

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Stop Misleading Drug Advertisements**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §2700-A, sub-§2,** as enacted by PL 2005, c. 392, §1, is amended to read:

**2. Regulated advertisement requirement.** Beginning October 15, 2005, a manufacturer may not present or cause to be presented in the State a regulated advertisement, unless that advertisement meets the requirements concerning misbranded drugs and devices and prescription drug advertising of federal law and regulations under 21 United States Code, Sections 331 and 352(n) and 21 Code of Federal Regulations, Part 202 (2004) and state rules. A manufacturer may not present or cause to be presented in the State a regulated advertisement that includes false or misleading information, as prohibited under 21 Code of Federal Regulations, Part 202 (2004), or contains language recommending that viewers, listeners or readers ask physicians about any specific prescription drug.

### **SUMMARY**

This bill prohibits the use of false or misleading prescription drug advertisements in the State by prescription drug manufacturers and also prohibits the use of language recommending the public to ask physicians about the use of any prescription drug.