

Approved: Board of Directors – 11/14/09

## **AAD ADVERTISING STANDARDS**

The American Academy of Dermatology and AAD Association (collectively, “the Academy”) seeks to advance the science and art of dermatology and to promote community health, patient welfare, and public education in the field of dermatology. In meeting these objectives, the Academy communicates through various media with dermatology professionals, allied health professionals, and the public regarding products and services available from the Academy. The Academy owns or controls a variety of communication vehicles, including, but not limited to: direct mail, educational materials, meetings, periodicals, and Web sites.

The Academy welcomes advertising in its publications as an important means of keeping our readers informed of new and better dermatology-related products and services. It is in all our interests that such advertising be factual, tasteful, professional, and intended to provide useful product and service information. The Academy reserves the right to reject requests for advertisements, or not to renew previously approved advertisements, at any time for any reason or no reason at all, including without limitation any advertisement that the Academy determines could adversely affect the goodwill or reputation of the Academy or its affiliates. Advertisements that conflict — or have the appearance of conflicting — with Academy policy are prohibited. As a matter of policy, the Academy sells advertising space in its publications when the inclusion of advertising material does not interfere with the purpose of those publications. The Academy permits and encourages other organizations to promote products and services in its communications vehicles, provided that the products or services are deemed appropriate and relevant to the practice of dermatology and do not compete directly with those offered by the Academy. Promotion by other organizations is governed by the Guidelines for Promotion of Non-Academy Products and Services, and by the Academy Advertising Standards.

## **GENERAL ELIGIBILITY AND ADVERTISING COPY**

The following general eligibility and advertising copy standards apply to all publications of the Academy in which advertising space is sold, or for which sponsorship is provided. The Advertising Review Team, as designated by the Administrative Regulations, reviews all advertisements in Academy publications to see that these standards are followed. Important: Please submit for approval all copy and a draft of a new ad at least 10 days prior to the advertising closing date for the Academy publication you have selected. This will allow for the approval process and help you avoid any extra charges. To keep the process on schedule, the Advertising Review Team reviews new ads weekly.

1. Products or services eligible for advertising in Academy member publications shall be germane to, effective, and useful in the practice of dermatology. In consumer publications, claims about advertised products are required to be evidence-based and

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capable of substantiation. The products themselves must be generally accepted or recommended by dermatologists as safe, effective and of good value to the patients.

2. In addition to the requirement stated above, products and services offered by responsible advertisers that are of interest to dermatologists or the dermatology profession as a whole are eligible for advertising in the Academy's member publications.

3. All advertisements will be reviewed by the Advertising Review Team to determine compliance with advertising standards and eligibility for publication.

4. Complete scientific and technical data, whether published or unpublished, concerning the product's safety, operation, and usefulness may be required. Samples of the product are not to be submitted.

5. All claims of fact must be fully supportable and should be meaningful in terms of performance or any other benefit. Advertisers should avoid the use of claims whose validity depends upon extremely fine interpretations of meaning. This does not exclude the use of normal qualifiers, such as footnotes, which may be necessary to render a claim true.

6. The advertisement may cite in footnotes references from scientific literature, provided the reference is truthful and is a fair representation of the body of literature supporting the claim made

7. Comparison to the Academy's products or services is prohibited. Comparison to a competitor's products or services is permitted if claims of superiority have not been challenged by the FDA or FTC and data from well-controlled clinical studies cited in recognized, peer-reviewed medical journals, are cited in the ad and can be made available to the Advertising Review Team upon request. Comparisons to a competitor's products or services may not be disparaging, false or misleading. The Academy requires that advertisers affirmatively attest in writing that they are in compliance with FDA and FTC guidelines on comparative advertising and/or that they have met the standards of the FDA/FTC.

8. "Institutional-type" advertising germane to the practice of dermatology and public service messages of interest to dermatologists or their patients are eligible for appearance in Academy publications.

9. Alcoholic beverages and tobacco products are not eligible for advertising.

10. Books related to the practice of dermatology, or books of interest to dermatologists as consumers, will be eligible for advertising in Academy member publications. Books related to dermatologic health care will be eligible for advertising in AAD consumer publications.

**11.** Promotion of products, meetings, and services that compete directly with those offered by the Academy is generally prohibited. Membership solicitation by organizations other than the Academy and the members of the Intersociety Liaison Committee and state dermatology societies, which have established reciprocal agreements, is prohibited. Fundraising by organizations or individuals other than the Academy is strictly prohibited. An advertisement for an educational course that does not compete with an Academy educational meeting or course will be eligible for inclusion in Academy member publications if the course is accredited by the national certifying board, or national society for one of the specialty areas of dermatology practice recognized by the Academy, or an accredited medical school. The Academy reserves the right to decline advertising for any course that involves the teaching or use of a product or technique that conflicts with Academy policy. The advertisement must state which of the aforementioned organizations are associated with the course and, if applicable, the number and type of continuing education credits granted on completion of the course. The eligibility of an advertisement for a course conducted by or under the auspices of an organization other than the aforementioned will be reviewed by the Advertising Review Team to determine eligibility. Acceptance of advertisements for courses and educational materials directed to increasing the income of a dermatologist or to the commercial aspects of a dermatology practice will be reviewed by the Advertising Review Team for attractiveness, accuracy, and dignity to determine eligibility.

**12.** Miscellaneous products and services not specifically prohibited by the foregoing classifications may also be eligible for advertising in all AAD/A publications except the *Journal of the American Academy of Dermatology*.

**13.** The advertiser and the product or service being offered should be clearly identified in the advertisement. In the case of drug advertisements, the full generic name of each active ingredient shall appear.

**14.** Artwork, format, and layout should be such as to avoid confusion with editorial content of the publication. The word “advertisement” may be required. Advertorials are prohibited.

**15.** Advertisements deemed by the Academy, in its sole judgment, to be indecent, offensive or otherwise inappropriate in content are prohibited.

**16.** It is the responsibility of the advertiser to comply with the laws and regulations applicable to marketing and sale of the manufacturer’s products, including, but not limited to, any applicable rules and regulations of the Food and Drug Administration (FDA). Advertisements must be in compliance with all applicable continuing medical education guidelines (AMA, ACCME, etc.), as well as all appropriate industry, state and federal regulatory and governmental agency guidelines (PhRMA, OIG, FCC, FTC, etc.). Acceptance of advertising in Academy publications should not be construed as a guarantee that the manufacturer has complied with such laws and regulations.

**17.** Deceptive or misleading advertisements are prohibited.

**18.** Guarantees may be used in advertisements provided the statements that are “guaranteed” are considered truthful, supportable, and could be used whether or not they are guaranteed. However, no guarantee should be used without disclosing its conditions and limitations.

**19.** Advertisements containing testimonials or those that quote the names, statements, or writings of any individual, public official, government agency, testing group or other organization must be accompanied by a written consent for use from the quoted individual/entity. Promotion of individual physician or practice names is prohibited.

**20.** The inclusion of an advertisement in Academy communications vehicles (including but not limited to: direct mail, educational materials, meetings, periodicals and Web sites) is not to be construed or publicized as an endorsement or approval by the Academy, nor may the advertiser promote that its advertising claims are approved or endorsed by the Academy. The fact that an advertisement or promotion for a product, service or company has appeared in an Academy-sponsored communications vehicle shall not be referred to in collateral advertising.

**21.** Use of the Academy’s name and/or logo is prohibited without the Academy’s prior written approval. The use of non-Academy corporate names and logos is generally permissible, except where prohibited by other Academy guidelines.

## **Electronic Advertising Policy of the American Academy of Dermatology**

### **Acceptance**

The American Academy of Dermatology Web sites features online advertising within select sections of the sites. In addition, the Academy’s electronic publications also feature advertising. All digital advertisements must meet the eligibility requirements set forth in the AAD Advertising Standards.

### **Format**

Digital ads conform with standard sizes suggested by the Interactive Advertising Bureau (IAB). AAD places digital ads in positions that appear on the sides or bottoms of Web pages or electronic publications (skyscrapers or tile ads). In addition to paid ads, AAD house ads are placed on the site to help promote various AAD services and products that are of interest to physicians and patients.

### **Audience**

Some pages on the Web site have been identified as not appropriate for commercial ads. On those pages, AAD house ads that promote AAD products and services may be featured.

## Requirements

Digital advertisements must:

1. be approved by the Academy's Advertising Review Team, in accordance with the guidelines set forth in the AAD Advertising Standards, before they can appear on the AAD's Web sites or within the Academy's e-publications.
2. be clearly distinguishable from editorial content. All ads are labeled with the word "advertisement".
3. be in the format of static or rotating banner ads. The following types of electronic advertising are prohibited: pop-ups, scrollovers, corner peels, crawls, and floating ads. In addition, animation (motion), video, and audio in electronic publications or Web site advertisements is prohibited.
4. be placed at random. Advertisements will not appear adjacent to relevant editorial except by chance. Advertisements may not appear adjacent to content that carries AMA Category 1 Credits.
5. not collect any personal information from any user, except with the user's knowledge and permission and only after giving the user substantive information about the uses to which the information will be put. Cookies, applets and other such files are prohibited if those files transmit any personally identifiable information to the advertisers or agencies without the user's knowledge and permission.
6. disclose the full rules for any market research or promotion associated with an advertisement. This information must be displayed in the advertisement or available via a hyperlink.

*Approved 11/09*

## ADVERTISING CHALLENGE PROCEDURES

In the interest of an ethical dermatology marketplace, any advertisement appearing in the publications of the Academy may be challenged. The challenge must be made in writing to the Advertising Review Team in a form that permits it, along with any supporting data, to be transmitted to the challenged advertiser for response. All decisions of the Advertising Review Team are final. For additional information on Academy advertiser challenge procedures, contact the Academy.

## TIME REQUIREMENTS

Although the Academy cannot guarantee adherence in all cases to a fixed time schedule, every effort will be made to expedite completion of Academy consideration in the following time intervals:

**Advertisements for currently eligible products.** From the time copy and, if necessary, supportive data are received, 10 working days should be allowed for Academy consideration.

**New advertisements for new or currently available products.** From the time copy and supportive data are received, 10 working days should be allowed for Academy consideration. In light of the great effort a manufacturer may undertake in developing advertising campaigns, advertisers are encouraged to forward proposed advertisements in rough form, thereby minimizing any inconvenience caused by the review of advertising messages.

### **ATTESTATION**

Comparison advertisements must be accompanied by a signed attestation by the advertiser that they are in compliance with FDA and FTC guidelines on comparative advertising, and/or that they have met the standards of the FDA/FTC.

The attestation must be supplied at the same time the advertising materials are submitted for review.

Additional data from well-controlled clinical studies may be requested by the Advertising Review Team. Materials must be submitted at least 10 days prior to the closing date for the Academy publication you have selected. Materials not submitted in a timely fashion for review run the risk of not being included in the publication, due to strict publishing deadlines.

### **LIMITATION OF LIABILITY**

The Academy will endeavor to publish advertisements promptly and accurately. The Academy assumes no responsibility to verify statements contained in an advertisement. Any inadvertent errors by the Academy will be corrected promptly upon discovery, without additional charge, and such obligation to correct shall constitute the sole liability of the Academy.

### **INTERPRETATION AND APPLICATION OF STANDARDS**

All matters and questions not specifically covered by these Standards, or other specific Academy guidelines, are subject to the final decision of the Executive Committee of the Academy.

### **VIOLATIONS**

Specific actions may be taken by the Academy for violation of any provision of these guidelines. The action taken will be determined on the basis of the particular circumstances of the violation, but in cases involving major violations, may include legal action.

### **CONCLUSION**

The Academy acknowledges and appreciates the extra effort put forth by advertisers in complying with these advertising standards. The primary benefits of Academy advertising review are for the public and the dermatology profession. However, the dermatology industry as a whole also benefits. The availability of an open, ethical dermatological marketplace for advertising creates an authority and prestige, which

would not otherwise be possible. As a matter of policy, the Academy periodically reviews its advertising standards with the objective of keeping pace with changes that may occur in the dermatology industry and in the profession. This practice of continuous review and reevaluation will improve and ensure the relevancy, timeliness, and appropriateness of the advertising content of Academy publications, thereby minimizing any inconvenience caused by the review of advertising messages.

*Revised 11/09*



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