

History and Characteristics of Direct-to-Consumer Advertising in the United States

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Abstract

Direct-to-consumer advertising (DTCA) in which pharmaceutical companies market prescription drugs directly to consumers is legal in only two countries – the USA and New Zealand. This article describes legislative milestones of DTCA development in the USA which have given rise to the current legal framework.

The article shows the cultural background for DTCA expansion, outlining the fight of patients' associations for better access to information about therapy and drugs and change in perceiving the role of the patient in the health care professional-patient relations. It presents arguments supporting the producers' right to advertise their products.

Direct-to-consumer advertising in the USA is a controversial subject. Although based on only limited data, the existing research gives arguments both in favor and against direct-to-customer advertising. The article also presents the EU policy towards DTCA, considering the consequences of the existing DTCA ban in the EU.

Key words: drug advertisements, DTCA, patients, pharmaceutical marketing

Słowa kluczowe: reklama leków, leki na receptę, pacjenci, marketing farmaceutyczny



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Introduction

Only in two countries in the world, the USA and New Zealand, the law authorizes direct advertising of prescription drugs to consumers (DTCA – direct-to-consumer advertising) [1]. Such advertising entails that prescription drugs can be promoted in popular media, such as television, radio, newspapers and magazines as well as on billboards, via mail or leaflets [2].

The definition of DTCA does not include ads published on drug manufacturers' websites because such information is searched independently by consumers. Nor does it subsume materials that patients receive from the company e.g. by calling their hotline or by post. The concept of DTCA does not cover promotional information published in medical journals because there the target group are healthcare professionals [2].¹

It is on an everyday basis that American citizens are 'bombarded' with advertisements of prescription drugs

that are to cure their high cholesterol, diabetes, depression, pain and many other conditions [3]. The development of this form of advertising has been made possible, among other things, due to the establishment of patients and consumers associations demanding that patients be allowed active participation in making health decisions and that there be improved communication between the patient and medical staff [3]. This evolution supported the arguments of DTCA proponents as advertising was to provide patients with information about diseases and their treatment [1]. Although it has been over thirty years since the publication of first advertisements, this issue remains controversial. Advantages and disadvantages of DTCA are widely discussed in the literature [4, 5].

One can only speculate to what extent DTCA contributes to the fact that the drug market in the United States is the largest in the world – 41.8% of the world's drugs are purchased there. It is also worth noting that as many