



Social Media Guidance for Food Supplements

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1. Introduction

The rules that apply to food supplement advertising in traditional media also apply to marketing that appears on Twitter feeds, Facebook pages and other social media.

This guidance has been developed by the Proprietary Association of Great Britain (PAGB) and shared with the Department of Health (DH). It incorporates guidance and advice from other regulatory bodies such as the Committee of Advertising Practice (CAP) and Ofcom.

This document has been provided as guidance only and it not intended to be construed as legal or regulatory advice. All materials must still comply with the relevant regulatory requirements set out in the Department of Health's Guidance to Compliance with Regulation 1924/2006 on Nutrition and Health Claims made on foods and PAGB's Food Supplements Advertising Guideline. Communications must also be in line with the CAP Code and Guidance.

The main document serves to provide general guidance for issues faced in social media, and should be read in conjunction with the annexes for platform specific advice.

2. Scope

These guidance notes have been created to inform and educate on the responsibilities of the Food Business Operator (FBO) engagement in social media. This includes all forms of social media (unless otherwise stated) where FBOs and consumers are able to engage directly with each other. They are relevant for all employees of the FBO using digital media and third parties engaging on behalf of the FBO.

3. What is Social Media?

Social media is used as a means of direct, digital interaction where content can be created/ shared and information exchanged in virtual networks and communities. It is fast paced and wide reaching, requiring regulation to be flexible and aligned with this working practice.

Social media platforms are used to engage consumers with a brand as well as using more traditional forms of advertising. Consumers are now able to ask direct and publicly accessible questions, which require swift responses. FBOs must balance this opportunity for engagement with the existing Regulations, Codes and Guidelines within this area of advertising.

3.1 There are 3 main types of media communication, as detailed in the table below, with some examples:

Type of Media	Definition	Homepage Based	Feed based	Video Based	Blog	Forums	Other
Owned	Company has content control	Brand Facebook Page	Brand Twitter Profile Instagram	Brand YouTube Channel	Brand/ Associated Brand Blog	Brand Forum Associated Brand Forum	Company Website
Earned	Company does not have content control	Facebook Users Page	User Generated tweets (inc charities and unsolicited tweets)	User Generated Content Channel	Third Party Blogs Mumsnet etc. (User Generated Content) Tumblr (User Generated Content)	User Generated Content on Third Party or Independent Forums	News Websites Amazon Reviews App Store Reviews Pharmacy Shop Reviews
Paid	Company pays for sponsored content	Sponsored Ads Paid for Facebook Ads	Sponsored tweets Paid for tweets	YouTube Advertising (inc. Skins)	Sponsored Blog Posts Blog Ads	Sponsorship of Forum or Advertising	Website Ads

4. Considerations

4.1 Marketing Communications

Social media was not primarily intended as an advertising platform, but it is moving towards consumer engagement as a key focus. Where advertising is created, it has the same requirements as any other type of advertising and must comply with all relevant regulations.

Where an advert or campaign is promoted using the social media page/feed of a third party organisation (e.g. a magazine), it must be clear that it is a marketing communication which has been paid for (if this is the case). Demonstrating this varies between platforms (see Annexes for examples) but the paid for aspect of the advertising must be made clear.

Where a third party chooses to promote a campaign, without request (e.g. a charity) it is considered to be 'earned content' and the paid for aspect is not required, however the charity is responsible for the content.

FBOs may sponsor blog posts/pages but the nature of this sponsorship must be made clear to the consumer. As with more traditional advertising routes, claims should not be included in sponsorship and care should be taken to ensure that the content does not look independent when the FBO has provided editorial content or paid for the space.

Advertising of a product on an owned media page must make the ownership of this media clear and ensure that the advertising is specific to the page originally followed by the consumer. Please see [CAP guidance](#) for further information.

4.2 Responsibility for Communications

Responsibility for communications is a key issue in social media, due to the significant amount of user generated content (UGC). Overall, responsibility remains with the FBO for what is broadcast on their behalf and what is contained on the host wall/feed (owned content) as well as all paid for content. This responsibility extends to agencies monitoring on behalf of the FBO. When an organisation becomes aware of a post, timings to respond become the same as those in owned media. The term "respond" means that FBOs (or designated third parties) are able to comment, correct or, if necessary, remove the content.

4.3 Responsibility for Monitoring

FBOs should monitor any UGC posted on their owned media, where consumers can post comments or generate content in any other way. What constitutes incoming content varies between platforms and is further detailed in the annexes. Communications directed at the FBO through owned media should be seen by a representative of the FBO as part of the media monitoring requirements and responded to, where appropriate.

Media monitoring can take place in a pre or post moderation format. It is advised that this is carried out at least once every 24 hours over the working week for owned media. If the page/feed is going to be left unmonitored for longer than this, it is advised that notice is given to the consumer.

Media monitoring should extend as far as written communications directed at the FBO through their owned media. An FBO may respond to any communication with a user, if they wish. When possible, this communication should be from a list of responses pre-approved by PAGB or if an individual response is required, this should be sent for approval.

Although there is no requirement to monitor third party sites, where a FBO has chosen to engage in activities with a third party site, it is advised that this content should be monitored for the duration of the activity.

Media monitoring should consist of reviewing content under remit and ensuring that FBO content complies with all relevant legislation.

4.4 Reviews and Testimonials

User generated reviews on third party websites can be monitored by agencies/brand teams, although this is not required. The content should be free flowing and only content which breaches the codes should be removed.

FBOs can use online reviews as testimonials provided all other requirements for use of testimonials have been fulfilled (see **CAP Code Rules 3.45-3.52**).

4.5 Advertising to Children

Social media is a medium which can be accessed by persons under 16 years; whilst most social media is intended to be age limited, it is not necessarily feasible to ensure that all users are indeed adult and therefore care should be taken and the rules set out in the **CAP Code Section 5** which relates to children must be adhered to.

Specifically, advertising should not be aimed principally or exclusively at children. The language and style as well as character and image usage would be considered here. For further information, see **CAP Code Section 5**.

4.6 Use of Celebrities

There are no prohibitions under the Nutrition and Health Claims Regulation (NHCR) on the use of celebrity endorsements or recommendations for food supplements. However, these must comply with the requirements of the NHCR and can only use authorized claims if these are made.

4.7 Use of Health Care Professionals

The NHCR has a number of complex restrictions on the use of healthcare professionals (HCPs), charities and HCP associations in the context of claims made. These are given in detail in the DH Guidance to Compliance with Regulation 1924/2006 on Nutrition and Health Claims made on foods and PAGB's Food Supplements Advertising Guideline; please refer to these documents.

4.8 Communication with Bloggers

Blogging can fall into all three types of social media so care needs to be taken that the relevant issues are considered. Traditionally, bloggers are 'lay people' who offer advice and reviews to consumers in their field of choice in an online diary format. Bloggers usually have an approachable and independent style and appearance, meaning that they can be very popular and seen as 'go-to experts' for certain issues. FBOs can utilise independent blogs as a means of enhancing product awareness although there are some important issues to consider.

Under this guidance, bloggers are considered to be journalists. Therefore communications from FBOs to Bloggers is considered to be PR material.

FBOs may provide information to bloggers about campaigns or products. However steps must be taken ensure that all content provided to bloggers complies with the requirements of the NHCR. Please see PAGBs [Food Supplements Advertising Guidelines](#) and the [Department of Health's Guidance to Compliance](#) for more detail. FBOs might present the blogger with a voucher for a product.

Sponsored blog posts are acceptable but the nature of this paid for content must be clear and in line with the [requirements of the NHCR](#).

This material will not be pre-approved by PAGB as it is PR material, however the Copy Clearance Team can offer advice on any campaign material.

5. Competitions

Competitions launched by FBOs on social media platforms must follow the same guidance as outlined in the [CAP Code \(Rule 8\)](#).

Acceptable competition entry formats are platform specific but include liking pages/pictures; retweeting; sharing content and recommending friends. The entry format should enable the data to be appropriately logged by the competition provider in order to ensure that the winner can be contacted.

The significant terms and conditions for social media competitions are as follows:

- 1. Route of entry**
- 2. Start date (if not immediate)**
- 3. Closing date**
- 4. Number and nature of prizes**
- 5. Significant restrictions (e.g. age restrictions, travel not provided etc.)**

These should be presented on or before the point of entry, as well as including information as to where the full terms and conditions can be found. It is acceptable to include these in a link.

ANNEX 1

Abbreviations

ABBREVIATION	DEFINITION
CAP	Committee of Advertising Practice
DH	Department of Health
FBO	Food Business Operator
HCP	Healthcare Professional
MHRA	Medicines and Healthcare Products Regulatory Agency
NHCR	Nutrition and Health Claims Regulation
PAGB	Proprietary Association of Great Britain
UG	User generated
UGC	User generated content

ANNEX 2

Definitions

Terminology	Definition
Earned media	Content not owned or under the editorial control of the FBO
Owned media	Content under the editorial control and/or ownership of the FBO
Paid media	Content which has been paid for and influenced/under FBO editorial
Product complaint	A complaint relating to the product or packaging, for example damaged or missing tablets, packaging or labeling.

ANNEX 3

Facebook

This annex relates to FBO owned Facebook pages for food supplements and should be read alongside the PAGB Food Supplements Social Media Guidance Document.

Nutrition and Health Claims

Where nutrition or health claims are made these must comply with the requirements of the NHCR and must be PAGB approved.

Responsibility for Communications

The responsibility for communications on Facebook extends to the content posted on behalf of the FBO and the designated profile page. This includes status posts, sharing content and responding to posts. Content shared by consumer users such as links and articles do not become the responsibility of the FBO once shared, although care must be taken that shared content is appropriate and clear that the content is under separate editorial control.

Responding to Communications

FBOs may respond to written communications directed at the FBO via wall posts, tagging (using @brandname) or private messages. Responses to general queries should be given, where appropriate, and approved by PAGB if possible. In exceptional circumstances, where pre-approval cannot be carried out, the brand team will be able to post a response, however this should be in line with the requirements of the NHCR where appropriate, and the response should be submitted to PAGB afterwards.

User generated mentions of the product in status updates not directed at the FBOs owned media do not fall under this remit and do not require responses.

Media monitoring can exist in a pre or post moderation format. It is advised that this is conducted at least once every 24 hours over the working week. If the page/feed is going

to be left unmonitored for longer than this, it is advised that notice is given to the consumer.

Use of Celebrities

There are no prohibitions under the NHCR on the use of celebrity endorsements or recommendations for food supplements. However, these must comply with the requirements of the NHCR and can only use authorized claims if these are made.

Use of Healthcare Professionals

The NHCR has a number of complex restrictions on the use of healthcare professionals (HCPs), charities and HCP professional associations in the context of claims made. These are given in detail in the DH [Guidance to Compliance with Regulation 1924/2006 on Nutrition and Health Claims made on foods](#) and [PAGB's Food Supplements Advertising Guideline](#); rather than reiterate them here, please refer to these documents.

Marketing Communications

Where an ad or campaign is promoted using the Facebook page of a third party, it must be clear that this is a marketing communication. This can be done by ensuring that the post is listed as a 'sponsored post', as the below example would require. This would not be the case for charities or similar who have chosen to share content about you, without prompting.

Please see [CAP guidance](#) for more information.

For Example: **Hiya Magazine**: loving the new @Om3ga3 campaign dancers, head over to their site to see exclusive videos! (sponsored post)

ANNEX 4

Twitter

This annex relates to FBO owned Twitter pages for food supplements and should be read alongside the PAGB Social Media Guidance Document.

Nutrition and Health Claims

Where nutrition or health claims are made these must comply with the requirements of the NHCR and must be PAGB approved.

Where space is restricted such as on character limited posts, if additional information is required for a claim under the conditions of use, this can be accompanied by a link which provides the additional information in a clear and legible manner, such as the brand website.

e.g.: @Om3ga3: Om3ga3 supports your heart with EPA and DHA. Find out more at (*link to www.om3ga3.co.uk/conditionsofuse*)

Supporting information about the beneficial effect being obtained with an intake of 250mg of EPA and DHA can then be accessed via the link.

On character limited posts advertising may span across multiple messages, as long as this is clearly identified (i.e. 1/2, 2/2). This allows Article 10 general health and wellbeing claims to be used, giving an additional 140 characters for the accompanying authorised claims. As the Commission has defined “accompanied by” as “next to or directly following on from” a link to the additional authorised claims on a separate site would not be considered to be acceptable. Messages must immediately follow each other. Acceptability will be judged on a case by case basis in this instance.

For example: @Om3ga3: Om3ga3 lets you live life to the full (1/2)

@Om3ga3: Supports heart function with a daily intake of 250mg of EPA and DHA (2/2)

Responsibility for Communications

Most content on Twitter is user generated and does not appear on the feed of the FBO even when directly referenced.

Content under the responsibility of the FBO only includes what is written on behalf of the

FBO under the designated Twitter name. This includes FBO generated tweets including re-tweeting, sharing content and responding to posts.

Shared content such as articles do not become the responsibility of the FBO once shared, although care must be taken that shared content is appropriate and it is clear that the content is generated separately.

Re-tweeting the tweets of other users also falls under the responsibility of the FBO. Once the tweet has been re-tweeted by the FBO, it is then under the editorial control of the FBO and must comply with all regulations. Original UGC does not fall under this remit.

FBOs are required to act when a tweet has been directed at the FBO, for example if **@Om3ga3** is used, or a direct message is received. If the product has been only mentioned in the course of a user generated tweet, a response is not required. FBOs may choose how they respond to a general query (either direct message or tweet) and the response should be pre-approved by PAGB, if possible. In exceptional circumstances, where pre-approval cannot be carried out, the brand team will be able to post a response, however this should be in line with the requirements of the NHCR and the response submitted to PAGB afterwards. User generated mentions of the product in tweets or comments not directed at the FBOs owned media do not fall under this remit and do not require responses.

It is advised that media monitoring is conducted at least once every 24hrs during the working week. If the page is to be left unattended for longer than this it is advised that the consumers are notified of this.

Marketing Communications

Where an ad or campaign is promoted using the Twitter feed of a third party (e.g. a magazine), or where sponsorship is involved it must be clear that this is an ad and has been paid for. This is usually accommodated for by including #ad or #spon at the end of the tweet. Please see **CAP advice for further information**. This would not be the case for charities or similar who have chosen to share content about you, without prompt. For example:

@hiyamagazine: loving the new @Om3ga3 campaign dancers, head over to their site

to see exclusive videos! #ad

Use of Celebrities

If a celebrity tweets about a product, this tweet may be re-tweeted or shared by the FBO so long as the original tweet complies with the requirements of the NHCR.

Where a celebrity has mentioned the product in a status and not directly linked the brand, this is not considered in remit.

Use of Healthcare Professionals

The NHCR has a number of complex restrictions on the use of healthcare professionals (HCPs), charities and HCP professional associations in the context of claims made. These are given in detail in the DH [Guidance to Compliance with Regulation 1924/2006 on Nutrition and Health Claims made on foods](#) and [PAGB's Food Supplements Advertising Guideline](#); rather than reiterate them here, please refer to these documents.

However, if an HCP writes a post endorsing a product, **it should not be re-tweeted**. If they ask advice, the FBO may respond with a tweet pre-approved by PAGB (as consumers will also see this).

Please seek advice from PAGB in instances where the FBO is unsure whether content is acceptable.

If any tweet relates to a safety issue this should be responded to directly and not via Twitter.

ANNEX 5

YouTube & Blogs

This annex relates to comments written on owned media such as FBO created blogs and YouTube channels and should be read alongside the PAGB Social Media Guidance Document.

Responsibility for Communications

As a form of owned media, the responsibility for communication lies with the FBO. Depending on the platform, FBOs can use either pre or post moderation to monitor their content. It is advised that media monitoring is conducted once every 24hrs during the working week. If the page is to be left unattended for longer than this it is advised that the consumers are notified.

Responding to communications

FBOs are advised to respond when a comment is left on owned media as it is considered to be addressed directly to them. FBOs may choose whether they respond to general queries and the response should be pre-approved by PAGB, if possible. In exceptional circumstances, where pre-approval cannot be carried out, the brand team will be able to post a response, however this should be in line with the requirements of the NHCR and the response submitted to PAGB.

Any UGC which does not comply with the requirements of the NHCR **must not be retweeted** and if possible should be removed.

Reviews and Testimonials

FBOs are allowed to use online reviews as testimonials provided all other requirements for use of testimonials have been fulfilled **(see CAP Code 3.45-3.52)**.

ANNEX 6

Product Reviews

This annex relates to comments written on earned media such as Amazon Reviews and reviews on websites where a consumer might have bought a product and left a review; and should be read alongside the PAGB Social Media Guidance Document.

Responsibility for Communications

As a form of earned media, the responsibility of communications does not lie with the FBO. However, it is advised that FBOs regularly monitor this content to look out for any inappropriate content. If possible, such content should be responded to or removed if necessary, however it is important that this is not extreme in nature and natural flow of comments is maintained. FBOs may respond to comments (if possible on chosen media) and these responses should be pre-approved by PAGB, where possible. In exceptional circumstances, where pre-approval cannot be carried out, the brand team will be able to post a response, however this should be in line with the requirements of the NHCR and the response submitted to PAGB afterwards.

Reviews and Testimonials

User generated reviews on third party websites can be monitored by agencies/brand teams, although this is not required. Any comment which does not comply with the requirements of the NHCR should be dealt with as outlined in the PAGB Social Media Guidance, when discovered.

FBOs are allowed to use online reviews as testimonials provided all other requirements for use of testimonials have been fulfilled **(see CAP Code 3.45-3.52).**