



Enforcement Notice:

Advertising of prescription-only weight-loss treatments

Who we are

We are the [Committee of Advertising Practice](#) (CAP). We write the UK advertising rules (the CAP Code), which are enforced by the Advertising Standards Authority (ASA), the independent advertising regulator. You can read about the UK advertising regulatory system [on the ASA website](#).

The [Medicines and Healthcare products Regulatory Agency](#) (MHRA) is the UK statutory regulator for medicines, medical devices and blood components for transfusion.

Why are we contacting you?

We have recently seen prescription only medicines (POMs) used in the advertising of weight-loss treatments on social media. These medicines include Liraglutide and Semaglutide, which are marketed in the form of self-administered injectable “pen” devices (brand names include Saxenda, Victoza and Ozempic) and in orally administered versions (brand names include Rybelsus). The medicines are also presented as “skinny pens”, “skinny jabs”, “skinny tabs” and “skinny pills”, referring to their method of administration.

POMs cannot be advertised to the public. Ads for POMs break [Rule 12.12 of the CAP Code](#) and the [Human Medicines Regulations 2012](#) (HMRs).

Several ads for these POMs have also made claims that people can lose specific amounts of weight within a certain time, which is prohibited ([see CAP Code; Rule 13.9](#)). In addition, some ads have included testimonial claims about weight-loss which are not compatible with good medical and nutritional practice ([see CAP Code; Rule 13.10](#)). We’ve also seen businesses promote weight-loss to people who are not overweight and in ways that exploit people’s insecurities about body image, breaking social responsibility rules ([see CAP Code; Rule 1.3](#)).

*Please immediately review your social media ads and make any changes as needed. If problem ads persist after **12 February 2021**, we will start targeted enforcement against them. This can ultimately include referral to the MHRA or your professional regulatory body.*

Scope

This Notice applies to ads for POMs presented for weight-loss to UK consumers on social media platforms. It includes ads for the POMs themselves, and related services e.g. [diet plans and weight-loss programmes](#) that include the use of POMs or that indirectly advertise a POM. This includes paid-for ads, non-paid-for posts on your or other people’s pages and influencer marketing. For the avoidance of doubt, the Notice is not specific to injectable or orally administered POMs, but covers any other administration methods which may arise e.g. patches worn on the skin. Ads that are aimed only at healthcare professionals are not prohibited under Rule 12.12, but we understand almost all ads/posts on social media are viewable publically. This Notice does not cover non-POM ads for weight-loss products and services. However, these ads must also comply with the rules.



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Guidance

Take care not to directly or indirectly promote POMs to the public when promoting weight-loss services you offer on social media.



Remove direct references to Liraglutide, Semaglutide, any brand names such as Saxenda, Ozempic and Rybelsus, and the name of the [pharmaceutical manufacturer](#) Novo Nordisk (in the context of weight-loss services).



Remove indirect references to POMs. Terms such as “jabs/pens”, “[fat injection](#)”; descriptions like “sub-cutaneous treatment”, in the context of weight-loss, are likely to be considered references to POMs.

- **Remember** – the rules apply to:
 - **Emoji content** – i.e. syringe or pen emojis
 - **Company / social media account names** – e.g. [claims in product names](#)
 - **Testimonials** – feedback given by customers
 - **Images from customers** – images of customers using a product
 - **Memes** – content shared online or “viral” content
 - **Hashtags** – e.g. #skinnypen, #weightlossinjection, #flabjab #skinnypill

Additional guidance

Advertising POMs on social media will always be a problem. You may advertise non-POM weight-loss products and services more generally, however, you must also be mindful of the following:



Do not make claims that people can lose a [specific amount of weight within a certain time](#).



If using weight loss testimonials, these must be compatible with good medical and nutritional practice. If they include claims which state that participants have lost an exact amount of weight, the time period must be stated and this may not indicate a rate of weight greater than 2lbs a week. Note: testimonials are also subject to rules on misleading advertising ([see CAP Code; Section 3 and rules 3.45-3.52](#)), and, in addition, if advertising food or food supplement products (as opposed to other weight-loss products), these are prohibited from making *any* health claims that refer to a rate or amount of weight-loss ([see CAP Code, Section 15 and rule 15.6.6](#)).



Be responsible: do not market weight-loss to people who are not overweight and do not encourage anxieties over body image.

- **This means** – [slim characters shown in photos](#) or in [illustrations](#) linked with an aspiration to lose weight are unlikely to be acceptable.
- **Remember** – [images of overweight figures](#) should be handled sensitively and not be used in a way that encourages anxieties over body image.



If you offer POMs among other weight-loss products, claims such as “consultations for weight-loss” may be acceptable – but you must be careful not to directly or indirectly advertise a POM if using this approach.



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Appendix: Code rules, legislation and useful reading

This guidance should be read in conjunction with the [MHRA's Blue Guide: Advertising and Promotion of Medicines in the UK](#) which explains the provisions and requirements laid down in the legislation on advertising medicines. Specifically, [Appendix 6](#) of the Blue Guide outlines the requirements for treatment service providers to help you ensure you don't break the law.

Relevant [CAP Code](#) rules:



1.3 Marketing communications must be prepared with a sense of responsibility to consumers and society.

12.12 Prescription-only medicines or prescription-only medical treatments may not be advertised to the public.

13.9 Marketing communications must not contain claims that people can lose precise amounts of weight within a stated period or, except for marketing communications for surgical clinics, establishments and the like that comply with rule 12.3, that weight or fat can be lost from specific parts of the body.

13.10 Claims that an individual has lost an exact amount of weight must be compatible with good medical and nutritional practice. Those claims must state the period involved and must not be based on unrepresentative experiences. For those who are normally overweight, a rate of weight-loss greater than 2 lbs (just under 1 kg) a week is unlikely to be compatible with good medical and nutritional practice. For those who are obese, a rate of weight-loss greater than 2 lbs a week in the early stages of dieting could be compatible with good medical and nutritional practice.

Relevant legislation:



The [Human Medicines Regulations 2012](#) prohibit the publishing of an "advertisement that is likely to lead to the use of a prescription only medicine", as laid out in Chapter 2, *Advertising to the public*, Regulation 284 (1).

Want more? See CAP's advice on: [Healthcare: Prescription-only medicine](#), [Weight control: General](#) and [Social responsibility: Body image](#).

Or contact the CAP [Copy Advice team](#), which offers a free and confidential bespoke pre-publication advice service