

# NEWS

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## CONGRESSMAN PETE STARK

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13TH DISTRICT, CALIFORNIA  
CHAIRMAN, WAYS AND MEANS HEALTH SUBCOMMITTEE

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### **STARK INTRODUCES LEGISLATION TO PROTECT CONSUMERS FROM INCOMPLETE AND INACCURATE DRUG ADVERTISING**

Washington, D.C. – Rep. Pete Stark (D-CA), Chairman of the Ways and Means Health Subcommittee, today introduced the Fair Balance Prescription Drug Advertisement Act to protect consumers from misleading marketing campaigns by imposing new restrictions on direct-to-consumer (DTC) pharmaceutical advertising.

"Every year, drug companies spend billions on inaccurate ads, trying to dupe consumers into believing their newest drugs will fix everything from bad sex lives to bad moods," said Stark. "These ads lead people to demand expensive drugs that may not be medically necessary or appropriate for their condition – and may even be harmful to their health. They raise overall health care costs and, as shown by recent patient experiences with Avandia, Procrit, and Celebrex, can threaten patients' lives."

The bill would require drug companies to present information about their products in a fair manner, devoting equal airtime and volume levels to risks and benefits in television and radio ads and equal space and typeface to risks and benefits in print marketing. The Food and Drug Administration would enforce this standard. Any ad found to violate the standard could not be claimed as a business expense for tax purposes.

In the interest of preventing drug marketing before doctors and scientists have had the opportunity to learn about a medication's impacts in the general population, the Institute of Medicine has recommended that no advertising be allowed for new medications during their first two years on the market. Picking up on that recommendation, the bill would also prohibit pharmaceutical firms from claiming business tax deductions on advertisements for all medications that have been on the market for less than two years.

"The Fair Balance Prescription Drug Advertisement Act protects patients by promoting balanced ads that fairly present both benefits and risks," said Stark. "It significantly increases the cost of inaccurate and incomplete ads, discouraging drug companies from engaging in dishonest marketing practices. Congress should act immediately to promote truth in advertising."

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