



FOOD & DRUGS AUTHORITY

ADVERTISEMENT OF FDA REGULATED PRODUCTS

The Food and Drugs Authority (FDA) wishes to take the opportunity to inform the general public, especially the media and advertisers of all FDA regulated products, of the passage, in 2012 of the Public Health Act 851, which is the legal framework upon which the FDA's mandate is predicated. The Act regulates both the Registration and Advertisements of products (Food, Drugs, Cosmetics, Medical Devices, Household Chemicals and Tobacco) and provides inter alia that:

1. A person shall not advertise a food as a preventive or cure for a disease, disorder or an abnormal physical state. **{section 100 (1)}**
2. A person shall not advertise food unless the advertisement has been approved by the Authority. **{section 100 (2)}**

The Act further states, as per section 114 (1) and (2) that:

1. A person shall not advertise a drug, a herbal medicinal product, cosmetic, medical device or household chemical substance to the general public as a treatment, preventive or cure for a disease, disorder or an abnormal physical state, unless the advertisement has been approved by the Authority
2. Despite subsection (1) a person shall not advertise a drug, a herbal medicinal product, medical device or cosmetic for treatment or cure for diseases specified in the Fifth Schedule (**below**).

Additionally, Live Presenter Mentions (LPM) in any form is not permitted as a form of advertisement for Food, Drugs, Cosmetics, Household Chemicals and Medical Devices.

The FDA further wishes to request that the Media Houses confirm the following from its respective clients before airing any advertisements of any of the products regulated by the Food and Drugs Authority:

1. Letter showing that the product has been duly registered by the FDA and that the registration has not expired.
2. Letter from the FDA together with sealed, vetted and approved script showing that the advertisement has been duly approved by the FDA and that the approval has not expired. (NB: Advert approved expires after one year and therefore is renewable annually).

Kindly be advised that persons who contravene these provisions would be liable to a summary conviction and or a fine not less than 7500 Penalty Units.

All are therefore encouraged to treat as important and comply.

We appreciate your cooperation.

Yours Faithfully

Mr. Hudu Mogtari
Chief Executive

FIFTH SCHEDULE

(Section 114)

Diseases for which advertisement for treatment, prevention or cure are prohibited:

- a) Sexually transmitted diseases, other forms of genito-urinary diseases. Acquired Immune Deficiency Syndrome (AIDS) or diseases connected with the human reproductive functions.
- b) Any of the following:

Alcoholism	Erysipelas	Nephritis or Bright's disease
Amenorrhoea	Fibroid	Obesity
Appendicitis	Gallstones	Paralysis
Arteriosclerosis	Goitre	Pleurisy
Asthma	Heart disease	Pneumonia
Bladder Stones	Hernia or rupture	Poliomyelitis
Blindness	Hypertension	Prostate diseases
Cancer	Infertility	Scarlet fever
Convulsion	Kidney failure	Septicaemia
Deafness	Kidney stones	Sexual impotence
Diabetes	Leprosy	Smallpox
Diphtheria	Leukemia	Tetanus or lock-jaw
Diseases of the reproductive organ	Locomotortazy	Trachoma
Dropsy	Systemic Lupus Erythematosus	Tuberculosis
Epilepsy or fits	Mental disorders	