

Samples

The Code now includes an expanded list of therapeutic goods that offer samples by way of an advertisement. An advertisement about therapeutic goods may now include or offer the following therapeutic goods as samples (provided they are included on the Australian Register of Therapeutic Goods and do not include a substance included in Schedules 2, 3, 4 or 8 of the Poisons Standard):

- personal lubricants;
- COVID-19 rapid antigen tests for self-testing;
- disinfectants;
- face masks and gloves for preventing the transmission of disease in persons;
- hand sanitisers;
- lancets and blood glucose strips for use in connection with measuring blood glucose;
- nicotine replacement therapies administered by oromucosal or transdermal means, including sprays, patches, gums, lozenges, sachets and tablets;
- oral hygiene products, including toothpaste, mouthwash and interdental brushes;
- oral rehydration products;
- tampons and menstrual cups; and

- wound care dressings for superficial wounds, including first aid items and antiseptics.

This adds to the existing list which was previously limited to:

- condoms;
- goods that are / contain a sunscreen;
- stoma devices for self-management; and
- continence catheter devices for self-management.

Testimonials & Endorsements – implications for influencers

Importantly, the new Code also consolidates the requirements regarding testimonials and endorsements into section 24. Although the requirements relating to testimonials and endorsements largely remain unchanged, the new Code clarifies that social media influencers who have received (or will receive) payment or valuable consideration in order to provide a testimonial are considered to be persons engaged in the marketing of therapeutic goods. The Code prohibits the use of testimonials from persons engaged in the marketing of therapeutic goods and, therefore, it is now clear that sponsors and advertisers of therapeutic goods must not engage or use influencers to provide testimonials promoting therapeutic goods. This should hopefully lead to a change in the way in which therapeutic goods are advertised on social media.

Event Report: CAMLA Young Lawyers Music Law 301 Seminar

Jess Millner (MinterEllison, CAMLA Young Lawyers Committee representative)

On 11 April 2022 Marque Lawyers hosted the CAMLA Young Lawyers Music Law 301 Seminar. The 301 seminar was a fabulous way to round out the CAMLA Young Lawyers Music Seminar Series. **Michael Bradley** and **Emma Johnsen** of Marque Lawyers were joined by artist and producer **Jack River** (aka Holly Rankin) to discuss some of the current issues facing the music industry. It was an insightful discussion covering the impact of the pandemic on music touring and events, the ins and outs of record label deals, the rise of NFTs in the music industry and the “Beneath the Glass Ceiling” campaign.

The seminar was a unique opportunity for young lawyers to gain valuable industry insights.

Thank you very much to the panel for an engaging and open discussion. For those that missed it the seminar was recorded and it is available to CAMLA members on the CAMLA website – check it out!

