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24th May, 2019

To: ALL MEDIA HOUSES
ALL PUBLISHING HOUSES
ALL PRINTING HOUSES

CIRCULAR NO 14 OF 2019

COMPLIANCE WITH LEGISLATIVE PROVISIONS ON ADVERTISING OF MEDICINES

In implementing the Medicines and Allied Substances Control Act, [Chapter 15:03] and its regulations it has come to the attention of the Authority that some media, printing and publishing houses are advertising a variety of medicines without the Authority's approval.

The Authority further noted that there are newspaper articles with misleading information which promote the sale of medicines especially for treatment of terminal and life threatening conditions. The presentation and information in these articles draws the attention of the public to the sale of these medicines, the safety, quality and efficacy of which has not been evaluated by the Authority. These articles are unacceptable and are illegal unless they are approved by the Authority.

The Authority hereby draws the media, printing and publishing houses' attention to the provisions of Section 40 (1) of the Medicines and Allied Substances Control Act, [Chapter 15:03] which reads:

(1) No person shall publish, distribute or in any other manner whatsoever bring to the notice of the public or cause or permit to be published or distributed or to be so brought to the notice of the public any false or misleading advertisement concerning a medicine;

and to Section 65 (1b) and (3) of the Medicines and Allied Substances Control (General) Regulations, SI 150 of 1991 which read,

“(1b) No person shall advertise or sell any other medicine without the approval of the Authority in writing;

(3) No person shall advertise any medicine to members of the public in terms calculated to lead to its use for the treatment of human beings for any of the conditions set out in the Seventh Schedule: Provided that this subsection shall not apply to advertisement published by any local authority, or by or with the consent of the Minister.”

The conditions for which advertising is prohibited as cited in the Seventh Schedule are as listed below;

1. Alcoholism
2. Appendicitis
3. Arteriosclerosis
4. Cardiovascular disease
5. Cataract
6. Diabetes
7. Hernia
8. Kidney stone
9. Pneumonia
10. Prostate gland disorder
11. Epilepsy
12. Gallstones
13. Gangrene
14. Glaucoma
15. Hypertension
16. Hypotension
17. Infantile diarrhea
18. Plague
19. Pleurisy
20. Locomotor or any ataxia
21. Meningitis (all types)
22. Nephritis
23. Osteoarthritis
24. Sexually transmitted disease
25. Pneumoconiosis
26. Multiple Sclerosis
27. Rheumatic fever
28. Rheumatoid arthritis
29. Malignant disease
30. Thrombosis
31. Tuberculosis
32. Poliomyelitis
33. Parkinson's disease

Media, printing and publishing houses are therefore requested to take note of and comply with the above provisions as advertising any medicine without the Authority's approval is an offence.

We draw your attention to Section 106 of the Medicines and Allied Substances Control (General) Regulations, SI 150 of 1991 which provides for penalties for the contraventions.

Yours faithfully

MEDICINES CONTROL AUTHORITY OF ZIMBABWE



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G.N MAHLANGU (Ms.)
DIRECTOR-GENERAL