

## **Cross-border advertising, promotion and sale of medical products through the Internet**

The Executive Board

RECOMMENDS to the Fifty-first World Health Assembly that it should adopt the following resolution:

The Fifty-first World Health Assembly,

Recalling resolution WHA50.4, “Cross-border advertising, promotion and sale of medical products using the Internet”, requesting that the Director-General convene a WHO ad hoc working group to formulate recommendations on cross-border advertising, promotion, and sale of medical products using the Internet;

Recalling resolutions WHA41.17, WHA45.30 and WHA47.16 on ethical criteria for medicinal drug promotion;

Recognizing the value and great potential of electronic communications means, including the Internet, for disseminating and obtaining information regarding medical products;

Recognizing the differences among Member States in their regulatory capacities, and in their approaches to advertising, promotion, and sale of medical products;

Recognizing the importance of collaboration between Member States and WHO, as well as between consumers, health professionals, and industry, on issues involving cross-border advertising, promotion, and sale of medical products using the Internet;

Recognizing the importance of national and regional legislation, regulations, guidelines, and policies to control advertising, promotion, and sale of medical products, and the importance of ensuring adherence to these regulations;

Recognizing the importance of the development and implementation of self-regulatory mechanisms for guidelines on good information practices, where applicable consistent with the principles embodied in the WHO Ethical Criteria for Medicinal Drug Promotion;

Bearing in mind the importance of educating and training the public about the value and quality of information on medical products obtained using the Internet, and of the rational use of medical products;

Recognizing the report and recommendations of the ad hoc working group on cross-border advertising, promotion, and sale of medical products using the Internet as reflected in the Director-General’s report,

1. URGES all Member States:

(1) to review existing legislation, regulations, and guidelines to ensure that they are applicable and adequate to cover questions of advertising, promotion, and sale of medical products using the Internet and to develop, evaluate, and implement strategies for monitoring, surveillance and enforcement;

(2) to collaborate with other Member States on the issues raised by use of the Internet, especially (a) the dissemination of information on difficult cases, (b) the advertising, promotion, and sale of medical products using the Internet, and (c) specific national measures for enforcement; to designate contact points for such collaboration; and to disseminate this information through WHO to all Member States;

(3) to promote the use of the Internet for obtaining information about medical products, as well as ensuring the quality of some information;

2. APPEALS to industry, health professional and consumer organizations and other interested parties:

(1) to encourage their members, where appropriate, to promote the formulation and use of good information practices, where applicable consistent with the principles embodied in the WHO Ethical Criteria for Medicinal Drug Promotion;

(2) to monitor and report problem cases and aspects of cross-border advertising, promotion, and sale of medical products using the Internet;

3. REQUESTS the Director-General:

(1) to encourage the international community to formulate self-regulatory guidelines for good informational practices, consistent with the principles of the WHO Ethical Criteria for Medicinal Drug Promotion;

(2) to develop a model guide for Member States to educate people using the Internet about how best to obtain reliable, independent and compatible information on medical products using the Internet;

(3) to collaborate with other appropriate international organizations and institutions on Internet issues relating to medical products;

(4) to urge Member States to set up or strengthen mechanisms to monitor and survey cross-border advertising, promotion, and sale of medical products using the Internet, and provide technical assistance as required;

(5) to urge Member States to take regulatory action, where appropriate, for violations of their national laws regarding advertising, promotion, and sale of medical products using the Internet;

(6) to encourage Member States and concerned nongovernmental organizations to report to WHO problem cases and aspects of cross-border advertising, promotion, and sale of medical products using the Internet and report problem cases and other aspects, as appropriate, to Member States.

Tenth meeting, 23 January 1998  
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