



Ottawa, Canada K1A 0K9

JUN - 8 2005

Ms. Anne Rochon Ford
Coordinator
Women and Health Protection
P.O. Box 291, Station Q
Toronto, Ontario M4T 2M1

Dear Ms. Ford:

Thank you for your correspondence of March 31, 2005, addressed to the Honourable Ujjal Dosanjh, Minister of Health, concerning advertising of the drug Xenical.

Health Canada is opposed to any advertising campaigns that pose a risk to public health and violate the *Food and Drugs Act*. The *Food and Drugs Act* defines advertising as "any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device." The advertisements in question do not mention a specific product or manufacture and are thus within the boundaries of the *Food and Drugs Act*.

In the Therapeutic Products Programme policy titled, "The Distinction Between Advertising and Other Activities", help-seeking announcements are defined as announcements that ask patients among the general public having a particular medical disorder, or that experience a given set of symptoms, to consult a physician for discussion of treatment, or to call a 1-800 telephone number for further information. These type of messages are considered non-promotional when there is no specific drug mentioned, no drug manufacturer named, and no implication that the drug is the sole treatment available for the specified disease or condition. These messages are not subject to the advertising provisions of the *Food and Drugs Act* and Regulations.

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