

# TAPS Guidelines | Google Ads

February 2023

Google Ads previously known as Google Adwords is now a significant element in the marketing mix for general products and services for a number of years.

It is only more recently that Google Ads has become more widely used as part of the marketing activities of therapeutic and health products.

The specification for Google Ads such as around characters limits has changes regularly.

These Guidelines supersede all previous statements, and recommendations with respect to Google Ads. In recognition of the growing demand for Google Ads, the changing specification set by Google, the age of the Medicines Act and Regulations and the need to be pragmatic, TAPS has consulted with key industry partners to try and create a regulatory solution

Next Internal Review: February 2024 / Next External Review: February 2025

# TAPS Guideline: Google Ads & Medicines

## General Background

Google Ads (formally Google Adwords) has become a significant channel in the marketing of therapeutic and health products in the last few years.

Advice given by TAPS in 2017 focused on the use of unbranded content for Adwords but allowed for the use of branded URLs. This was based upon the understanding that direction to a branded URL was seen as being in the hands of Google. In addition, the websites at the URL for medicines would contain the full consumer mandatory information.

In 2019 Medicines New Zealand published the updated 17<sup>th</sup> Edition of their Code of Practice. Adwords were covered under Article 3.12.5 of this updated Code:

*Unbranded advertisements (e.g electronic banner advertisements, Adwords) are permitted where the purpose is to attract viewers through to a branded site. Banners must not “advertise by stealth” (i.e. make specific product claims without mentioning the brand name) or use imagery that is well recognized by the target audience as being “the brand”.*

Article 3.12.6 has been taken by TAPS as implying that whatever content appears onscreen as a result of a Google Adwords search it needs to be unbranded and not include claims by stealth.

The CHPNZ (formally SMI-NZ) Code of Practice was written in 2012 and makes no statement with respect to Adwords but does state

*5.1.1. An advertisement for any Therapeutic Product or Natural Health Product must:*

*5.1.1.1 comply with the statutory and regulatory requirements and with applicable Codes of the New Zealand Advertising Standards Authority.*

# TAPS Guideline: Google Adwords & Medicines

## Google Ads Background

Google Ads is a paid advertising platform that falls under a marketing channel known as pay-per-click (PPC), Google Adwords is an effective way to drive qualified traffic, or good-fit patients / consumers to a website and boost website traffic.

All Google Ads follow the same format, featuring:

- Two or Three Headlines (maximum of 30 characters per headline)
- One or Two Descriptions (maximum of 90 characters per description)
- Website URL (maximum of 15 characters)

The above elements appear in the search engine results and so are visible to patients / consumers. The content of these elements will need to comply with the necessary rules and regulations concerning advertising of medicines to consumers depending upon the classification of the medicine.

In addition to the above, Google Ads also contain, a 'keyword' which can be any single word or combination of words. The use of 'keywords' by patients / consumers in their search will trigger the appearance of the above elements (headline / descriptions / URL) in the patient's / consumer's search results. These Google Ads "keywords" are not visible to patients / consumers and do not need to meet the same rules and regulations.

# TAPS Guideline: Google Adwords & Medicines

## Codes, regulations and legislative Background

### ASA Therapeutic and Health Advertising Code

Code is to ensure that advertisers maintain rigorous standards in therapeutic and health advertising. The Code covers all words and visual depictions in all advertising for therapeutic products (medicines and medical devices), natural health products and dietary supplements, health services and methods of treatment. The Code may also apply when therapeutic or health claims are made in advertisements for other products or services not defined in this code.

Principle 1 – Social Responsibility: Principle 1 (a) states that Mandatory information as required by the most recent edition of the Medicines Act, Medicines Regulations, Medsafe Guideline on Advertising Therapeutic Products, Medicines NZ Code of Practice and the Self-Medication Industry Code of Practice.

### Regulation of Therapeutic Products in New Zealand Part 7: Advertising of therapeutic products

The Medsafe document Regulation of Therapeutic Products in New Zealand Part 7: Advertising of therapeutic products provides the minimum mandatory information that needs to be included in any advertisement to the public that meets the definition of a medical advertisement as per Section 56 of the Medicines Act 1981 (see next page)

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## Regulation of Therapeutic Products in New Zealand Part 7: Advertising of Therapeutic Products

### Prescription Medicine

Advertisements for a prescription medicines must include:

- the words “Prescription Medicine” or words of similar meaning
- the name and quantitative particulars of each active ingredient
- a statement of the purpose for which the medicine is intended to be used
- a statement that the medicine has risks and benefits
- a statement about how to find further information on the risks and benefits of the medicine (eg CMI)
- the name and address of the person or business.

### Restricted Medicine

Advertisements for a restricted medicines must include:

- the statement “Available only from your Pharmacist” or “Your Pharmacist’s advice is required”, or words of similar meaning
- the statement “If symptoms persist see your Doctor/Healthcare professional” or words of similar meaning
- the statement “Use only as directed” or words of similar meaning
- the name of each active ingredient or the statement “Always read the label” or words of similar meaning
- a statement of the purpose for which the medicine is intended to be used
- any warning statement that may be required
- the name and address of the person or business.

### Pharmacy / General Sales Medicine

Advertisements for pharmacy or general sales medicines must include:

- the statement “If symptoms persist see your Doctor/Healthcare professional” or words of similar meaning
- the statement “Use only as directed” or words of similar meaning
- the name of each active ingredient or the statement “Always read the label” or words of similar meaning a statement of the purpose for which the medicine is intended to be used
- any warning statement that may be required
- the name and address of the person or business..

# TAPS Guideline: Google Adwords & Medicines

## Mandatory requirements under codes, regulations and legislation – Google Ads

If a Google Ad headline or description contains a medicine name or ingredient name, then the Google Ad would match the definition of a medical advertisement as per section 56 Medicines Act 1981. As such, depending upon the medicine's classification the Google Ad description would need to contain the mandatory information.

- Google Ads headlines/descriptions that include a **Prescription Medicine** name and/or a therapeutic claim would need to include the mandatory information as per *Medicines New Zealand Code of Practice (MNZCoP) 5.11.9. or Medsafe's Regulation of Therapeutic Products in New Zealand Part 7: Advertising of therapeutic products* (see page 5). The content required to meet either of these requirements far exceeds the maximum characters allowed by Google Ads for a description (90 characters).
- Google Ads headlines/descriptions that included a **Restricted Medicine** name and/or a therapeutic claim would need to include the mandatory information as per *MedSafe's Regulation of Therapeutic Products in New Zealand Part 7: Advertising of therapeutic products* article 2.2.2 (see page 5). The content required to meet either of these requirements far exceeds the maximum characters allowed by Google Ads for a description (90 characters).
- Google Ads headlines/descriptions that included a **Pharmacy Only and General Sales Medicine** name and/or a therapeutic claim would need to include the mandatory information as per *MedSafe's Regulation of Therapeutic Products in New Zealand Part 7: Advertising of therapeutic products* article 2.2.3 (see page 5). The content required to meet either of these requirements far exceeds the maximum characters allowed by Google Ads for a description (90 characters).

# TAPS Guideline: Google Adwords & Medicines

## TAPS Recommendations as of September 2022

### 1. Prescription Medicines and Restricted Medicines

It is not possible to undertake a Google Ad campaign using

- a Prescription Medicine or Restricted/Pharmacist Medicine brand name and/or making a therapeutic claim within a headline or description to both comply with the codes and the comply with Google character constraints. Therefore TAPS recommendations for Google Ad campaigns for these medicine classifications are:
  - Google Ads Headlines and Descriptions must be unbranded
  - Google Ads URL can be branded BUT one of the following description must be used and PINNED
    - *Medicines have risk and benefits. Learn more now*
    - *Medicines have risk and benefits. For more information visit*
  - Google Ads Keywords can contain brand names and therapeutic information as these are not seen by consumers but are there to help match up the Google Ad campaign with the search terms used by the consumers. NB: NO USE OF Dynamic Keyword Insertion
  - It is recommended Google Ads campaigns be sent to TAPS in the form of spreadsheet to help speed up the review process

# TAPS Guideline: Google Adwords & Medicines

## TAPS Recommendations as of September 2022

### 2. Pharmacy Medicines and General Sales Medicines

It is possible to undertake a Google Ad campaign using a Pharmacy Medicine or General Sales Medicine brand name and/or make a therapeutic claim within a headline or description to both comply with the codes and the comply with Google character constraints. Therefore TAPS recommendations for Google Ad campaigns for these medicine classifications are:

- Google Ads Headlines and Descriptions can be branded
- Google Ads URL can be branded
- The following description must be used and PINNED with any branded campaign for a Pharmacy or General Sales Medicine
  - *Always read label use as directed. If symptoms persist see your doctor. Learn more now* (Characters with spacing = 84)
- Google Ads Keywords can contain brand names and therapeutic information as these are not seen by consumers but are there to help match up the Google Ad campaign with the search terms used by the consumers. NB: NO USE of Dynamic Keyword Insertion
- It is recommended Google Ads campaigns be sent to TAPS in the form of spreadsheet to help speed up the review process