

Advertising Therapeutic Goods? What you need to know

one year on from TGA mandatory pre-approvals

Since 1 July 2020, advertisers have had to manage their compliance obligations and liabilities without the compliance safety net of TGA mandatory pre-approvals.

In this new compliance environment, advertisers need to be confident they not only understand what the compliance requirements are, but also how to appropriately apply them to advertising.

AdCheck – an expert advertising advisory service – was established to help responsible advertisers minimise their risk in this new compliance environment, and has helped over 100 businesses comply with confidence.

Insights from the AdCheck Experts

1. The TGA has taken strong action against advertising breaches, issuing over \$1,026,500 in fines in the last 12 months.
2. Ensuring advertising is consistent with public health campaigns and advice has never been more important or more scrutinised.
3. With consumer expectations that businesses behave socially responsibly at an all-time high, noncompliance risks not only heavy fines but also brand and reputational damage.
4. Most common compliance issues:
 - a. Missing or incorrect presentation of mandatory statements
 - b. Misleading presentation of claims or benefits
 - c. Restricted representations.
5. An estimated 8 out of 10 ads submitted to AdCheck were assessed to require some form of compliance amendment.
6. Navigating TGAC compliance for digital & social media ads is particularly dynamic and complex. Given the practical limitations of some platforms, advertisers investing in this area should reassess their compliance capabilities and liabilities.



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