

# Navigating Social Media Advertising.

## Compliance tips for dietary supplement brands

**TAPS Webinar for Dietary Supplements**

Prepared March 2025

(Date of origination: March 2025 / Review Date: March 2026)

# TAPS Webinar | Housekeeping

- Please mute your link during the presentation – there are nearly 70 people registered
- If you have a question during the webinar please use the CHATROOM Function.  
The other three TAPS Adjudicators who will be monitor all the questions posted on the CHATROOM and will answer any straightforward questions during the webinar
- If time allows after the presentation a selection of some of the main questions asked via the chatroom will be addressed in person as well as through the chatroom
- There are examples of Social Media advertising within this presentation that we hope to generate some input from you during the presentation. These social media adverts slides will not appear in the final slide resource
- The Slide Resources used during the webinar will be posted on the ANZA TAPS website under TAPS Briefing. <https://www.anza.co.nz/taps> but this may not be for a week.

# INTRODUCTION

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

This TAPS webinar is going to be different from the webinar given in May 2024.

But you will find it helpful to review this slide resource after this webinar

It is available from the ANZA website

**TAPS** | therapeutic advertising  
pre-vetting service

**Navigating advertising compliance online  
including websites and social media**

**Dietary Supplements**

Prepared May 2024  
(Date of origination: May 2024 / Review Date: May 2025)

# INTRODUCTION

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

It will also be helpful to review the TAPS webinar given in November 2024 after this webinar

This slide resource is also available from the ANZA website

The image shows the cover slide of a webinar. At the top, there is a dark blue horizontal bar with the TAPS logo in white, which consists of the letters 'TAPS' followed by a vertical green bar and the text 'therapeutic advertising pre-vetting service' in white. Below this bar, the main title 'Introduction to Dietary Supplements (NHP) Promotion in New Zealand.' is centered in a bold, black, sans-serif font. Underneath the title, the text 'Prepared November 2024' is centered. Below that, in a smaller font, is '(Date of origination: November 2024 / Review Date: April 2026)'. At the bottom, centered, is the text 'NHP = Natural Health Products'.

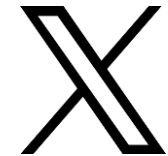
# INTRODUCTION

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

This webinar is going to include examples of current social media advertising in the market

The aim is to discuss whether or not the examples of social media adverts included are compliant or need changing

The examples that are not compliant will not be available in the final slide resource put up on the ANZA website



# COMPLIANCE TIPS 1

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

When creating your social media advertisement make sure that:

- 1. The claims do not imply directly or indirectly a therapeutic purpose so they are fine**
2. The language used does not include active wording or wording that implies a therapeutic purpose or medical indication
3. The mandatory information is present.

A

### Dietary Supplements (NHP) | TAPS Guidance on wording

- The wording of claims for Dietary Supplements must be written with the Medicines Act definition of a therapeutic purpose in mind and to imply directly or indirectly a therapeutic purpose is to promote an unapproved medicine

**The definition is comprehensive and therefore limiting on the claims that can be made about a product that is not a medicine ie: a Dietary Supplement / Natural Product**

- preventing, diagnosing, monitoring, alleviating, treating, curing, or compensating for, a disease, ailment, defect, or injury; or
- influencing, inhibiting, or modifying a physiological process; or
- testing the susceptibility of persons to a disease or ailment; or
- influencing, controlling, or preventing conception; or
- testing for pregnancy; or
- investigating, replacing, or modifying parts of the human anatomy.

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## Dietary Supplements (NHP) | TAPS Guidance on Wording

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**Implied claims are more subtle**

- Often the way in which phrases are written or how images are presented determines if there is a therapeutic claim or not
- One good rule of thumb is to consider the phrase or imagery from a consumer's perspective.
- If the consumer is likely to interpret the wording or image as a therapeutic purpose claim, then it is likely the advertisement is making a therapeutic claim.



## Dietary Supplements (NHP) | TAPS Guidance on Wording

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**Implied claims are more subtle**

- Does the wording and / or imagery directly or indirectly claim the product can move the body from one state to another ?  
**If so, the wording is 'active' ?**

## COMPLIANCE TIPS 2

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

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### Dietary Supplements (NHP) | TAPS Guidance on Wording

- The word “**support**” is a neutral word and allowed by Medsafe in describing health claims in relation to Dietary Supplements. This is in line with Medsafe’s view that dietary supplements support normal operation of a physiological function.
- Advertisers should avoid words like “**improve**”, “**boost**”, “**enhance**”, “**promote**” “**relieves**” “**strengthen**” “**protect**” “**regulates**” “**modulates**” these would be regarded as over and above the normal operation of a physiological function.
- Medsafe has also commented that wording like “help” “assist” “maintain” are regarded as too active and should not be used. TAPS gained agreement that “**supports the maintenance of ...**” would be OK in this context. An alternative is “**helps contribute to the normal function of ....**”

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## Dietary Supplements (NHP) | TAPS Guidance on Wording

- In the same way wording that implies the **inhibition** or **slowing down** of the normal operation of a physiological function should be avoided. This would include wording like “**regulate**”, “**inhibit**”, “**slow down**”, “**block**”, “**prevents**” “**increase**” “**decrease**” as there would all imply a therapeutic purpose.
- A key point is to keep the wording in the positive and not mention possible symptoms or disease states as this would then be likely to imply a therapeutic purpose and the perception/take-up by the consumer would be that the product can treat a condition.
- Since the current pandemic Medsafe have advised that claims concerning **immunity** are no longer acceptable, acceptable wording is *supports immune health / support immune system health* or *supports immune defences / supports immune function*.

# Dietary Supplements (NHP) | TAPS Guidance on Wording

**Support for**  
**Contributes to**  
**Normal, Natural**  
**Soothe. Regular**  
**Nourish**



**Enhance**  
**Improve**  
**Prevent**  
**Interfere with**  
**Terminate**  
**Reduce**  
**Proven**

**Accelerate**  
**Inhibit**  
**Boost**  
**Treat**  
**Relieff**  
**Regenerate**

**Regulate**  
**Maintain**  
**Stimulate**  
**Clinically**  
**Tested**



This is not an extensive list, it would also include any similar words to those given above  
e.g. RELIEF and RELIEVE

# COMPLIANCE TIPS 3

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

When creating your social media advertisement make sure that:

1. The claims do not imply directly or indirectly a therapeutic purpose so they are fine
2. The language used does not include active wording or wording that implies a therapeutic purpose or medical indication
3. **The mandatory information is present**

**Dietary Supplements (NHP) | Guidance on Mandatory Statement**

Mandatory statement is not a disclaimer and is legislated in the regulations :  
see ASA Therapeutic & Health Advertising Code Principle 1

**What Minimum Mandatory Information needs to be on an advertisement?**

- If your product only contains minerals and/or vitamins, then the minimum information that needs to be on your advertisement is:
  - **Always read the label and used as directed. Dietary Supplements are not a replacement for a balanced diet. Company Name, City in New Zealand.**
- If your product contains other natural health ingredients in addition to minerals and/or vitamins the information that needs to be on your advertisement is:
  - **Always read the label used as directed. Dietary Supplements are not a replacement for a balanced diet. If symptoms persist see your healthcare professional. Company Name, City in New Zealand**

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# Dietary Supplements (NHP) | Guidance on Mandatory Statement

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## What Minimum Mandatory Information needs to be on an advertisement?

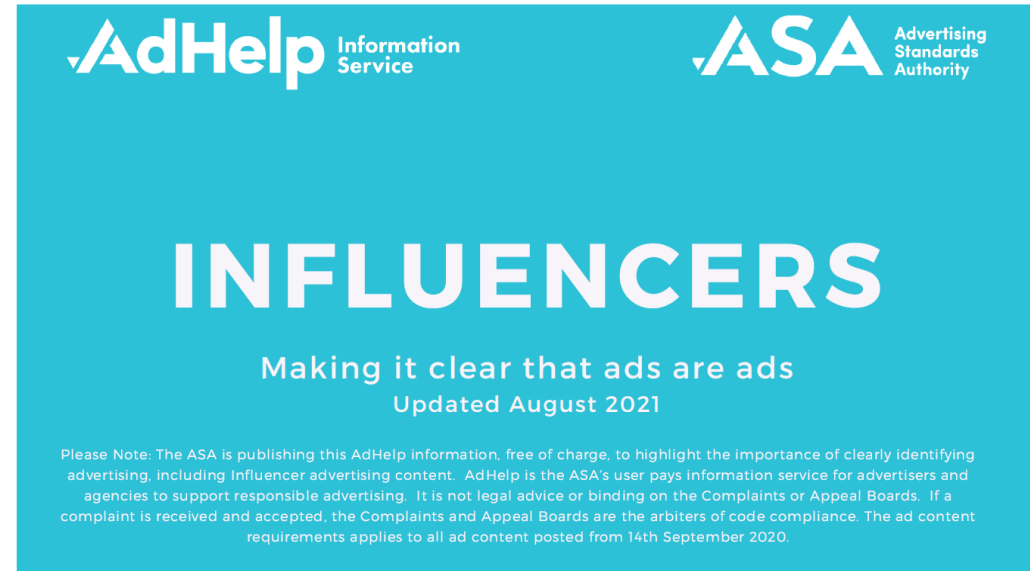
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# SOCIAL MEDIA ADVERTS – Influencer / Content Creator Adverts

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

The first thing to do before you consider influencer / content creator advertising for your dietary supplement is to review the ASA Quick Guide on Influencers

- You should also share this with the influencer / content creator so they too are aware of the ASA views
- You should also consider as part of your contract with your influencer / content creator that they get training internally or from TAPS on advertising of dietary supplements



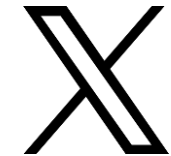


# SOCIAL MEDIA ADVERTS – Influencer / Content Creator Adverts

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

The same basic criteria apply to influencer / content creator adverts as before plus some extra ones :

1. The claims do not imply directly or indirectly a therapeutic purpose so they are fine
2. The language used does not include active wording or wording that implies a therapeutic purpose or medical indication
3. The mandatory information is present

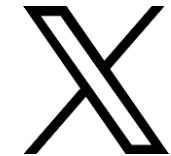


# SOCIAL MEDIA ADVERTS – Influencer / Content Creator Adverts

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

The extra criteria for influencer / content creator adverts are:

4. The influencer / content creator **must not claim to have used or personally experienced any health benefits** from a product in anyway
5. The influencer / content creator **must not personally recommended** people use a product
6. The influencer / content creator **should not use the first person** in their advert

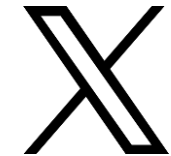


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# SOCIAL MEDIA ADVERTS – Part 3 Influencer / Content Creator Adverts

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5. The influencer / content creator **should not personally recommended** people use a product
6. The influencer / content creator **should not use the first person** in their advert

If you follow these additional criteria when looking to develop with your influencer / content creator you will significantly reduce the risk of NOT complying with the first three criteria

# SOCIAL MEDIA ADVERTS

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

It is important to remember the definition of advertising in New Zealand

- [www.asa.co.nz](http://www.asa.co.nz)



## Dietary Supplements (NHP) | What is Advertising in New Zealand?

### Definition of Advertising - Advertising Standards Authority (ASA)

“Advertising and advertisement(s)” are any message, the content of which is controlled directly or indirectly by the advertiser, expressed in any language and communicated in any medium with the intent to influence the choice, opinion or behaviour of those to whom it is addressed.”

- When an advertiser controls the content of a message – be that directly or indirectly – in order to influence choice, opinion or behaviour – then the published or broadcast activity is likely to be advertising.
- Advertorials, advertiser websites, advertiser-controlled content within Influencers content e.g. blogs & vlogs and ‘native advertising’ are all considered advertising under this definition

Ref: <https://www.asa.co.nz>

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# What is advertising in New Zealand

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# What is advertising in New Zealand

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Advertising in New Zealand is run on a self-regulatory model whereby the industry which includes the advertiser, advertising / digital agencies and the media ensure that best practice is followed.

In New Zealand all parties involved with publishing an advertisement / promotional item including the media can be held liable if the advertisement is found not to adhere to the principles of best practice.

Best practice advertising adheres to the following principles

- advertisements must comply with the laws of New Zealand
- advertisements must be truthful, balanced and not misleading. Claims must be valid and have been substantiated
- advertisements must observe a high standard of social responsibility.

# SOCIAL MEDIA ADVERTS

Navigating Social Media Advertising: Compliance tips for dietary supplement brands

## One last compliance tip

If you are outsourcing your social media support to specialists, make sure they also understand or getting training around the marketing of dietary supplements.

Dietary supplements are not the same as products of general commerce

### **ASA Therapeutic & Health Advertising Code PRINCIPLE 1: SOCIAL RESPONSIBILITY**

- **Therapeutic and Health advertisements shall observe a high standard of social responsibility particularly as consumers often rely on such products, devices and services for their health and wellbeing.**



*Thank you*

**Navigating Social Media Advertising.**

Compliance tips for dietary supplement brands

**TAPS Webinar for Dietary Supplements**

Prepared March 2025

(Date of origination: March 2025 / Review Date: March 2026)

## Dietary Supplements (NHP) | Guidance on Wording

### Cellular

- Feedback from Medsafe to date is that the word cellular is acceptable but context around the use of the word is critical.
- At this stage statements that would appear to be acceptable include
  - Supports cellular health
  - Supports cellular function

### Ageing

- Feedback from Medsafe to date is that the word cellular is acceptable but context around the use of the word is critical.
- At this stage statements that would appear to be acceptable include
  - Support for your ageing journey
  - Support ageing normally