

Response from the Therapeutic Goods Administration:

If information disseminated by a broadcaster (including 7 News) is categorised as advertising, rather than information, no offence has occurred where the broadcaster has taken reasonable steps to ensure that the information was compliant with the legal requirements for advertising therapeutic goods (section 42DLB(10) of the *Therapeutic Goods Act 1989*).

The TGA will assess the broadcasting and engage with the broadcaster as appropriate to clarify the legal requirements.

The inclusion of a therapeutic good in the Australian Register of Therapeutic Goods (ARTG) is not an endorsement of that good by the TGA. As such advertisers, in general, must not use terms such as 'TGA approved' or 'TGA endorsed' in their advertising, including on labels or packaging. Penalties may apply under the Act.

In some instances, advertisers can include details of the product's ARTG number, and this is mandatory on medicine labels and packaging. For certain medications, a 'TGA assessed claim' can be used in advertising. The TGA has published guidance for advertisers on its website [here](#).

Questions sent to the TGA from Media Watch:

Media Watch is looking at a 7 News story aired nationally this week (Tuesday 2 November) about a health supplement called PuraU.

You can see the story here on YouTube <https://www.youtube.com/watch?v=6TLXei5ON54> but it doesn't include the introduction by the various presenters. The story ran in Sydney, Adelaide, Melbourne, Hobart, Perth and Brisbane. I've included a transcript of the story at the very bottom of this email.

The reason why I'm contacting you is about the multiple references to the TGA by 7 News, in reference to this product. There's references to the TGA in the presenters' introductions and within the story itself.

The story is introduced like this in various capital cities:

MARK FERGUSON (Sydney): *"It impacts up to 85% of us but a pair of local entrepreneurs believe they've found a cure for acne, creating a natural approach that has now been approved by the TGA, with claims it's capable of banishing blemishes in just days..."*

JANE DOYLE (Adelaide): *"Acne affects up to 85% of us but two Aussie entrepreneurs believe they found a cure. Their natural approach has been approved by the TGA. It's claimed it can banish blemishes in just days..."*

PETER MITCHELL (Melbourne): *“There could soon be a cure for acne, thanks to Australian entrepreneurs. They’ve created a natural approach that has now been approved by the TGA, with claims it can banish blemishes in just days...”*

SUSANNAH CARR (Perth): *“Acne is a condition that affects about 85% of people, particularly in their teenage years. There are plenty of treatments on the market but now a pair of Australian entrepreneurs believe they’ve found a cure.*

RICK ARDON: *They’re using a natural approach that has now been approved by the TGA. They claim it’s capable of banishing blemishes in just days...”*

SHARYN GHIDELLA (Brisbane): *“a pair of Australian entrepreneurs believe they’ve found a cure for acne. The treatment has been approved by the TGA, with claims it’s capable of banishing blemishes in days...”*

KIM MILLAR (Hobart): *“It impacts up to 85% of us but a pair of Australian entrepreneurs believe they've found a cure for acne. They’ve created a natural gut cleanse that’s now been approved by the TGA and it's capable of banishing blemishes in just days...”*

I’ve attached the ARTG Entry for PuraU that I found via the TGA website.

The product appears to be a probiotic/vitamin supplement that’s a “listed medicine”. My understanding is that listed medicines are not “evaluated...individually to see if they work” but are assessed for “quality and safety”.
<https://www.tga.gov.au/listed-medicines>

Do you have any concerns with the way that 7 News has presented information about PuraU in relation to the references to the TGA and its approval of the product? If you do have concerns, can you please outline them to us?

Also, I found this video via PuraU’s instagram account, which promotes the product to crowd funding investors <https://www.instagram.com/p/CVjddyfAy8c/>

The video includes this exchange: (from about 00’55)

WOMAN: *PuraU has been tested for safe consumption and efficacy and it’s 100% TGA approved.*

MAN: *I don’t know what that means.*

WOMAN: *It means they can make specific claims about the product because it’s proven to do what it says it does.*

Is this in breach of your advertising guidance? The guidance states “Do not make reference to government agencies...including TGA, in any advertising or promotional material as this potentially implies endorsement by that agency.” <https://www.tga.gov.au/book-page/advertising-and-endorsements>