

# Guidance for Advertisers of Homeopathic Services



**This advice is intended to help marketers of homeopathic services comply with the CAP Code, particularly online, and to understand the ASA's current position regarding acceptable claims.**

The ASA does not regulate homeopathic clinical practice; that is a matter for your professional body. Nor does it regulate private communications or conversations between you and your (potential) clients. The ASA regulates your advertising only.

### The need for evidence

One of the key rules in the CAP Code is that advertisers need to hold evidence for 'objective' claims made in marketing communications. These are claims that consumers are likely to regard as objective i.e. they have a factual basis. The Code states the following:

- *3.7 Before distributing or submitting a marketing communication for publication, marketers must hold documentary evidence to prove claims that consumers are likely to regard as objective and that are capable of objective substantiation. The ASA may regard claims as misleading in the absence of adequate substantiation.*

The words 'before... publication' are crucial. As the marketer, you have a pre-publication responsibility for ensuring that your claims are borne out in fact and, where necessary, supported by robust evidence. Rule 3.7 is further clarified in the section specific to medicines and health-related products:

- *12.1 Objective claims must be backed by evidence, if relevant consisting of trials conducted on people. If relevant, the rules in this section apply to claims for products for animals. Substantiation will be assessed on the basis of the available scientific knowledge.*

### Medicines must be marketed in line with their product licence or registration

Legislation requires that medicines must have a licence before they are marketed. Homeopathic medicinal products must be registered before they are marketed. Products, whether registered or licensed, must be marketed in line with the summary of product characteristics. Therefore, any claim that product 'x' can treat / cure medical condition 'y' should only be made about licensed or registered products, if the licence / registration permits it.

- *12.20 Homeopathic medicinal products must be registered in the UK. Any product information given in the marketing communication should be confined to what appears on the label. Marketing communications must include a warning to consult a doctor if symptoms persist. Marketing communications for an unlicensed product must not make a medicinal or therapeutic claim or refer to an ailment unless authorised by the MHRA to do so.*

## Members of the public must not be discouraged from essential treatment

Members of the public that have, or believe they have, a health condition for which medical supervision should be sought are potentially vulnerable to misleading claims that a product or a service will help that condition.

It is important not to discourage essential treatment by offering advice, diagnosis or treatment for conditions that should be supervised by a suitably qualified healthcare professional<sup>1</sup>. The Code states the following:

*12.2 Marketers must not discourage essential treatment for conditions for which medical supervision should be sought. For example, they must not offer specific advice on, diagnosis of or treatment for such conditions unless that advice, diagnosis or treatment is conducted under the supervision of a suitably qualified health professional. Accurate and responsible general information about such conditions may, however, be offered.*

*Health professionals will be deemed suitably qualified only if they can provide suitable credentials; for example, evidence of: relevant professional expertise or qualifications; systems for regular review of members' skills and competencies and suitable professional indemnity insurance covering all services provided; accreditation by a professional or regulatory body that has systems for dealing with complaints and taking disciplinary action and has registration based on minimum standards for training and qualifications.*

## Claims to avoid

In the simplest terms, you should avoid using efficacy claims, whether implied or direct, that aren't supported by robust evidence. If you are stating or implying that you, your service or a product can be effective in doing something, you need to ensure that you have the evidence to prove the claim.

If you are making claims for a homeopathic product, or for a treatment based on a specific product, or combination of products, you may only make such claims as are permitted by the product licence(s). You will need to consult the MHRA for advice on this point.

To date, the ASA has have not seen persuasive evidence to support claims that homeopathy can treat, cure or relieve specific conditions or symptoms. We understand this position is in line with other authoritative reviews of evidence.

We therefore advise homeopathy marketers to avoid making specific claims of efficacy for treatments where robust evidence is not held to substantiate them.

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<sup>1</sup> [This document](#) provides more detailed information on this point.

Even if a specific product is not cited, marketers of homeopathy services should not state or imply that conditions or symptoms can be relieved or cured by homeopathy. This means marketing of homeopathy services should not use words such as ‘cure’ or ‘treat’, nor list medical conditions because the ASA has a long-standing position that, by doing so, readers are likely to infer that the conditions or symptoms listed can be alleviated. We advise that these claims are not used either directly or indirectly, including through the use of imagery.

### What can be said in marketing communications?

We have drafted examples of claims that are likely to comply with the CAP Code. This list is neither exhaustive nor prescriptive.

Homeopaths may legitimately provide information such as:

- The origins of homeopathy, for example:
  - Homeopathy has its origins in ancient history dating back to Hippocrates.
  - This was further developed by a German doctor, Samuel Hahnemann.
  - It has been widely used for over 200 years, across the world.
- The theory behind homeopathy (however, this should not make efficacy claims):
  - Homeopathy is based on the theory (or belief) that like cures like.
  - The process of devising a homeopathic remedy is based on the theory that the method of dilution and agitation causes a reaction between the ingredient, for example arnica, and the water and alcohol it is diluted in. Although it is diluted many times, homeopaths consider that the homeopathic remedy retains the original ingredient.
- That homeopathic products are safe to use alongside conventional medicine.
- How a therapy session can contribute positive benefits of wellbeing to the client.
- The quality and standard of facilities provided.
- The number of years a homeopath has been qualified, as well as the number of clients that have been seen (as long as evidence is held to support these claims).
- The quality of the ingredients used e.g. *“I use only the highest quality homeopathic products”*.
- A list of ingredients – as long as there are no indications or efficacy claims alongside them.
- What happens during a therapy session.
- That some NHS hospitals use homeopathy and that there are homeopathic hospitals funded by the NHS.

- That homeopathy is ideal for people who want to explore more holistic options to enhance their wellbeing.
- Genuine client testimonials can be used, but must not imply efficacy. The following examples are the type of testimonial that may comply with the CAP Code:
  - *“I found the advice and professional attitude of x very useful”*
  - *“X’s professionalism and care was excellent. I will be recommending her/ him to my friends and family”*
  - *“X was able to look at me as a whole person, not just as another person coming in for advice”*

However, the following are unlikely to comply with the Code:

- *“The advice X gave me on my [condition x] really made a difference”*
- *“The homeopath prescribed me x and y and now my condition is so much better”*

However, please note that taking some of these suggested claims further and implying efficacy is likely to be unacceptable, for example:

- *“Excessive coffee consumption can lead to sleeplessness. By using like to cure like, homeopaths may offer Coffea, made from coffee, to resolve sleeplessness”*
- *“Some NHS hospitals use homeopathy when all other conventional treatments have failed”*

### **Telling consumers about published research on homeopathy**

The online environment has greater scope for providing information in a discursive or detailed way. Providing links to information such as published research is likely to fall outside the remit of the ASA if they are presented in a section of the website that is not directly connected with the sale or supply of your products or service. For example, under a separate tab labelled ‘research’ or ‘further reading’.

**The advice in this document is based on the current position of the ASA and CAP. The advice may be updated to reflect future ASA adjudications relating to homeopathic claims. All formally investigated cases are published on the ASA’s website, [www.asa.org.uk](http://www.asa.org.uk).**

You may also find it useful to keep up-to-date with news from the MHRA regarding homeopathy ([www.mhra.gov.uk](http://www.mhra.gov.uk)).