

The GVH intervened regarding the advertisements of Naturseptin lollipops and chewing gums targeted at children

12 March 2021, Budapest – The Hungarian Competition Authority (GVH) established that the distributor was promoting the Naturseptin cough suppressant and sore throat relief products in a way that infringed the law. The undertaking was cooperative over the full course of the proceeding and ceased the advertising practices infringing the sectoral regulations even before the proceeding was initiated; therefore, the GVH did not impose a fine.

The investigation of the GVH revealed that Aflofarm Kft. incorrectly registered the Naturseptin lollipop and Naturseptin chewing candy products it distributes with the National Institute of Pharmacy and Nutrition as medical devices and committed several infringements during their promotion as a result. The correct classification of the products would have been ‘medical aids’ and the advertising of this product category is subject to stricter sectoral regulations, with which the distributor did not comply. Therefore, the advertisements of the cough suppressants and sore throat relief products infringed the law by failing to specify the product category and omitting the mandatory warning message, as well as by presenting the products differently than the package inserts. Furthermore, the GVH established that the advertisements included the recommendation of a paediatrician, which also conflicts with the rules governing the commercial practices related to medication and medical aids.

The undertaking in question continuously cooperated with the GVH during the proceeding, fully admitted the infringement, and voluntarily ceased the infringing advertising practices even before the proceeding was initiated. In addition, the undertaking developed a multi-step compliance programme, which also includes the verification of compliance by the pharmaceutical authority, in order to prevent similar infringements in the future. Taking all of the above into account, together with the fact that both the advertising expenses and the revenue resulting from the infringing practices were low, the GVH did not impose a fine on the undertaking, instead opting to order it to continue operating its compliance programme, and to provide proof of the proper application of this programme to the GVH following its next advertising campaign.

The official registration number of the case is: **VJ/7/2020.**

GVH Press Office