

04 October 2018

Advertising Compliance Unit
Regulatory Education and Compliance Branch
Therapeutic Goods Administration
PO Box 100
WODEN ACT 2606

By online submission form

Re: Consultation: Proposed *Therapeutic Goods Advertising Code 2018* Guidance

Dear Ms McLay

The Australian Dental Association (ADA) thanks the Therapeutic Goods Administration for the opportunity to respond to this Consultation Paper (CP) on proposed guidance (the Guidance) to support understanding, interpretation and compliance with the *Therapeutic Goods Advertising Code 2018* (the Code).

The ADA supports the strengthening of the Code, as the key advertising compliance standard under the *Therapeutic Goods Act 1989*, and the enhancement of enforcement powers available under the Act to deter and sanction advertising breaches.

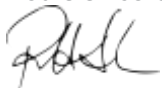
The ADA recognises that the revised Code and the more detailed and revised Code Guidance that is the subject of this CP have been designed with the intent of providing greater clarity and objectivity for both industry and regulators, so that the minimum requirements that therapeutic goods advertising must meet to be compliant with the Code are unambiguous, and clearly understood by both parties. Such clarity is important, given the removal of the pre-approval step for therapeutic goods advertising under associated reforms.

The ADA also recognises that the Guidance material contained in the CP has been refined on the basis of input received to an earlier Consultation on this issue, and broadly supports the content of the revised Guidance materials. However, to assess the effectiveness of the new Code and proposed Guidance materials, the ADA strongly recommends that there is a review of advertising compliance two years after implementation of the new Code early next year.

The ADA also believes that it is critical that the TGA be adequately resourced to take timely and effective compliance and enforcement action against any breaches of the new Code, to ensure that the reforms have their intended effect of deterring non-compliance, and better protecting public health and safety.

Should you require any further ADA comment on this CP, please contact Damian Mitsch at ceo@ada.org.au, or on 02 8815 3333.

Yours sincerely



Dr Hugo Sachs
President