

Full title of law or regulation

Code of Marketing Communication Self-Regulation Italy 64th edition effective May 2nd, 2018
<http://www.iap.it/wp-content/uploads/2018/05/Code-of-Marketing-Communication-64th-edition-2.5.18.pdf>

In the event of update of the Code, the latest version is accessible here:

<http://www.iap.it/about/the-code/?lang=en>

Title of relevant section

Regulations concerning marketing communication relating to food supplements for weight loss or weight control and other types of supplements. These regulations are shown separately from the main IAP Code linked above, except for article 23 bis. shown at the base of this document

Articles

1) Such supplements should not be presented as "slimming" products. The role of food supplements intended for weight control reduction is that of an "aid to low-calorie diets". Moreover, the concept of slimness being synonymous with good health should not be emphasised.

2) Messages promoting such products should not use fanciful names designed to suggest or guarantee properties that the products do not possess, or which the marketer cannot prove.

3) Messages promoting supplements intended for weight control or weight loss should not refer to scientific endorsements or approval.

Messages should not refer to "industry professionals" (doctors, pharmacists, dieticians, etc.) who, on the basis of their authority and standing in the eyes of the public by virtue of their professional role, could endorse the general effectiveness of the products and decrease the consumer's objectivity in choosing products to meet individual needs which vary from individual to individual.

For similar reasons, endorsements by scientific societies or associations cannot be cited.

4) Messages should specify that the products in question must be used in conjunction with a suitably low-calorie diet and an increased level of exercise, and avoiding an overly sedentary lifestyle.

5) Marketing communication relating to weight control or weight loss supplements should not present generic weight loss plans prepared by experts as universally valid.

This rule is based on the conviction, long supported by the scientific community, that it is illogical and irrational to offer consumers generic weight loss plans without taking the background and characteristics of every individual into due account. Therefore, standardised diets must not be claim to be universally valid. Should marketing communication propose a standard diet, consumers must also be told to consult a doctor or dietician to ensure that the diet is appropriate for the consumer's needs.

6) Marketing communication relating to supplements intended for weight control or weight loss should not use pictures or testimonials aiming to compare the situation before using the product with the results achieved after using it.

7) Marketing communication relating to supplements intended for weight control or weight loss should avoid quantifying results achievable over a specific time frame (in terms of weight loss, smaller circumferences, fat mass, fatty tissue, etc.).

8) Marketing communication relating to supplements intended for weight control or weight loss should not suggest that significant results can be achieved quickly and without sacrifice.

The use of food supplements intended for weight control or weight loss can be effective and produce the desired affects only as part of a diet programme which, to be low calorie, necessarily requires sacrifices (restricted energy intake). The promise of results without sacrifice is in contrast with the principle of truthfulness.

Moreover, excessively rapid weight loss is dangerous to human health. Consequently, the promise of rapid weight loss could not only generate unrealistic expectations but also encourage unhealthy behaviours.

9) Special precautions must be taken in marketing communication for food supplements intended for weight control or weight loss that cite clinical and scientific trials, in view of the vulnerability of target consumers. Therefore:

- messages should not use terms such as "clinically tested", or "clinical trials prove that..." that may mislead recipients as to the scope and size of the studies conducted, or the nature of the promoted product, presenting it in such a way as to suggest that it has therapeutic or pharmacological properties;
- messages should not quote scientific data taken from bibliographic research conducted on any of the product's ingredients that fails to reflect the effective action of the ingredients in respect of the amounts used in the product and any possible interactions with other ingredients;
- it is possible to support statements contained in the message with detailed and truthful citations of specific tolerance or efficacy testing results conducted on the promoted products, provided the testing is carried out in compliance with criteria and methodologies approved by the scientific community.

10) Marketing communication relating to supplements intended for weight control or weight loss should avoid explicitly mentioning such concepts as the "ideal" weight, "ideal" figure, etc.

Messages must reflect the sensitive nature of the topic, in terms of communications, with respect to eating disorders.

The concept of the "ideal" weight is now obsolete, having given rise to treatment errors and serious mental illnesses.

11) Marketing communication relating to such products should not associate the build-up of fat with water retention.

12) Marketing communication relating to such products should not associate body weight with flatulence.

13) Marketing communication relating to such products should not cast discredit on the complex carbohydrate-rich Mediterranean diet.

14) Messages promoting food supplements for weight control or weight loss may only claim generic effectiveness as an aid, but cannot claim untrue or unproven effects benefiting particular sub-groups of consumers affected by specific problems (e.g. emotional eating, slow metabolism, etc.).

Other types of supplements

15) Messages relating to products that claim anti-ageing properties should not lead consumers to underestimate the need to adopt a healthy lifestyle and eliminate risk factors; such products should therefore avoid suggesting that such products can prevent or delay the ageing process.

16) Marketing communication should not encourage the belief that a food supplement or non-medicinal product can cure male impotence.

This rule is often breached by communications claiming to enhance physical and sexual performance, especially in men. Some messages go so far as to claim effects on male impotence for products therefore presented as an alternative to therapeutic treatments.

It must be stressed that in most cases, experimental evidence on the efficacy of such products on animals and humans is extremely inadequate and insufficient for supporting such claims.

Messages should reflect the fact that these products may have adjuvant toning effects, without leading consumers to underestimate the need for medical advice on their condition and, if necessary, appropriate medical treatment.

17) Marketing communication relating to food supplements aimed at controlling plasma lipids should specify that these products serve to promote normal lipid metabolism as part of a suitable diet programme. These products should never be presented as appropriate for treating pathological disorders requiring professional medical attention.

18) Marketing communication relating to food supplements should not encourage the belief that such products are intended for athletes or people engaging in intense physical activity, due to their positive effects on muscle mass or physical performance.

Products formulated especially for athletes, and indicating such effects specifically on the label, represent a particular category of dietary products.

Food supplements and health foods

Article 23 bis.
(of the main Code linked in
the intro above)

Marketing communication relating to food supplements and health foods should not claim to have properties that do not correspond to the actual characteristics of the products, or that the products do not actually possess. Furthermore, such marketing communication should not encourage consumers to make nutritional errors and should avoid referring recommendations or statements of a medical nature.

These rules also apply to infant formula and baby foods, products designed to wholly or partially substitute mother's milk, products used for weaning and food supplements for children.

In particular, as regards marketing communication relating to food supplements for weight loss or control and other specific supplements, the provisions contained in the relevant Regulations, which form an integral part of this code, shall apply.
