DEFINITION

Any member, permit holder or veterinary practice entity (VPE) may undertake marketing activities that are in compliance with this guideline. A marketing activity is defined as:

i) any advertisement, which is defined as the use of paid or unpaid space or time, in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public or a segment thereof, for the purpose of promoting the professional services or goods, or enhancing the image of the member, permit holder or VPE, or

ii) any broadcasting or publication in any medium or any communication with the public, or with any client or prospective client in the nature of an advertisement, promotional material, a listing in a directory, a public appearance, use of internet or social media or any other means by which veterinary services are promoted, or

iii) contact with a member of the public initiated by a member, permit holder or VPE in a manner which can fairly be regarded as directly or indirectly having for its purpose attracting clients.

A marketing activity does not include a treatment plan or protocol that is communicated directly to a client in the context of a valid Veterinary-Client-Patient-Relationship (VCPR) as defined in the General Regulation, section 21.2.

GUIDELINES

A) GUIDING PRINCIPLES

A member, permit holder or VPE who uses any marketing activity shall do so:

i) in a fair and responsible manner.

ii) in accordance with the Veterinary Profession Act, General Regulation, Bylaws, Council Guidelines, Council Policies and provincial and federal law.

iii) in accordance with personal privacy information legislation.

iv) as not to put at risk the interests of animals, their owners, members of the public or society in general.

v) as to maintain the integrity of the veterinary profession.

B) GENERAL REQUIREMENTS

Any marketing activity undertaken or authorized by a member, permit holder or VPE must:

i) be true and objective;

ii) be complete, accurate and verifiable;

iii) not be reasonably capable of misleading the recipient or intended recipient;
iv) be worded so that it does not abuse the trust, emotional involvement or exploit the lack of experience or knowledge of members of the public on matters of animal health and veterinary medicine;
v) not contain any material that, if read, heard, or seen by children, is likely to exploit their credulity, their lack of experience or their emotional involvement with animals;
vi) not be in bad taste, self-laudatory or otherwise contrary to the honor and dignity of the veterinary profession;
vii) must comply with section 16.1(f) of the General Regulation as it relates to the obligations of professional confidentiality of a member or permit holder towards his or her client;
viii) not offer to make a diagnosis, advise, prescribe or provide treatment in relation to any animal without an examination of the animal;
ix) not play on the fears of animal owners by making inappropriate reference to the existence, extent or expectation of disease situations with a view to persuading such owners to consult the member, permit holder or VPE;
x) not advertise services to the public unless the member, permit holder or VPE is able to provide these services in a reasonable period of time to the number of persons who may be likely to respond to the advertisement.

C) PROHIBITIONS

Marketing activities that are prohibited include:

i) claims of professional superiority,
ii) claims respecting other practitioners, their services, or their products,
iii) claims of guaranteed success,
iv) claims respecting products or services that cannot be provided as promised,
v) direct or indirect suggestions that a member, permit holder or VPE has access to or uses a superior, exclusive or secret treatment, procedure or method,
vi) aggrandizing the skill or reputation of a member, permit holder or VPE.

D) SPECIALISTS

The term specialist may be used in marketing activities if the veterinarian is recognized by the ABVMA as a specialist in accordance with section 5.1 of the General Regulation.

i) Members not recognized by Council as specialists are not entitled to use the term “specialist” or “specialty” in any marketing activity.

ii) Notwithstanding (i) above, members may choose to limit their practice and communicate this to the public by using the term “Practice Limited to”.

iii) Members who have advanced training, qualifications or experience in a given species or discipline may communicate this to the public provided terms that imply specialist recognition (such as “specialist” or “specialty”) are not used.

E) ADVERTISEMENT OF SERVICE AVAILABILITY

A member or permit holder may use marketing activities to inform the public of all services offered by a VPE, provided the marketing activities comply with this guideline.
F) ADVERTISEMENT OF PRODUCT AVAILABILITY

A member, permit holder or VPE:

i) shall not advertise the availability of specific pharmaceutical, biological, or other medical product including therapeutic diets by brand name or otherwise,

ii) may advertise the availability of
   a) non-therapeutic diets,
   b) general categories of pharmaceutical, biological or other medical products,
   c) non-medical products

iii) shall not include in any marketing activity any reference to the brand or trade name of any pharmaceutical, biological, or other medical products, other than the actual drug name

G) RESPONSIBILITY

i) The onus is on the member or permit holder to ensure that any marketing activity undertaken is in compliance with this guideline.

ii) A member or permit holder must take reasonable steps to ensure that any marketing activity undertaken by other parties that benefits the member, permit holder or VPE is in compliance with this guideline.

iii) All employees of the veterinary practice entity are responsible for ensuring compliance with this guideline.

H) CHARITABLE DONATIONS

A member, permit holder or VPE may give awards or contributions to charitable, cultural, community or other groups as a marketing activity. These awards or contributions may be monetary, goods or services.

i) Goods may not include prescription medications.

ii) Non-prescription goods may be donated provided the conditions of “Council Guidelines Regarding Prescribing, Dispensing, Compounding and Selling Pharmaceuticals” are met.

iii) A monetary donation with a fixed and stated value (gift certificate) may be given and displayed.

iv) A donation of a specific goods or services may be given and displayed provided it does not reflect the specific price of the goods or services.

v) Recognition of the donation or gift provided by the charitable, cultural or community or other groups for the benefit of the member, permit holder or VPE must comply with this guideline.

I) DIGITAL MEDIA MARKETING

A member, permit holder or VPE may advertise using the internet and social media.

i) Given the broad distribution and enduring nature of digital marketing, special caution is warranted.

ii) A member, permit holder or VPE is responsible to ensure that advertising and marketing contained in websites and social media pages are in compliance with this guideline.

iii) A member, permit holder or VPE is responsible to ensure that advertising and marketing contained in websites and social media pages that are linked to clinic websites, personal websites or social media accounts is in compliance with this guideline.
J) TESTIMONIALS

Pursuant to section 44 of the General Regulations, members of the association shall not write testimonials as to the virtue of proprietary remedies or foods.

K) USE OF ABVMA NAME

Pursuant to section 48 of the General Regulations, members of the association shall not use the name of the Alberta Veterinary Medical Association without written permission of Council.

L) USE OF ABVMA LOGO

A member, permit holder or VPE may use the ABVMA logo in any marketing activity provided that it is in compliance with the ABVMA Logo Use Policy and this guideline.

M) STEERING

A member, permit holder or VPE may not enter into an agreement with any person or corporation which involves that person or corporation directing clients to the member, permit holder or VPE in return for receiving a portion of the fee paid by the client.

N) FEES AND PRICES

Fees for services, prices of any products or any indication of a discount may not be included in or referred to in any marketing activity by a member, permit holder or VPE. This includes, but is not limited to, use of the terms “free”, “complimentary”, “special offer”, “time limited”, “% discount”, “sale”, “promotion” and others.

The publishing of a price list of goods and services in any form is not permitted.

Notwithstanding the above,

i) A member or VPE may have direct, individual communication with a member of the public who has initiated contact with the member or VPE regarding the fee for a specific service or price of a specific product.

ii) A member or VPE may utilize a password protected website to inform authorized persons of the price of non-medical products and non-therapeutic diets.

iii) Veterinarians offering referral services may inform other members, permit holders and VPEs of their fees.
O) PRIVATE LABELED PRODUCTS

A member, permit holder or VPE may enter into an arrangement with a supplier, distributor or manufacturer where by a custom or private label is applied to a product or products that would indicate that the product is manufactured by or for the member, permit holder or VPE. Despite Council reservations regarding this private labeling of products, the practice does not violate this Guideline.

Should a member, permit holder or VPE choose to undertake marketing of private label products, the marketing activities must be in compliance with this guideline and the private labeled products must:

- be non prescription medications,
- be a non DIN product, and
- be labeled in a manner that is not confusing to the public.

A member, permit holder or VPE that undertakes private labeling is cautioned that this activity may expose them to certain risks in the event of an adverse reaction to the product.

A member, permit holder or VPE that undertakes private labeling is expected to comply with all relevant provincial and federal legislation regarding the product that is privately labeled.

P) NON COMPLIANCE

Contravention of the marketing activity guidelines may be considered to be unprofessional conduct.