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CANADIAN ADVERTISING & MARKETING LAW

Young & Fraser

Release No. 2, March 2024

This release features updates to chapter 10 (Food, Drugs, Cosmetics and Medical Devices), chapter 12 (Cannabis Products), and chapter 17 (Telemarketing).

Highlights:

- **Health Canada – Guidance on distinction between advertising and other activities for health products** – Health Canada recognizes that it is important for industry to disseminate non-promotional, accessible information on human and animal health products to health care professionals (HCPs) and the general public. Since advertising is for the purpose of promoting the sale of a health product, it is critical to determine whether the purpose of a message is to promote the sale of a health product or to provide information. The guidance document outlines the factors that contribute to rendering a message or activity promotional. When deciding if advertising legislative and regulatory provisions apply, one needs to first determine whether a particular message or activity is promotional or non-promotional.

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- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases, Table of Statutes and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
- Footnote text only appears in ProView-generated PDFs of entire sections and pages