

FDA Cracks Down On Pharma Search Ads

The U.S. Food and Drug Administration (FDA) has sent letters to a number of pharmaceutical manufacturers to alert them that they were in violation of acceptable marketing practices in relation to their paid search marketing campaigns.

The basic gist of the letter is that when these pharmaceutical companies advertise on Google they are a.) not providing the risks associated with the drugs and b.) not including their "established name." Basically, the FDA is stating that pharmaceutical ads must provide adequate explanation of the risks associated with the drug and provide the full name of the drug. Think of the wonderful television ads that always list the full name of the drugs and provide a plethora of horrible sounding side effects. Or just watch this hilarious SNL spoof.

In all seriousness, these new regulations raise a couple questions: What is Google's reaction? At this time, they have not made a statement about the FDA's ruling. Google is currently falling back on their canned guidelines set forth some time ago and has not yet let on when they might address the issue. Will the FDA address how the pharmaceutical companies can fit all the required information into the extremely limited, two 35-character lines of search advertisements? After speaking at length with an FDA representative, I learned that they also have no official response to the issue; however, I was told to keep an eye on their press center. So, I have a hunch that they will be releasing some official guidelines in the near future.

The FDA set a final deadline of April 9 for pharmaceutical manufacturers to change their ads. Since the first day the letters were sent, I have bided my time before commenting, anxiously watching the changes happening across the search results landscape. So far, everyone is complying, but there are several problems with the results that are now available as a consequence of these changes.

To understand what the landscape currently looks like, do a search for "plavix" a very popular and heavily-advertised drug. Results should look something like this:

I doubt the FDA intended for the beneficiary of this policy to be Canadian online pharmacies, who have the top listings in paid search results. However, to be fair, all Plavix has to do is file the trademark paperwork with Google and this issue is resolved. This typically is done at day one of the paid search process, but must be initiated by the brand and/or agency.

Outside of online pharmacies, the other folks that will benefit are homeopathic remedies and health portals (like an AOL health), who can now buy this traffic with less competition and receive a better ROI.

The parties that do not benefit from the FDA's new regulations are Google, the consumer and pharma companies. Google does not benefit because they are getting lower CPCs for pharma traffic. The consumer does not benefit because they very well may not get the information they are looking for. And the pharma companies do not benefit because they are unable to reach the consumer.

I see only a few possible solutions to the issues caused by this regulation:

New pharma ad text guidelines. The FDA, Google and pharma must agree on ad copy requirements that make sense for everyone. Perhaps the second line of every text ad must be "Side effects may occur." Additionally, if a website specifically and prominently mentions the "established name" on the landing page, that name can be used in the ad.

Viewing the issue from Google's perspective (i.e., providing the quickest and simplest searcher experience) it does not make sense for two-thirds of a text ad to display a name that has no meaning to the consumer and the rest be canned disclaimers. Would you click on an ad that read: Rosiglitazone maleate / Use with Nitrates Not Recommended? Who would even know what that means?! Ads of this nature are not good for the consumer nor for the manufacturer (not to mention the hit taken by Google in CTR and revenue).

Search engine optimization. Always a recommended strategy; however, depending on long-term FDA regulations, SEO becomes even more important. Long-tail keywords, high-volume phrases, etc.-the value is immense. To do this well, though, takes a great deal of time and concentrated efforts.

Unbranded URLs that redirect to the branded website. You might be thinking, doesn't this violate Google's policies? The answer is, yes and no.

Take a look at this search result for "depression medication:"

Looks pretty innocuous right? Yet, if you click on the top result, you go to the following page:

Wait-this isn't a site discussing treatment options-it's a pharma site talking about a drug that you take when you are already on depression medication. As a consumer, I'm not very happy about where I am and I do not think this is what the FDA or Google desires. It seemingly violates Google's pharma policy; however, upon closer inspection that is not the case. The following is Google's official pharma exemption policy:

Pharma advertisers are allowed to use an unbranded URL that redirects to their branded website

Pharma advertisers must own this unbranded URL and it must be working (if a user were to enter it directly into their browser, it must redirect to the advertiser's branded or working URL)

Please note that the above is a Google editorial guideline and not that of the FDA.

I would hazard to guess that the FDA is not fully aware of this policy, and I'm somewhat surprised that Google allows it. The chance for consumer confusion is much greater chance with this type of bait-and-switch than with not listing risks associated with the medication in search ad copy.

Essentially, the FDA has ceased all pharmaceutical pay per click advertising by severely handcuffing advertisers with regards to writing FDA compliant ad copy, thus opening the door for foreign drug suppliers and homeopathic treatments to increase market share. And as it stands at this time, a pharma marketer can only do the last two solutions mentioned above: increase their focus on SEO or use redirects.

What needs to happen? Google, the FDA and a consortium of pharma emarketers need to lock themselves in a room and not come out until a reasonable agreement is made, one that allows the consumers to find the information they are seeking, without causing confusion about the products.

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