



Promotion and Advertising by Dietitians in Saskatchewan

Dietitians must be honest, transparent, objective and use an evidence-based approach in their promotion and advertising. Any marketing undertaken by SDA members must be consistent with the member's professional obligations as set out in the SDA Bylaws, Standards of Practice and Code of Ethics and described below:

SDA Regulatory Bylaw 20(1) i-viii. prohibits members from engaging in certain activities related to marketing and advertising.

No member shall:

- i) advertise, promote, and/or do other marketing activities that are inaccurate and are misleading to the public and without limiting the foregoing directly or indirectly:
 - i. misrepresent facts;
 - ii. compare either directly, indirectly or by innuendo, the Member's services or ability with that of any other practitioner or clinic, or promises or offers more effective service or better results than those available elsewhere;
 - iii. deprecate another Member or clinic with respect to service, ability or fees;
 - iv. create an unjustified expectation about the results the Member can achieve;
 - v. be made under any false or misleading guise, or takes advantage, either physically, emotionally, or financially of any patient, or uses coercion, duress or harassment;
 - vi. be incompatible with the best interests of the public or Members, or tends to harm the standing of the dietetic profession generally;
 - vii. contain any testimonial or discloses the names of clients; or
 - viii. contain any references to a specific brand of drug, device or equipment.

The ***SDA Standards of Practice***² specific to advertising states that Registered Dietitians provide information and advertise their professional services and/or products in compliance with the regulatory requirements.

To demonstrate this standard, Registered Dietitians will:

- a) Ensure that advertising is an honest and fair representation of professional services and/or products offered.
- b) Adhere to the **SDA Code of Ethics**³ and refrain from using advertising that directly or indirectly:
 - i. creates unjustified expectations about the results;
 - ii. compares the ability, quality, and/or cost of professional services with that of other Registered Dietitians;
 - iii. takes advantage either physically, emotionally or financially of clients;
 - iv. endorses, promotes or recommends exclusive use of a product/brand used/sold as a component of professional services, unless supported by evidence;
 - v. uses client testimonials to endorse professional services and/or products.

References:

1 Saskatchewan Dietitians Association: Regulatory Bylaws

2- SDA Standards of Practice. Standard 1- Advertising

3- Saskatchewan Dietitians Association: Code of Ethics for Registered Dietitians

Technology and trends for promotion/advertising are constantly evolving. Apply the following principles and consult the FAQ on p.3/4 if you are looking for advice on a specific advertising/promotion scenario.

Definitions:

Endorsement- refers to the act of promoting or recommending a product or product line in exchange for financial or personal goal.

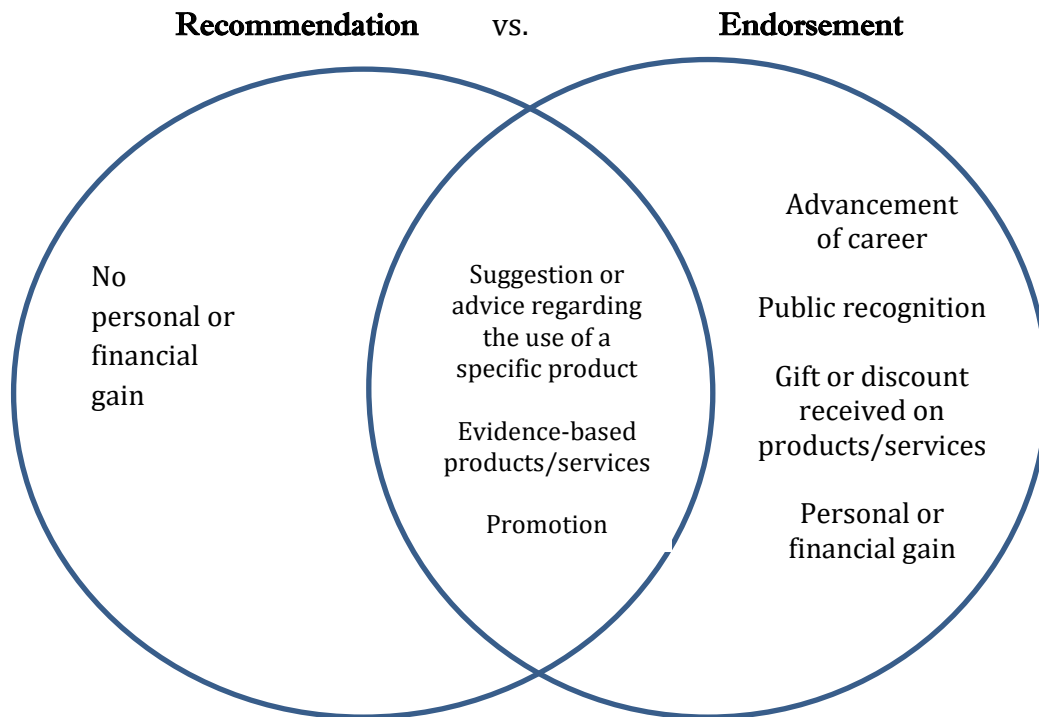
Examples:

- A dietitian agrees to advertisement for a specific product line because it will advance their career and they will receive public recognition.
- A dietitian placing a sponsor’s logo on their website/social media in exchange for a discount on the purchase of the product line.
- A dietitian receiving corporate sponsorship at a conference to promote a specific product.

Recommendation- refers to the act of making a suggestion or providing advice regarding the use of a specific product or product line.

Examples:

- Recommending a specific product to a client during a grocery store tour/individual consultation/group presentation, but not receiving personal or financial gain for the recommendation.
- Writing an article recommending a specific product, but not receiving personal or financial gain.



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Sale/Selling- refers to the exchange of a product for monetary value or equivalent. The dietitian’s professional services are not included in this definition.

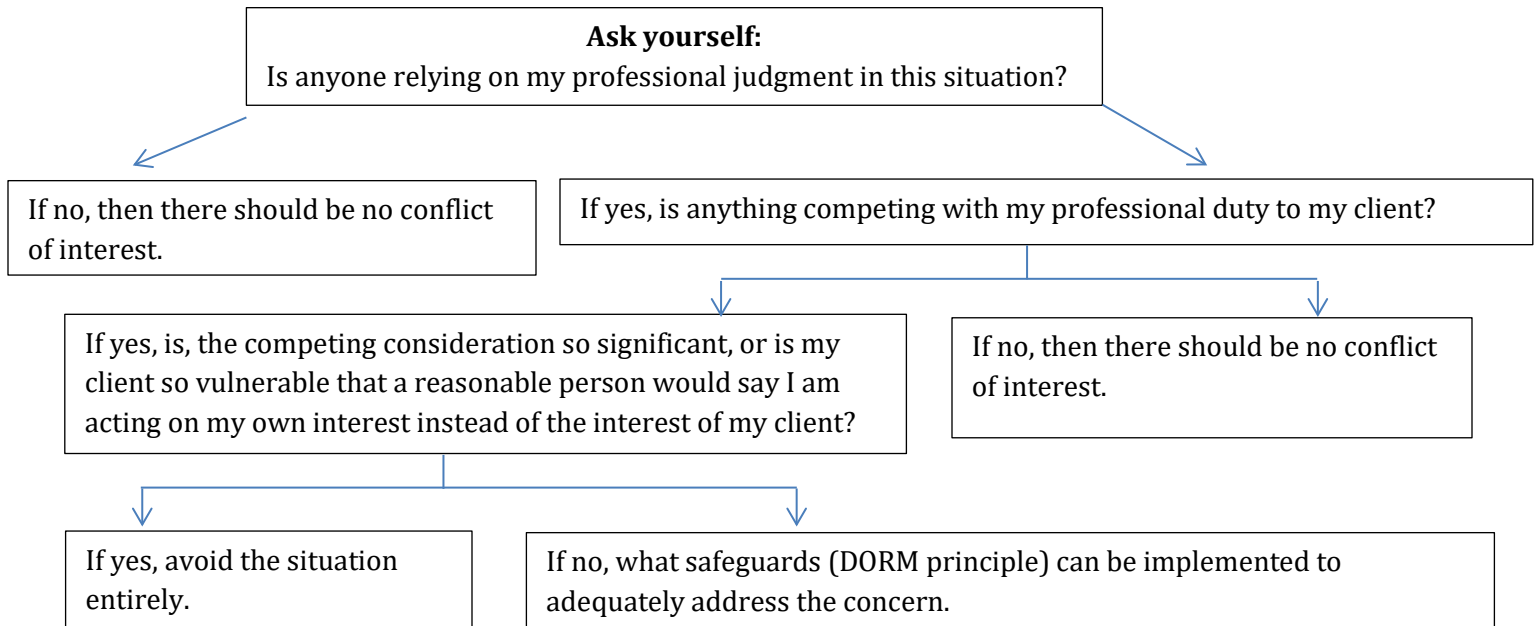
Testimonial- A published personal statement from a client about the services they received, including before/after pictures. It includes statements on any form of marketing, but does not include any statements made on a client’s own social media. Reviews of published material (including books) where a dietitian is not actively promoting professional products or services, does not constitute a testimonial, nor does a testimonial include a review of product where there is no potential or current dietitian-client relationship established. Unsolicited reviews on public forums are not considered testimonials.

Principles:

Conflict of Interest

A conflict of interest occurs when personal interest or gain competes with, and potentially influences, professional judgement (see flow char below). The competing interest can arise from a transaction that benefits the dietitian, a dietitian's family or a corporation owned by the dietitian/member of their family.

If you are unsure if you are in a conflict of interest, use the following flow chart from the College of Dietitians of Ontario to help guide your decision making:



Clear Evidence

Dietitians must provide nutrition advice and guidance that is current, based on best practices and is evidence informed. Evidence must be of sufficient quality to justify the advice/guidance. Where there is insufficient evidence of the efficacy or safety of a product or product line, dietitians are expected to disclose the issues and not to misrepresent the product or product line by creating a false impression.

Professionalism

Dietitians have a responsibility to maintain a level of personal and professional conduct that upholds the integrity of the dietetics profession. Dietitians are expected to refrain from acts that reflect poorly on the profession. Selling or endorsing product lines may negatively affect the credibility of the profession if the public perceives that dietitians are more interested in advancing their own interests than in what is best for their clients.

Accountability

Dietitians are responsible to maintain current knowledge and skills, and to practice within their personal competence. Where dietitians are not clear on the efficacy of a product or product line, they are expected to disclose their lack of knowledge to the client, potential client or relevant others. Dietitians must recognize and accept accountability for their actions or omissions and for the benefit and risks to the client.

Advertising and Marketing Frequently Asked Questions (FAQ):

Why does SDA get to have an opinion on how dietitians advertise?

Regulatory bodies regulate advertising in order to protect the public and uphold the principles of professionalism. If misleading or false advertising occurs, public trust in the profession is eroded. The public should be confident that those that members of the SDA will do what is in the patient's best interest over their own financial interest.

Why can't I use individual client testimonials?

It is not just Dietitians who are not permitted to use individual client testimonials. The prohibition on testimonials is part of template legislation and similar wording is found in the bylaws of most regulated professions in Saskatchewan.

Testimonials are problematic as they risk compromising patient privacy and creating unrealistic expectations because of the inherent selection bias in only publishing positive reviews. Because a provider is unlikely to publish any of the negative feedback they receive from clients, what does appear can be incomplete and therefore potentially misleading.

Doesn't the prohibition on testimonials give an advantage to unregulated nutrition providers?

While it is true that members of a regulated health profession are held to a higher standard than unregulated individuals, the public knows this and expects it. Having a protected title and being accountable to high standards is an advantage for RDs. Because regulated health professionals benefit from having a protected title and being accountable to professional standards, they also have a responsibility to maintain that public trust. For RDs, this means ensuring that their services are advertised in a professional, ethical way and that they promote their business in a way that respects client's privacy and/or the unnecessary discomfort of being solicited for a testimonial.

What about unsolicited statements from former or current individual clients on my social media?

Unsolicited testimonials/reviews on public forums (ie. Yelp, Google Reviews) are acceptable. However, the RD should not link to the third-party website, nor use this as an advertisement as it would be considered a testimonial.

When and how should a dietitian disclose a partnership?

Promotion and endorsement of dietetic products, services, and colleagues should ensure full disclosure and transparency in the public's best interest. As material connections between brands and influencers may change the public's perception of the promoted content, disclosing such connections are mandatory.

To ensure clear disclosure, follow the Ad Standards Canada disclosure guidelines (accessed [here](#)):

- Disclosures should be upfront, conspicuous and unambiguous. For example, include the disclosure at the beginning of a video, and in the first few lines of a post.
- Avoid blanket disclosures such as "many of the products...were provided to me for free by their manufacturers" in a profile or bio section.
- Be specific about the brand, product, what was given for promotion, and the nature of the material connection.
- Use widely accepted hashtags such as #ad and #sponsored. Avoid hashtags such as #ambassador and #partner that don't clarify if monetary connections are present. Simply tagging the brand is insufficient.
- Disclosure should be in the same language as the endorsement

What is the DORM principle and how can I use it to manage conflict of interest situations?

Although there is conflict of interest situations that should be avoided entirely, there are others that can be managed using the safeguards outlined below (known as the DORM principle):

- **Disclosure:** at the earliest opportunity, disclose the nature of the conflict to the client;
- **Options:** provide the client of at least one alternative product or service;
- **Reassurance:** reassure clients that choosing another product or service will not affect the quality of the professional services you provide to them;
- **Modification:** consider making small modifications that remove or greatly reduce the potential for conflict of interest.

Resources:

Conflict of Interest- <https://www.collegeofdietitians.org/resources/ethics/conflict-of-interest/conflict-of-interest-jurisprudence-handbook-chapte.aspx>

Canadian Code of Advertising Standards- <https://adstandards.ca/code/>

Canadian Ad Standards- Influencer Disclosure Guidelines. https://adstandards.ca/wp-content/uploads/Ad-Standards-Influencer-Marketing-Steering-Committee-Disclosure-Guidelines_FALL2020_EN.pdf

References:

College of Dietitians of British Columbia- Marketing Standards (2021) accessed [here](#).

College of Dietitians of Alberta - Guidelines for Promotion and Advertising (2018) accessed [here](#).

College of Dietitians of Ontario- Advertising and Solicitation (2010) accessed [here](#).

Nova Scotia Dietitians Association- Position Statement on the Sale, Endorsement and Recommendation of Products (2016) accessed [here](#).

Saskatchewan Association of Speech Language Pathologists and Audiologists (2019) Advertising Guidelines accessed [here](#).

Saskatchewan College of Physiotherapists- Newsletter article on Advertising bylaws accessed [here](#).

Saskatchewan College of Physician and Surgeons- Policy on sale of products by physicians accessed [here](#).