



# Marketing Standards

## Applies to Dietitians

The College of Health and Care Professionals of BC was created on June 28, 2024 through the amalgamation of seven health regulatory colleges:

- College of Dietitians of British Columbia
- College of Occupational Therapists of British Columbia
- College of Optometrists of British Columbia
- College of Opticians of British Columbia
- College of Physical Therapists of British Columbia
- College of Psychologists of British Columbia
- College of Speech and Hearing Health Professionals of British Columbia

All current requirements for standards of clinical and ethical practice issued by the seven colleges remain in place upon amalgamation.

This document was created by the College of Dietitians of British Columbia and will be updated to reflect the amalgamation.



## Introduction

One of the duties and objectives of the College under the *Health Professions Act* is to protect the public by establishing and enforcing principles of professional ethics for dietitians. The Marketing Standards are not stand-alone and should be interpreted within the context of the *Health Professions Act's* Dietitians Regulation, the CDBC Bylaws, and other relevant legislation, standards, policies, and guidelines.

Where a registrant is unclear about whether an action such as marketing or promotion may contravene the Marketing Standards, it is recommended to contact the CDBC for guidance.

The Standards for Marketing are meant to:

- Support dietitians in meeting section 77 of the CDBC Bylaws for Marketing, Standards of Practice, Code of Ethics, and Patient Relations Program for professional boundaries, and fulfill the College's regulatory mandate of public protection,
- Inform the public, employers, registrants, and other health care providers about the minimum expectations that dietitians must meet when marketing their services and products on the Internet, social media platforms and other media,
- Reference expectations regarding marketing for the College's Quality Assurance Program, and
- Inform the CDBC Inquiry and Discipline Committees' decision-making in marketing matters related to professional conduct and competence.

Dietitians are responsible for the content of their marketing to the public as per section 77 of the CDBC bylaws and have high accountability and obligations when it comes to advertising. Dietitians must exercise caution when deciding how to market their services and endorse products to the public, by balancing their responsibility to meet the marketing bylaws with other expectations of the CDBC Code of Ethics and Standards of Practice, and must:

- Practice ethically, with an [evidence-informed approach](#), and within scope.
- Understand and manage personal and [professional boundaries](#) to uphold a safe and trustful relationship with clients.
- Understand, identify, and manage any real, perceived or potential conflict of interest (covered in [Standard of Practice 8](#) and the [Conflict of Interest and Sales Policy](#)).
- Promote services in a professional and accurate manner.

## Definitions and Interpretation

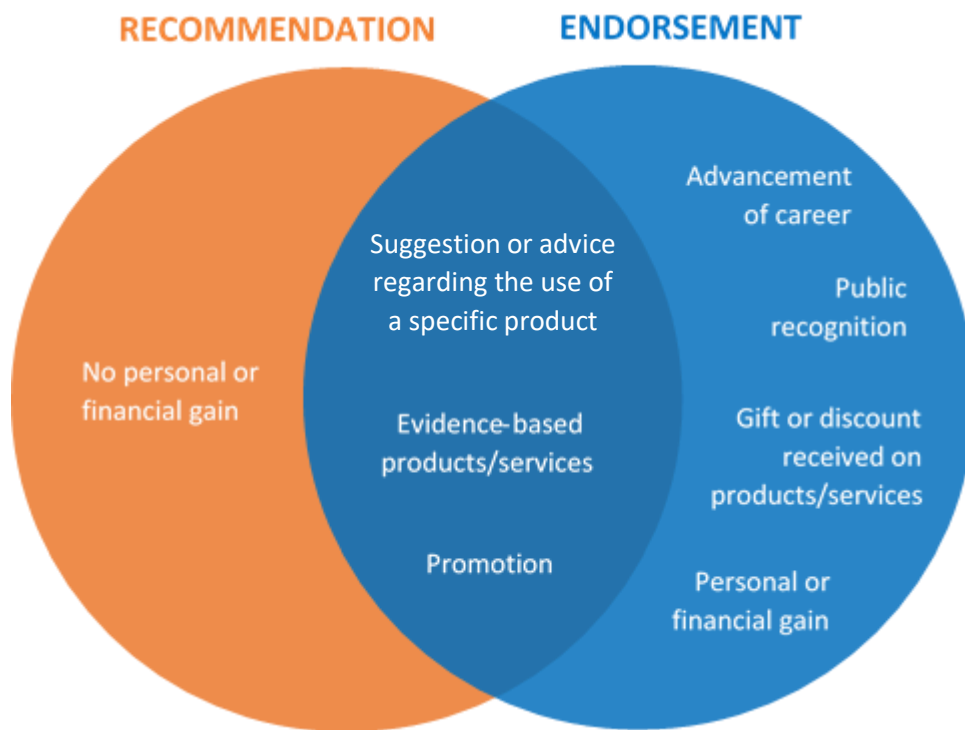
### Contextual Information

The definitions of “advertisement” and “marketing” are legal definitions written in the CDBC Bylaws and are common to other health regulators in BC. These definitions should be interpreted together (not individually) with all other definitions in this document, and in the context of promoting dietetic services and products. These definitions do not apply to other types of publications by dietitians, such as scientific literature reviews and nutrition education articles, unless these publications are paired with dietetic service and product advertisement.

**Advertisement:** the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the public, or a segment thereof, **for promoting professional services or enhancing the image of the advertiser.**

**Client:** an individual and/ or their substitute decision maker, or a group of individuals, who is a potential or an actual recipient of nutrition care services.

### What is the difference between Endorsement and Recommendation?



### Examples of endorsement:

- A dietitian agrees to do a story on a product line because they personally like the product, it may help increase the number of people who follow them on social media, and help the company increase their sales.
- A dietitian receiving corporate sponsorship at a conference to promote a specific product.

- A dietitian placing a sponsor's logo on their website in exchange for a discount on the purchase of the product line.
- A dietitian mentioning a specific product brand on Instagram in exchange for a substantial gift from the grocery store.

**Examples of recommendation:**

- Recommending a specific product to a client during a grocery store tour because it is appropriate to their need, but not receiving personal or financial gain for the recommendation.
- Recommending a specific product during an individual consultation or group presentation because it is appropriate to their need but not receiving personal or financial gain for the recommendation.
- Writing an article mentioning a specific product while providing other alternative but not receiving personal or financial gain for the recommendation.

**Marketing:**

- a. an advertisement,
- b. any publication or communication in any medium with any client, prospective client or the public in the form of an advertisement, promotional activity or material, a listing in a directory, a public appearance and professional opinion or any other means **by which professional services are promoted**, and
- c. contact with a prospective client initiated by or under the discretion of a dietitian.

**Promotion:** marketing of a product, service, organization, or venture to increase sales or public awareness of a service and product available for purchase.

**Public medium/media:** any form of communication that is available and directed to the public, or a specific subsection of the public rather than to an individual person or persons. For example, radio, television, websites (e.g., blogs, social networks), flyers, brochures and newspapers are all examples of public media.

**Sale:** an act of exchanging a good or service for money.

**Sales:** the number of goods or services sold.

**Solicitation:** the act of offering a good or service for purchase.

In the context of this document, it refers specifically to a registrant's attempt at actively targeting and contacting or attempting to contact a person with the aim of initiating a therapeutic relationship that is not sought out by the person. This differs from a registrant's attempt at communicating and following up with an existing client who previously consented to sharing their contact information and being contacted by the registrant. It would not be appropriate for a dietitian to solicit a former client who had ended the therapeutic relationship.

**Testimonial:** a published personal statement from a client about the services they have received from a dietitian; includes before and after photography. This includes statements on any form of a registrant's marketing and does not include statements made on a client's own social media profile. Reviews of published material, including books, where a dietitian is not actively promoting professional products or services, does not constitute a testimonial, nor does a testimonial include a review of products where there is no potential or current dietitian-client therapeutic relationship established. Unsolicited reviews on public forums (Yelp or Google, for example) are not considered testimonials.

## Marketing Standards

### 1. Dietitians are responsible for any marketing over which they have control. A dietitian demonstrates the standard by:

- a) Reviewing the marketing placed by others on their behalf to ensure that they comply with the CDBC Marketing Bylaws, Code of Ethics, Standards of Practice and Marketing Standards, and any other relevant legislation that governs marketing (e.g., Cannabis Act and the Competition Act); if not in compliance, taking any necessary corrective steps needed to comply.
- b) Publishing clear and legally sound information about their services (e.g., disclaimers, policies on services, consent, privacy, billing, and refunds). Dietitians are responsible to seek and obtain legal counsel as needed.
- c) Documenting any corrections made to their marketing in accordance with the CDBC Standards for Record Keeping.
- d) Understanding and applying principles outlined in the Canadian Code of Advertising Standards and the Influencer Marketing Disclosure Guidelines for Social Media.
- e) Understanding the difference between endorsing and recommending a product and a service
- f) Offering services for aspects of dietetics that the dietitian is competent to practice and within dietetic scope of practice.
- g) Keeping a record of their marketing for one year, including a record of where and when the marketing was used.
- h) Responding to any CDBC request to reviewing the marketing and a copy of the marketing record.
- i) Avoiding soliciting clients (including former clients). Clients should always initiate the therapeutic relationship.
- j) Understanding Canada's Anti-Spam Legislation, which came into effect July 1, 2014, and applies to any electronic communication (emails, texts, etc.) to advertise or promote their services.

### 2. Dietitians' marketing is truthful and ethical. A dietitian demonstrates the standard by:

- a) Ensuring the advertisement is true, accurate, honest, verifiable, and ethical (e.g., aligned with Standards 2 and 5 of the Code of Ethics, Standard of Practice 8, and the Conflict of Interest and Sales Policy).
- b) Avoiding unethical practice, including taking advantage of the public and clients in any capacity.
- c) Avoiding endorsing and marketing services and products with RD title that are outside the scope of dietetic practice (e.g., beauty products, furniture, jewelry, etc.)
- d) Ensuring knowledge and understanding of BC and federal laws that govern and restrict the marketing, advertisement, and endorsement of any saleable product related to nutrition.
- e) Ensuring evidence and data informed backing of proposed services and possible outcome of nutrition intervention, without implying or guaranteeing (attainable or unattainable) results as well as avoiding comparison of potential results attainable by other members of the profession, including *endorsement* of preferred colleagues over others. When referring, recommendations are appropriate to the need of the client.
- f) Avoiding implication of recommendation, endorsement, and sale of a single brand, product, or service to members of the public, unless such product or service is the only one of its kind and is

evidenced as having more benefits than risks. This is not applicable to situations where a dietitian recommends and endorses a product or service to other healthcare professionals.

- g) Understanding the CDBC Position Statement on testimonials and avoiding the use of testimonials, including before and after photography.
- h) Avoiding sale and promotion of products that involve a multi-level marketing strategy or a pyramid-sales scheme.
- i) Only use terms like “expert”, “specialist”, or “specialized” when referring to dietetics or human nutrition in general, in self-description. Refer to the [Marketing Q&A](#) for examples.
  - a. Avoid using those terms with the title “Dietitian”, “RD” and other titles in the CDBC bylaws
  - b. Avoid using those terms for an aspect of dietetic practice or a particular disease, disorder or condition that can be treated with dietetics, as no such regulated specialty exists in BC for dietetics.
  - c. Avoid using terms that refer to a medical specialization with the title “Dietitian”, “RD” and other titles in the CDBC bylaws.
- j) Avoiding publicly stating that the dietitian speaks on behalf of the CDBC, including the use of the CDBC logo, unless expressly authorized to do so by the CDBC Board of Directors.

### **3. Dietitians provide clear and informative content in their marketing. A dietitian demonstrates the standard by:**

- a) Publishing marketing information that is easily understandable, current, factual and evidence and data informed
- b) When marketing fees for services, include a clear description of services and products offered, and their respective cost, including cancellation or any other type of fee.
- c) Clearly stating registration with the CDBC, title, restricted activities, focus of practice, and any applicable education (diplomas or certificates).

### **References**

1. Ad Standards. Canadian Code of Advertising Standards. <http://www.adstandards.com/en/standards/thecode.aspx>; accessed November 10, 2020.
2. Ad Standards. Influencer Marketing Disclosure Guidelines for Social Media. [https://adstandards.ca/wp-content/uploads/Ad-Standards-Influencer-Marketing-Steering-Committee-Disclosure-Guidelines\\_FALL2020\\_EN.pdf](https://adstandards.ca/wp-content/uploads/Ad-Standards-Influencer-Marketing-Steering-Committee-Disclosure-Guidelines_FALL2020_EN.pdf) ; accessed May 4, 2021.
3. Cambridge Dictionary. Definition of Testimonial. <https://dictionary.cambridge.org/dictionary/english/testimonial>; accessed November 18, 2020.
4. Cambridge Dictionary. Definition of Sale. <https://dictionary.cambridge.org/dictionary/english/sale>; accessed May 4, 2021.
5. Canada Justice Laws. Cannabis Act. <https://laws-lois.justice.gc.ca/eng/acts/c-24.5/>; accessed November 10, 2020.
6. College of Dietitians of Alberta. Regulated Member Handbook. <http://collegeofdietitians.ab.ca/wp-content/uploads/2019/12/Regulated-Member-Handbook-2019.pdf>; accessed November 10, 2020.
7. College of Dietitians of BC. [Code of Ethics and Standards of Practice](#).
8. College of Dietitians of BC. [Conflict of Interest and Sales Policy](#).
9. College of Dietitians of BC. [Marketing Q&A](#).

10. College of Dietitians of BC. [Position Statement on Testimonials](#).
11. College of Dietitians of BC. [Standards of Record Keeping](#).
12. College of Dietitians of Ontario. Advertising & Solicitation. [https://www.collegeofdietitians.org/resources/professional-practice/private-practice/advertising/advertising-and-solicitation-\(2010\).aspx](https://www.collegeofdietitians.org/resources/professional-practice/private-practice/advertising/advertising-and-solicitation-(2010).aspx); accessed November 10, 2020.
13. College of Physical Therapists of Ontario. Advertising Standards. <https://www.collegept.org/rules-and-resources/advertising>; accessed November 12, 2020.
14. College of Physicians of Alberta. Advice to the Profession: Advertising. [http://www.cpsa.ca/wp-content/uploads/2015/09/AP\\_Advertising.pdf](http://www.cpsa.ca/wp-content/uploads/2015/09/AP_Advertising.pdf); accessed November 12, 2020.
15. College of Physicians and Surgeons of BC. Advertising and Communication with the Public. <https://cpsbc.ca/files/pdf/PSG-Advertising.pdf>; accessed November 17, 2020.
16. College of Physicians and Surgeons of Ontario. Advice to the Profession: Advertising. <https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Advertising>; accessed January 26, 2021.
17. Government of Canada. Canada's Anti-Spam Legislation. <http://fightspam.gc.ca/eic/site/030.nsf/eng/home>; accessed February 3, 2021.
18. Government of Canada. Competition Bureau. Influencer marketing: businesses and influencers must be transparent when advertising on social media. <https://www.canada.ca/en/competition-bureau/news/2019/12/influencer-marketing-businesses-and-influencers-must-be-transparent-when-advertising-on-social-media.html>; accessed November 16, 2020. Government of Canada. Legislation and Guidelines. <https://www.canada.ca/en/health-canada/corporate/about-health-canada/legislation-guidelines/guidelines.html>; accessed November 10, 2020.
19. Government of Canada. Regulatory Requirements for Advertising. <https://www.canada.ca/en/health-canada/services/drugs-health-products/regulatory-requirements-advertising.html>; accessed November 16, 2020.
20. Health Professions Act. Dietitians Regulation. [https://www.bclaws.ca/civix/document/id/complete/statreg/279\\_2008](https://www.bclaws.ca/civix/document/id/complete/statreg/279_2008); accessed November 10, 2020.
21. Nova Scotia Dietetics Association. Position Statement on the Sale, Endorsement and Recommendation of Products. [https://nsdassoc.ca/images/media/documents/Recommendation%20of%20Products%20and%20Services\\_final.pdf](https://nsdassoc.ca/images/media/documents/Recommendation%20of%20Products%20and%20Services_final.pdf); accessed November 10, 2020.