

# GENERAL PRACTITIONER v PFIZER

## Exubera journal advertisement

A general practitioner alleged that a full page journal advertisement for Exubera (inhaled insulin human), issued by Pfizer, was misleading because the picture of the inhaler did not give an accurate impression of how large, bulky and inconvenient the device actually was (larger than a pint milk bottle). He had assumed the device would be approximately the same size as a Ventolin inhaler. This would certainly impact on his discussions with patients and his recommendations.

About two thirds of the advertisement was taken up by a photograph of a woman's face and head. In a separate photograph, to one side of the woman's face, the inhaler measured about 7.5cm which, on the photograph of the woman, was about the same distance between her chin and the bridge of her nose.

The Panel considered that readers would assume that the scales of the two photographs were the same which was not so. The inhaler had been shown to a smaller scale than the patient. The Panel considered that on balance the advertisement gave a misleading impression of the size of the inhaler. A breach of the Code was ruled.

A general practitioner complained about a full page journal advertisement (ref EXU658M) for Exubera (inhaled insulin human) issued by Pfizer Limited.

The advertisement had been published in the BMJ 16 December 2006 and 2, 6 and 20 January.

About two thirds of the advertisement was taken up by a photograph of a woman's face and head. Her mouth was highlighted by a white band which was lighter than the rest of the photograph and extended across the page both sides of her face. The band included a claim 'The new look of insulin' on one side and the other side the band drew the reader's eye to a photograph of the Exubera inhaler. The picture of the inhaler in the advertisement measured about 7.5cm which, on the photograph of the woman, was about the same distance between her chin and the bridge of her nose.

### COMPLAINT

The complainant alleged that the advertisement was misleading because the picture of the inhaler did not give an accurate impression of how large, bulky and inconvenient the device actually was. This was demonstrated by the administration guide from the company's website.

The complainant had seen the advertisement on several occasions and had assumed that the device

would be approximately the same size as a Ventolin inhaler or a Beconase nasal spray. It was only when he saw one demonstrated that the complainant appreciated how bulky it was (larger than a pint milk bottle). This would certainly impact on his discussions with patients and the recommendations he made to them.

The complainant alleged a breach of Clause 7.8.

When writing to Pfizer, the Authority asked it also to respond in relation to Clause 7.2 of the Code.

### RESPONSE

Pfizer stated that the Exubera device was represented separately to the woman's face in the advertisement and was not to scale. Generally in advertising, it was unusual for the product being advertised, if represented at all, to be exactly to scale given the constraints of advertising space. The intention of the advertisement was that the inhaler be viewed in terms of how it appeared in isolation as when removed from its packaging in its closed form and not to represent its convenience of use, its technology, nor to compare it relatively. It was simply to give a health professional an idea of what the device looked like. Pfizer decided to include a picture of the device as it believed it appropriate to do so being a new medicine for adult diabetics with a different route and method of administration and to convey an impression of the device. The area around the woman's mouth had been highlighted in white to illustrate that Exubera was inhaled rather than injected.

Details on how to use the Exubera inhaler was in the patient instruction manual on the inhaled insulin (INH) health professional and patient websites ([www.inhprogramme.co.uk](http://www.inhprogramme.co.uk)) as well as in other materials. These illustrations were of an individual patient representing how the device should be used to administer a dose of insulin.

Further, it was clearly illustrated in the advertisement that the device was for holding in the palm of the hand and the fingers to be placed in the indentations on the blue handle as shown and that it would not be small enough to hold between the thumb and finger(s) like an asthma inhaler or nasal spray for example.

The promotional material for Exubera was pre-vetted by the Medicines and Healthcare products Regulatory Agency (MHRA). This included the Exubera advertisement and the inhaled insulin (INH) website.

Pfizer had introduced a dedicated programme of support to health professionals and since the launch of

Exubera in August 2006, representatives had demonstrated the use of the Exubera device to consultant diabetologists, respiratory physicians, GPs with an interest in diabetes, diabetes specialist nurses and pharmacists at each initial call. This had given the health professionals an opportunity to look at and test the device themselves. The illustration of the Exubera device in the advertisement should therefore be considered simply as a reminder to the health professional of the availability of a new inhaled form of insulin and what the inhaler device looked like, but was not intended for making a judgement on its size, weight or how the device should be used.

In summary, Pfizer believed that the advertisement which had been through regulatory review, represented the Exubera inhaler device clearly, accurately and unambiguously and was not misleading as to the nature of Exubera in the context as illustrated. Pfizer therefore denied breaches of Clause 7.2 or 7.8 of the Code.

#### **PANEL RULING**

The Panel noted that Exubera was a new product and so in that regard advertisements such as the one at issue might be the first time that many health professionals would have seen the inhaler device. Health professionals would be extremely familiar with inhalers used to treat asthma and so, unless given

reason to think otherwise, it was not unreasonable that they might think a device for inhaled insulin would be of a similar size. The Panel noted Pfizer's comments about the use of scale in advertising but considered that in this instance the juxtapositioning and comparative size of the two photographs, one of the patient and the other of the device, were relevant.

The Panel considered that readers would assume that the scales of the two photographs were the same which was not so. The design of the advertisement reinforced this impression by the use of the white band across the advertisement to link the patient's mouth and the inhaler. The inhaler had been shown to a smaller scale than the patient. Contrary to Pfizer's submission the Panel did not consider that the photograph of the inhaler clearly showed that it was not small enough to hold between the thumb and fingers.

The Panel considered that on balance the advertisement gave a misleading impression of the size of the inhaler. The artwork was misleading. Thus the Panel ruled a breach of Clause 7.8. The Panel considered its ruling of a breach of Clause 7.8 covered Clause 7.2.

**Complaint received**      **12 February 2007**

**Case completed**        **19 March 2007**