

What the MRHA considers to be a medical claim.

Even making a reference to a medical condition or implying that your product could have medicinal benefits would be considered as a medical claim.

The MHRA

The MHRA determines whether a product is a medicinal product.

When making determinations into borderline products the MHRA considers the following examples to be medicinal claims:

- references to all medical conditions major to minor including colds, headaches, cuts and bruises, spots, smoking addiction, obesity, arthritis, depression, stress and all childhood disorders and serious diseases.
- references to condition of the mind such as depression, addictions, attention deficit/hyperactivity disorder.
- references to treatment or alleviation of adverse conditions including decongests, relieves pain,
- reduces inflammation, calms, stops itching, cures insomnia, reduces blood pressure, reduces sugar levels.
- References to the symptoms of disease such as pain, inflammation etc

What is not allowed?

- You are **NOT** permitted to make any explicit medical claims about your product
- You are **NOT** permitted to offer any advice, nor offer any product to treat any specific condition
- You are **NOT** to have links to organisations that promote “cancer cures” or other medicinally biased sites.
- You are **NOT** to publish articles that may imply your products can or have traditionally been used to treat any illness
- You **MUST NOT** suggest they talk to any medical professional whatsoever.
- You **MUST NOT** use any imagery or product names that may imply your products are medicines
- You **MUST NOT** make comparison with licensed medicines
- You **MUST NOT** use product names which imply the product is a medicine
- You **MUST NOT** make references to medical and / or clinical research and testing
- You **MUST NOT** make references to the health risks of not taking CBD
- You **MUST NOT** publish editorial medicinal claims
- You **MUST NOT** publish recommendations by Doctors/health professionals

- You **MUST NOT** publish testimonials that include/imply medicinal claims
- You **MUST NOT** use graphics that imply medicinal
- You **MUST NOT** reference to or reproduce "generic" information

Where does this apply?

ALL published materials

- Your product and packaging
- Your Website
- Your social media channels (sharing, posting or commenting)
- Your communications with customers
- Your Advertising

Linked sites

Where a product is sold on or has links to a website which presents that product as a medicine, the website will be used by the MHRA as evidence in the determination process.

Similarly, where a customer is directed from a website selling a product, to another website for more information about the substances contained in a product and their uses, this may also be used by the MHRA as evidence in the determination process.

What is allowed?

Claims to “maintain” health The MHRA view is that claims to “maintain” or “help to maintain” or “support” health or a healthy lifestyle, can be approved under food law, and would not normally regard such claims to be medicinal. Nor, if such claims are clearly made in relation to healthy bodily functions or organs, is the MHRA likely to consider them as presenting the product for treating disease. In general, the MHRA is only likely to consider “health maintenance” claims as medicinal if they suggest or imply that a product may prevent disease or, where targeted on a vulnerable section of the population, may restore, or help to restore, a specific bodily function or organ to a normal healthy state.

WORDS AND PHRASES

The words and phrases listed below have all contributed to a determination by the MHRA that the product they were associated with was a medicinal product.

The intended and implied meaning of such words and phrases must be considered in context. The list is not exhaustive. All the words and phrases used in relation to a product will be considered by the MHRA in the determination process.

WHAT THESE MAY SUGGEST OR IMPLY ABOUT A PRODUCT

“Alleviates” In context, may suggest a claim to treat disease by reducing, ameliorating or correcting disease or an adverse condition. “At the first sign of a spot...” Implied claim to treat ‘spots’, an adverse condition.

“Avoids” In context, may be a claim to prevent specific disease(s).

“Boosts” In context, claim may tend to suggest that the product may be administered with a view to modifying physiological function and having a significant effect.

“Burns fat” A claim that the product may be administered with a view to having a significant effect on the metabolism and modifying physiological function.

“Calm/calms/calming” In context, may be a claim to sedate. “Can benefit those who suffer from...” A claim to treat or prevent disease in specific patient groups or in those at particular risk of specific diseases or adverse conditions.

“Clears” In context, may be a claim to effectively treat or correct disease or an adverse condition.

“Clinical Trials Evidence” Implied claim to (medicinal) efficacy in relation to disease or an adverse condition.

“Clinically proven” An implied claim that the product has met the appropriate efficacy test in relation to disease or an adverse condition.

“Combats” In context, a claim to work directly to treat, prevent or cure disease or an adverse condition.

“Controls” In context, a claim to treat disease or adverse condition and prevent further problems.

“Counteracts” In context, a claim to treat or cure disease or symptoms of disease.

“Cure/cures” A claim to treat disease.

“Eliminates” In context, a claim to treat or cure disease or adverse condition.

“Fights” In context, a claim to work directly to treat or cure disease or an adverse condition.

“Heals” A claim to treat or cure disease or an adverse condition, and to restore health.

“Helps body adjust after crossing time zones” A claim that the product, when administered, has a significant (sedating) effect on the metabolism by modifying the body clock and sleep cycle. (Especially in relation to the adverse condition known as Jet Lag.)

“Help maintain a normal mood balance” In context, an implied claim that the product may be administered with a view to altering mood, that is, it has a sedating or anti-depressant activity.

“Help maintain normal water balance” In context, an implied claim that the product may be administered with a view to preventing or correcting water retention, that is, it is a diuretic medicine.

“Help/help with...” In context, may be a claim to treat, provide relief from, and cure symptoms of disease or an adverse condition.

“Increases metabolic rate” A claim that the product may be administered with a view to a significant effect on the metabolism.

“Is said to help with...” In context, may be an implied claim to efficacy in relation to disease or adverse condition.

“Medical research...” An implied claim to efficacy as a medicine.

“Prevents/preventing” In context, a claim to stop development of, and prevent disease or an adverse condition.

“Protects against...” In context, a claim to prevent a specific disease or an adverse condition.

“Relieves/relief condition” In context, a claim to alleviate the symptoms of a disease or adverse condition.

“Remedies...” A claim that the product may be administered to treat, correct or cure disease or an adverse condition.

“Removes” In context, may be a claim to treat (cure or clear) disease or an adverse condition.

“Repairs” In context, a claim to treat (heal, cure, restore) damaged body tissues or correct dysfunctional systems of the body or mind.

“Restores” In context, a claim to restore physiological function.

“Stimulates the nervous system” In context, this claim tends to suggest the product may be administered with a view to modifying physiological function and have a significant effect on the metabolism.

“Stops” A claim to prevent or arrest the development of disease or an adverse condition.

“Stops craving for” A claim to treat an addiction (a disease) by modifying physiological function.

“Strengthens the immune system” In context, claim tends to suggest the product may be administered with a view to modifying physiological function and having a significant effect on the metabolism.

“Strips off sun- damaged precancerous cells”

“A claim to treat, prevent or correct disease or an adverse condition”

“Traditionally used for....” In context, a claim to treat or prevent disease or an adverse condition.

“Treats/clears infestations” In relation to humans, a claim to stop, treat or remove parasitic infestations such as head/body/public lice. An infestation of lice is an adverse condition.

“Treats/Treatment/Treating” In context, these are claims to treat or prevent disease or an adverse condition.

*****PLEASE NOTE THAT HAVING A DISCLAIMER ON ANY WEBSITE/SOCIAL MEDIA DOES NOT EXEMPT YOU FROM MAKING ANY MEDICAL CLAIMS AND/OR SHARING ARTICLES WHICH MAKE MEDICAL AND/OR INFERRED MEDICAL CLAIMS*****