**SUMMARY REPORT FOR PUBLICATION**

February 2023 Promotion of a Prescription-Only Medicine on online Times Media Limited (trading as The Sunday Times)

Merz Pharma UK Ltd complained about an article about botulinum toxin type A (Botox, a prescription-only medicine [POM]), which appeared on the online version of The Sunday Times in January 2023. The complainant alleged that the article fell within the scope of the [UK Regulations on the advertising of medicines](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956846/BG_2020_Brexit_Final_version.pdf) and would encourage members of the public to request a specific POM from a healthcare provider. Regulation 284 of the Human Medicines Regulations 2012 prohibits advertisements to the public that are likely to lead to use of a POM.

MHRA upheld the complaint. We considered that the article could be considered as an advertisement for a medicine because its content, together with direct reference to “Botox” and named references to UK sources of supply, encouraged use of the product by highlighting its qualities. Given the audience of the newspaper, we therefore also considered that the article breached UK advertising Regulations because it advertised a POM to the general public.

Times Media Limited disagreed with our view and declined to amend the article as we advised to remove reference to specific sources of supply of the medicine from any live versions of the article. MHRA was disappointed with the response provided by Times Media Limited. We gave the publication advice on the scope of the Regulations and on the importance of adhering to the [MHRA guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956858/Appendix_5.pdf) for journalists to ensure that reporting on medicines does not risk leading members of the public to request a particular POM from a healthcare professional.