

Democrat backs advertising limits for medicines

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By Lisa Richwine

WASHINGTON (Reuters) - A key Democrat made a renewed call on Monday for giving regulators the power to ban advertisements to consumers when a new medicine first reaches the market and risks are not fully known.

Rep. Henry Waxman listed the idea as one of many he would like to pursue as chairman of the House of Representatives Energy and Commerce Committee after a new Congress convenes in January and starts to tackle a range of health-care issues.

"It is in these first few years of a drug's life that drug companies often aggressively market their products and engage in direct-to-consumer advertising. This increases the number of consumers exposed to safety risks of new products long before those risks are truly understood," Waxman said at a conference sponsored by The Prescription Project, a group critical of industry marketing.

The California Democrat supported congressional efforts in 2007 to allow the Food and Drug Administration to ban television commercials for a new medicine for up to three years if officials decided it was necessary to protect the public health. The ban would not apply to all drugs, but officials would decide case by case if limits were needed.

"That concept makes a great deal of sense and can provide FDA an important tool to protect the public health," Waxman said.

The 2007 attempt failed after some lawmakers objected it would violate constitutional protections of free speech. Instead, Congress gave the FDA authority to fine companies for running false or misleading promotions.

Drugmakers' television commercials have drawn fire for over promising benefits, minimizing side effects and contributing to excessive prescribing.

Companies say the ads help inform people about new treatments that may help them. Voluntary guidelines adopted by drugmakers call for companies to refrain from consumer advertising for "an appropriate amount of time" so they can inform doctors about new medicines first.

Waxman also said he was committed to, among other things, creating a legal path for approval of generic copies of biotechnology medicines and giving the FDA the power to regulate tobacco.

(Editing by Andre Grenon)