Is it a science-based message delivered to scientists or health care professionals by an expert, such as a researcher at a conference with a varied agenda. Or is it a product-related message delivered to a group

of health care professionals by the sales representative of the product manufacturer at a meeting with a specific agenda?

Who are the primary and secondary audiences?

For example, are the target audiences limited or unlimited in scope? Are the primary and the secondary audiences the same? Where they are different, did the manufacturer or a third party contracted by the manufacturer engage in distribution beyond the primary target audience? Where the message is not limited to the primary audience, it is more likely to be promotional. For example, a subset of patients with a particular medical condition constitutes the primary audience of a message. Should this message appear in a public newspaper, it would be targeting a secondary audience or would be unlimited in scope.

Note: Primary audiences are considered the intended target group. Secondary audiences are “unintended” and are also exposed to the message.

Who delivers the message (the provider)?

For example, is the message delivered by the health product manufacturer, its agent or an independent third party (such as a patient support group)? The message is more likely promotional if it is not delivered by an independent party.

Who sponsors the message and how?

For example, is the sponsor the manufacturer, its agent or an independent third party? Is the sponsorship funding targeted to a specific message or is it added to the general operating budget of an organization or conference? If the message is sponsored by the manufacturer or its agent and the funding is not added to the general operations budget, the message is more likely to make it promotional. A fee that is paid by the manufacturer to have the message disseminated is more likely promotional.

What influence does a health product manufacturer have on the message?

For example, what are the linkages between the information, the provider and the manufacturer, the provider and the writer? Content that is influenced by the manufacturer (prepared, edited) is more likely promotional.

What is the content of the message?

For example, are the facts described objectively in a balanced manner or is emphasis placed on a particular health product or its merits? Is the message balanced with respect to describing both risks and benefits of a treatment option? Can the message withstand a test for scientific rigour? Is the information set in an appropriate context (for example, a discussion of disease management, scientific research)? Messages that are not balanced, objective, set in a proper context, scientifically rigorous or that emphasize a particular health product are more likely advertising.

How frequently is the message delivered?

For example, is it delivered once or repeatedly? A message that is repeated is more likely promotional.

Other factors that may render a message or activity promotional can be divided into 2 categories:

content and context factors

sponsorship and dissemination factors

Content and context factors

A message or activity may be determined to be promotional if it:

is mainly product-focused

emphasizes the benefits of a health product or minimizes, omits or ignores risks in any way

through editorial comments, opinions or suggestions

is affected directly or indirectly by the sponsor or manufacturer or any entity acting on behalf of the sponsor or manufacturer

is presented in a layout and design that can be associated with a specific health product

such as brand colours, logo-like graphics and other visual cues, unique packaging, setting or decor

is combined or disseminated at the same time as other promotional messages or activities

includes direct or implied comparative therapeutic claims

in terms of ingredients, brands or therapeutic category

is disseminated in the context of the target medical condition when directed to the general public

such as messages about health products in women's magazines for medical problems affecting only women

A message involving unauthorized health products or unauthorized indications, in a context such as educational activities, may be considered promotional if:

the message does not caution that the product's safety and effectiveness are still under investigation and that Health Canada has not yet granted market authorization

for medical devices, they are advertised in a way other than in a catalogue that, the message does not include a clear and visible warning that the devices may not have been licensed in accordance with Canadian law

there's a suggestion the health product is available through the Special Access Program (SAP) for drugs and medical devices or the Emergency Drug Release (EDR) Program for animal health products

Sponsorship [Note de bas de page*](#) and dissemination factors

A third-party message or activity may be determined to be promotional if it:

is not disseminated by a government authority

such as the Public Health Agency of Canada, provincial ministries of health or provincial formularies

is not sponsored and delivered by a competitor

is delivered by sales or marketing staff

involves distributing samples

APPENDIX VII

APPENDIX VIII

GUIDELINE FOR DISSEMINATIONS OF EXTRA-LABEL PRODUCT-RELATED INFORMATION

SCOPE

This document describes a process for addressing dissemination of extra-label scientific information by an animal health company veterinarian to a licensed veterinarian in Canada.

PROCESS

All product-related information can be categorized as either on-label (per package insert/label) or extra-label (not included in package insert/label). Dissemination of on-label product-related information is not being addressed here since a system for on-label promotional review and distribution already exists.

Extra-label product-related information can be separated into 2 general categories (refer to chart):

Technically not supportable (no data or adverse data)

Technically supportable

Item 1 is quite straightforward; if no data exist, dissemination of information is prohibited. If adverse data exist, a proposed use cannot be recommended but would rather be recommended against and, if warranted, a precautionary statement would be included in the product labelling.

Item 2, dissemination of technically supportable extra-label information is the area which provides the opportunity to share selected scientific information beyond the claims allowed for on our product labelling. Within this area, available technically supportable information can be divided into two additional categories as follows:

Rational information but incomplete database (insufficient database to fully support target animal safety, efficacy and human food safety).

Database supports safety and efficacy (sufficient data exists to add claim to Compendium of Pharmaceuticals and Specialties).

In both cases, distribution of information is allowed based on Canadian law under the umbrella of scientific exchange between a company's technical services team and animal health care professionals. A determination will be made (by a corporation's internal review group) as to whether the scientific exchange of the information by its technical services team is acceptable. It is the responsibility of those involved in the review process (as defined under "Terms/Definitions") to evaluate the completeness of the database and to determine whether the information qualifies for scientific exchange. Additionally, it is the responsibility of each member company's management to assure that sales representatives are complying with the conditions of scientific exchange (as defined under "Terms/Definitions").

TERMS/DEFINITIONS

Promotion – Product related discussions (including product name and indication/usage information) with customers/potential customers initiated by the animal health company.

Review Process – Each corporation shall identify individuals responsible for evaluating product-related information. These people will be responsible for determining if materials may be disseminated and, if so, how materials may be disseminated. This group will consist of personnel within Canada and usually include individuals representing Research & Development, Technical Services, Marketing, Legal and Regulatory. The REVIEW GROUP will determine if the information that is desired to be disseminated is: 1) consistent with the approved label, 2) consistent with local law, and/or 3) has sufficient detail to be classified as technically supportable (i.e., there is sufficient science involved to conclude that the information is valid). If information is determined to be technically supportable, the information may be shared based on Canadian law, which permits sharing of information in response to an unsolicited question from a scientific exchange.

Scientific Exchange – A) Presentation of scientific information in an open forum, or B) Dissemination of scientific information in response to questions raised by customers/potential customers (e.g., questions related to extra-label product uses may be legitimately addressed within the context of “scientific exchange” as allowed by in-country law and is not considered promotion as defined above). The intent must be to share information – not promotion in disguise.

Appropriate disclaimers should be used when disseminating extra-label information indicating that the use is not approved (e.g., acknowledgment that information is provided per request, that information pertains to an unapproved indication, and that information discussed must be limited to the original conclusions stated in the report).

Publication – Publication of research or presentation at a scientific meeting (i.e., within a “scientific exchange” forum) is acceptable and is not considered promotional activity.

Distribution of Reprints of Publications/Proceedings – Unsolicited distribution of reprints of publications and/or proceedings (whether a corporation’s research or other research describing the corporation’s product) is a promotional activity as defined above.

Distribution of extra-label information in response to an unsolicited question may be done as scientific exchange and should be handled as described above.

DISSEMINATION OF PRODUCT-RELATED INFORMATION				
On Label	Extra-Label			
	Technically Supportable		Technically NOT Supportable	
Can promote	Rational product information; Incomplete database	Database supports safety and efficacy	Adverse data	No data

	Can disseminate information within scientific-exchange	Can disseminate information within scientific-exchange Can promote if additional label claim approved	Cannot disseminate information within scientific-exchange Cannot promote	Cannot disseminate information within scientific-exchange Cannot promote
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APPENDIX IX

GUIDELINE FOR THE PROMOTION OF VETERINARY DRUGS AND/OR BIOLOGICS AT INTERNATIONAL CONFERENCES HELD IN CANADA

Provided by: Veterinary Drugs Directorate, Health Canada

Canadian Centre for Veterinary Biologics, Canadian Food Inspection Agency

PROMOTION OF VETERINARY DRUGS

Section 9 of the Food and Drugs Act says that no person shall advertise a drug in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, merit, quantity, composition, or safety. In accordance with Section C.08.002 of the Food and Drugs Regulations, drugs that are not approved for sale in Canada cannot be advertised. In accordance with Section 9, claims made in advertising must be consistent with the product's Terms of Market Authorization - unapproved dosing and indications cannot be advertised, as this would be considered misleading. If a message is not considered to promote a drug's sale, then it is not subject to the advertising provisions of the Food and Drugs Act and Regulations. Therefore it is important to distinguish between promotional and non-promotional material. Health Canada has a policy called Guidance on distinction between advertising and other activities for health products which provides guidance on this distinction. In the context of a conference or medical symposium, messages may not be promotional if they are considered part of scientific exchange, and the main purpose is not to promote the sale of a drug (e.g., in a poster presentation or as part of a balanced presentation given by a researcher). However, even in these cases, the message would have to meet the criteria outlined in the policy.

Key considerations are:

the context in which the message is delivered;

who delivers the message;

who sponsors the message;

the influence of the manufacturer on the message; and

the content of the message.

The policy also provides the following:

Continuing medical education, scientific/medical exhibits and conferences

Continuing medical education (CME) events are accredited programs for health care professionals or scientific/medical symposia focused on health products. These events are sometimes sponsored by health product manufacturers. The key factor in determining the status of such an activity is the degree to which the program is independent of the drug manufacturer.

Key aspects of these events include the following:

- They provide a forum for exchanging information on related clinical and scientific issues.

- The intended audience is health care professionals and staff involved in patient care. Patients, patient groups, experts in a given field, sales representatives and other non-health care professionals attend only when their participation is justified and allowed by event organizers. Members of the public should not attend.
- The sponsor or its representatives can present at these events when their participation is allowed by event organizers.
- Commercial exhibits or advertisements must be arranged in a location that is clearly and completely separated from the CME event.

Information distributed at these events may be considered promotional if:

- a health product manufacturer sponsors only specific portions of the agenda or conference that are related to a product
- the sponsor's role and any financial relationships between the sponsor and the speakers and organizers of the event is not clearly disclosed
- the content of the agenda and individual presentations from non-manufacturer/sponsor members are not independently developed and are influenced by the sponsor, manufacturer or any entity acting on behalf of the sponsor or manufacturer
- inducement is provided to participants
- there are direct or indirect promotional activities relating to health products, including sample distribution, during the event
- sales representatives are engaging in promotional activities related to health products during the event
- the limitations of the data and of the health products are not adequately discussed
- reports, edited scripts or recorded videos of the proceedings, in whole or in part, that concern a health product are disseminated by the sponsor or its agent to a wider audience

A booth at a conference manned by a sales representative would be promotional. Any promotion of unauthorized drugs, indications, doses, etc. would not be in accordance with current legislation and would not be permitted for Canadian manufacturers. The only exception is International Conferences with a significant proportion of international attendees. This type of promotional material must come from the international parent company and needs to be clearly marked as not being authorized in Canada (so, for example, a banner at a booth, stickers on any handouts). Material is not to be redistributed outside the conference. Other exceptions would require a regulatory change.

Information on unauthorized uses can be provided to an individual about a drug treatment by a Canadian manufacturer in response to an unsolicited request for information by an attendee at a conference, but it must be in the form of a scientific paper, not a promotional piece, must be clearly marked as not authorized in Canada and must be distributed by medical personnel, not a sales representative.

PROMOTION OF VETERINARY BIOLOGICS

Promotion of a biologic must meet similar principles outlined for drugs. As long as the unlicensed veterinary biologics are not advertised for sale to Canadian customers who would not be in a position to purchase the products, the Canadian Centre for Veterinary Biologics (CCVB) would not object to exhibitors displaying samples for international attendees. If a commercial display requires samples of actual veterinary biologics for an exhibit, then the CCVB must have issued an import permit to authorize the importation of samples of specific products, on the understanding that all imported material was solely for the purpose of display and would be either returned to the country of origin at the conclusion of the display or destroyed as biomedical waste. There is an applicable fee for these import permits. The import permit could include various conditions and restrictions, including a condition that no product samples could be distributed, not even to international participants.

All promotional material must conform with the Health of Animals Regulations, Part XI Veterinary Biologics, Section 135 and the Veterinary Biologics Guideline 3.5E Guidelines for Advertising of Veterinary Biologics. These regulations and guidelines are available at the following links.

Health of Animals Regulations, Part XI Veterinary Biologics, Section 135

http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._296/page-16.html#h-70

135. (1) No person shall, in any advertisement for the sale of a veterinary biologic, make any claim with respect to the purity, safety, potency and efficacy of the veterinary biologic that is not supported by the product outline for such veterinary biologic.

(2) No person shall, in any advertisement for the sale of a veterinary biologic, make any representation that is false, misleading or deceptive or that is likely to create an erroneous impression regarding the character, value, quality, composition, merit or safety of the advertised veterinary biologic.

Veterinary Biologics Guideline 3.5E Guidelines for Advertising of Veterinary Biologics

<http://www.inspection.gc.ca/english/anima/vetbio/info/vb305e.shtml>

APPENDIX X

STANDARD OPERATING PROCEDURE (SOP) FOR A COMPLAINT FILED BEFORE THE CANADIAN ANIMAL HEALTH INSTITUTE (CAHI) MARKETING PRACTICES REVIEW COMMITTEE

PURPOSE

The purpose of the Standard Operating Procedure (SOP) is to enable parties to have a clear understanding of the complaint resolution process administered by the Marketing Practices Review Committee and to ensure a just, speedy and cost-effective determination.

INTERPRETATION

“Code” – refers to the CAHI CODE OF MARKETING PRACTICE.

Marketing Practices Review Committee” – refers to the nine (9) individuals appointed by the CAHI Board of Directors to serve as arbitrators of disputes pursuant to the CODE OF MARKETING PRACTICE.

“Chair” – means the person appointed by the CAHI to Chair the Marketing Practices Review Committee.

APPLICATION AND TIMEFRAMES

Acceptance and observance of The CODE is a condition of membership in the CAHI for any member who sells animal health products in Canada.

Companies are encouraged to make every attempt to resolve differences on their own before referring them to mediation(s) or to the Marketing Practices Review Committee. A company may escalate a complaint to the next phase of the complaint resolution process at any time if it is felt adequate progress is not being made. The CAHI President must be copied on correspondence in relation to a dispute or complaint early in the process to establish transparency and a timeline. An offending company will be given five (5) days to respond to an initial complaint.

A call for an *Expert Opinion Assessment* will proceed once payments of \$5,000 have been received from both parties. If the \$5,000 has not been received within 10 business days there will be a penalty fee of an extra \$10,000. Subsequently, meetings on the same complaint will require payment of an additional \$2,500 by each party per mediation session. CAHI will hold all funds in trust until an Expert Opinion Assessment is provided and there is an agreement between the plaintiff and the defendant on a course of action to be followed. In the event that a successful mediation outcome occurs, their \$5,000 (or \$15,000) will be returned to the party found not to be at fault. The party found to be at fault will not have their \$5,000 (or \$15,000) returned.

In the event that either party does not accept the Expert Opinion Assessment, this party must submit in writing to both CAHI and the other party that this is the case. Subsequently, each party has 10 working days to submit \$15,000 in fees as the arbitration process will be triggered. Arbitration dates are then to be set within 60 days of receipt of plaintiff and defendants' payment.

Funds for arbitration are held in trust until a decision is made by the Marketing Practices Review Committee. The party found at fault will forfeit all mediation(s) and arbitration fees while the funds for the party found not to be at fault will be returned in full.

It is the responsibility of the party found to be at fault to cover all external costs associated with the mediation and arbitration process. Where the schedule of fees laid out within section 12.6 does not cover the total costs, the party at fault will be required to cover these costs.

Any party found to have lost three decisions before the Marketing Practices Review Committee in a two-year period will be surcharged an additional penalty of \$30,000.

ADMINISTRATIVE FEE SCHEDULE

By agreeing to The Code, CAHI members marketing animal health products agree that mediation(s) and/or arbitration shall be administered by the CAHI in the event where parties are unable to resolve differences. The CAHI shall prescribe the fees outlined in The Code under Enforcement and Fees, Section 12 to compensate it for its administrative services. All fees are payable to the CAHI 'in trust' at the time the complaint is lodged. The fees will be treated as an advance for the anticipated costs and expenses of holding the Marketing Practice Review Committee meeting and expenses and fees of those serving on the Committee. If the required fees are not paid, the Marketing Practice Review Committee may order suspension or termination of the proceeding.

DELIVERY OF DOCUMENTS

Subsequent to written confirmation that an Expert Opinion Assessment was unsuccessful in having a mutually agreed upon follow-up, the plaintiff must provide CAHI and the defendant with concise written documentation outlining a Statement of Claim and request that the Claim be referred to arbitration. The Claim must be submitted by email to the CAHI President.

The defendant in the case of the Claim will then have fourteen (14) days to provide concise written documentation in defense of their alleged violation by email to the CAHI President.

Both the plaintiff and defendant's documents will then be distributed to the Marketing Practice Review Committee.

CONDUCT OF THE MARKETING PRACTICE REVIEW COMMITTEE

The Marketing Practice Review Committee may conduct the arbitration in the manner it considers appropriate.

Each party shall be treated fairly and shall be given fair opportunity to present its case. Two (2) individuals from each party shall be provided opportunity to attend the arbitration meeting for the portion of the meeting they are participating in.

Minutes of the meeting will be prepared by the CAHI.

SETTLEMENT

If, during the Arbitration proceedings, the parties settle the dispute, the Marketing Practices Review Committee shall terminate the proceeding and, if requested by both parties, record the settlement in the form of an Arbitration award on agreed terms. Should settlement be reached up to 15 days in advance of the arbitration hearing, Mediation(s) and Arbitration fees submitted to CAHI will be refunded less committed expenses.

DECISION

The Marketing Practice Review Committee will make its final decision within seven (7) days of the arbitration proceeding. Decisions of the Marketing Practice Review Committee shall be in writing and shall, unless the parties otherwise agree, state the reasons upon which they are based. The decision shall be made by a majority of the Marketing Practice Review Committee. Where there is no majority decision, the decision of the Chair shall be final. The decision of the Marketing Practice Review Committee will be published in appropriate publications and on the CAHI website.

APPENDIX XI

STANDARD OPERATING PROCEDURE FOR STAFF TRAINING – EXAMPLE

The template set out below is to be part of the Code of Conduct CAHI members use for all senior managers, marketing, veterinary services, and regulatory affairs personnel to ensure awareness and compliance with CAHI's Code. The template may be edited so long as the basic tenets of the CAHI Letter of Intent are maintained. It is recommended that this procedure be reviewed with all new employees and employees returning to work after a leave. Subsequently this procedure should be reviewed on an annual basis.

Company Name		
Standard Operating Procedure/ Canadian Animal Health Institute Code of Marketing Practice		
Originator:	Approver:	Version:
Purpose: To ensure Company Name personnel are aware of and comply with the CAHI Code of Marketing Practice.		Scope: All personnel
<p>The undersigned hereby acknowledges and agrees unconditionally to adhere to the requirements of the Canadian Animal Health Institute's Code of Marketing Practice ("the Code") as a condition of employment with Company Name.</p> <p>The Employee has received a complete copy of the Code and has had an opportunity to fully review the document.</p> <p>The Employee understands and agrees to comply with and be bound by all of the provisions of the Code and complies to the jurisdiction of the CAHI Marketing Practices Review Committee and Secretariat, through Company Name's membership in CAHI, for the resolution of disputes in relation to the subject matter of the Code, unless and until Company Name advises CAHI in writing of their intent to no longer be bound by the provisions of the Code.</p> <p>The Employee acknowledges that the Code may be amended from time to time and agrees that upon a receipt of a copy of any revised Code, the Employee shall be bound by same unless and until Company Name advises CAHI in writing of their intent to no longer be bound by the provisions of the Code as amended.</p> <p>The Employee affirms that they will ensure all marketing / advertising / public relations agencies employed by the Company Name are made aware of the Code and its provisions and agrees that it may be held responsible for any breaches of the Code by such agencies in the course of their employment by Company Name.</p> <p>If the foregoing is in accordance with your understanding and is acceptable to you please indicate this by signing this Standard Operating Procedure.</p>		
Name (please print):		Position:
Signature:		Date:
Reporting Manager Signature:		Date:

APPENDIX XII

LIST OF MEDICALLY IMPORTANT ANTIMICROBIALS

Category 1 – Very High Importance (Essential for the treatment of serious bacterial infections and limited or no availability of alternative antimicrobials for effective treatment in case of emergence of resistance to these agents.)

1. Carbapenems
2. Cephalosporins – the third and fourth generations
3. Fluoroquinolones
4. Glycopeptides
5. Glycylcyclines
6. Ketolides
7. Lipopeptides
8. Monobactams
9. Nitroimidazoles (metronidazole)
10. Oxazolidinones
11. Penicillin- β -lactamase inhibitor combinations
12. Polymyxins (colistin)
13. Therapeutic agents for tuberculosis (e.g., ethambutol, isoniazid, pyrazinamide and rifampin)

Category II – High Importance (Used to treat a variety of infections including serious infections and for which alternatives are generally available. Bacteria resistant to drugs of this category are generally susceptible to Category I drugs.)

1. Aminoglycosides (except topical agents)
2. Cephalosporins – the first and second generations (including cephamycins)
3. Fusidic acid
4. Lincosamides
5. Macrolides
6. Penicillins
7. Quinolones (except fluoroquinolones)
8. Streptogramins
9. Trimethoprim/sulfamethoxazole

Category III – Medium Importance (Used for treatment of bacterial infections for which alternatives are generally available. Infections caused by bacteria resistant to these drugs can, in general, be treated by Category II or I antimicrobials.)

1. Aminocyclitols
2. Aminoglycosides (topical agents)
3. Bacitracins
4. Fosfomicin
5. Nitrofurans

6. Phenolics
7. Sulphonamides
8. Tetracyclines
9. Trimethoprim