

**CASE AUTH/3911/5/24**

## **COMPLAINANT v THERAMEX**

### **Allegations about company LinkedIn profile**

#### **CASE SUMMARY**

This case was in relation to the 'About Us' section of the Theramex company page on LinkedIn. It included the statement: "A new global women's healthcare company that provides innovative, effective and safe solutions that care for and support women at every stage of their life."

The outcome under the 2021 Code was:

<b>Breach of Clause 6.1</b>	<b>Making a misleading claim</b>
<b>Breach of Clause 6.4</b>	<b>Using the word 'safe' without qualification</b>

**This summary is not intended to be read in isolation.  
For full details, please see the full case report below.**

#### **FULL CASE REPORT**

A complaint about Theramex UK Ltd was received from a named, non-contactable complainant.

#### **COMPLAINT**

The complaint wording is reproduced below with some typographical errors corrected:

"Theramex describes on its LinkedIn profile ([URL provided]) in the 'About us' section that it is: 'A new global women's healthcare company that provides innovative, effective and safe solutions that care for and support women at every stage of their life.' They can and should not state that their solutions are 'safe' as there is risk attached to all pharmaceutical/prescribed products."

When writing to Theramex, the PMCPA asked it to consider the requirements of Clauses 6.1 and 6.4 of the 2021 Code.

#### **THERAMEX'S RESPONSE**

The response from Theramex is reproduced below:

"We write in response to your letter dated 28<sup>th</sup> May 2024, concerning a complaint received by a non-contactable named complainant regarding the above.

The complaint is in relation to the 'About us' section of the Theramex corporate LinkedIn page in which it is alleged:

*'Theramex describes on its LinkedIn profile ([URL provided]) in the "About us" section that it is: "A new global women's healthcare company that provides innovative, effective and safe solutions that care for and support women at every stage of their life." They can and should not state that their solutions are "safe" as there is risk attached to all pharmaceutical/prescribed products.'*

Theramex takes its obligation under the ABPI Code of Practice very seriously. All digital communications including social media activities must be conducted in accordance with Theramex's 'Digital communications' SOP, 'the creation, review, approval and withdrawal of materials SOP', the company 'Code of Conduct' and the ABPI Code of Practice.

### **Response to the alleged breaches of clauses 6.1 and 6.4 of the ABPI Code of Practice 2021**

Theramex takes its obligations under the ABPI Code of Practice very seriously and immediately launched an internal investigation upon receipt of this complaint.

Below are our detailed responses to the alleged breaches of Clause 6.1 and 6.4 of the ABPI Code of Practice.

#### **Clause 6.1 (Information, claims and comparisons must be accurate, fair, balanced and not misleading)**

We acknowledge your concerns here.

#### **Clause 6.4**

**Information and claims about adverse reactions must reflect available evidence or be capable of substantiation by clinical experience. It must not be stated that a product has no adverse reactions, toxic hazards or risks of addiction or dependency. The word 'safe' must not be used without qualification.**

We acknowledge your concerns here.

Theramex takes its responsibilities under the Code very seriously and wish to stress the above matter is not a reflection of our working practices, but rather an unfortunate oversight. We have robust policies in place to ensure that our employees act with the highest standards of ethical business conduct, professionalism and respect.

Our SOP relating to social media activities, stipulates clearly, the review and approval (including certification) requirements for such activities prior to their intended use. In addition, our vigorous processes have been implemented to ensure all relevant materials and company activities are conducted in accordance with the ABPI Code of practice.

### **Summary of Theramex's position**

We take our obligations under the Code very seriously and following receipt of this complaint, we confirm that we have now due diligently completed the following actions:

- We have deleted the paragraph in question from the Theramex LinkedIn corporate page, dated 29<sup>th</sup> May,
- We have re-uploaded the 'About us' LinkedIn page, following review and approval via our copy approval system and as per our internal copy approval process, as defined in the copy approval SOP,
- We have sent out a reminder to all UK and HQ personnel on the correct use of social media by Theramex employees. Also attached were copies of the relevant SOPs.

We apologise for the oversight and trust the immediate actions we have taken are sufficient and satisfactory."

### **PANEL RULING**

The 'About Us' section of the Theramex company page on LinkedIn included, near the beginning of the section: "A new global women's healthcare company that provides innovative, effective and safe solutions that care for and support women at every stage of their life."

Clause 6.4 of the 2021 Code required, among other things, that the word 'safe' must not be used without qualification. The Panel noted that this was not limited to promotional material and considered that the requirement was relevant to the LinkedIn page at issue.

The Panel considered that the reference to "safe solutions" did not meet the requirements of Clause 6.4 because there was no qualification to that statement. The Panel ruled **a breach of Clause 6.4**.

The Panel noted that the case preparation manager had also asked Theramex to respond in relation to the requirements of Clause 6.1, which required (among other things) that information, claims and comparisons must not be misleading.

The Panel considered that Theramex's claim that it provides "safe solutions" implied that there were no safety considerations and this was misleading. The Panel therefore ruled **a breach of Clause 6.1**.

**Complaint received      23 May 2024**

**Case completed        28 March 2025**