



Advertising and Marketing Standard: Frequently Asked Questions

This Frequently Asked Questions (FAQ) provides dietitians with guidance on [Advertising & Marketing Standards](#), within dietetic practice. It complements the Standards' minimum performance expectations and includes practice advice.

The examples are illustrative, and any similarity to real practices is unintentional. For further clarification, email practice.advisor@collegeofdietitians.org

What marketing and advertising strategies are encouraged by the College?

Dietitians can:

- Provide accurate, factual, evidence-informed information that is relevant and helps the public choose dietitians and promotes dietetic services and products
- Consider the general impression (e.g., tone, language and images) your advertisement might leave and whether they align with expectations of regulated health professionals (e.g., consistent with professional obligations, ethics).
- Review any advertising and marketing for principles of equity, diversity, inclusion and belonging
- Use aggregate results from client satisfaction surveys to highlight your successes, with data available to the public
- Target your advertising at groups of clients rather than individuals to avoid direct solicitation of clients
- Highlight the benefits of regulated health professionals by emphasizing accountability, responsibility and public protection
- Be transparent and ensure clear and prominent disclosure of terms and conditions when offering giveaways, incentives or discounts related to the practice of dietetics.
- Advertise their services to health professionals to obtain referrals, so long as the dietitian is not in a [conflict of interest](#).
- Accept referrals that are not considered conflicts of interest from another health care provider and call the client referred to them to make an appointment.

What are the differences between recommendations and endorsements?

Recommendation and endorsement are both forms of advertising and marketing where a dietitian promotes a product or service that is evidence-informed and beneficial to clients and the public. While they don't differ in purpose, they do differ in terms of disclosure requirements.

- A **recommendation** does not involve personal or financial gain for the dietitian and reflects the dietitian's experience, views, or opinions about a product or service. Although a recommendation may be product or service specific, it is not exclusive and can be substituted. It is client centered to provide recommendations.
- An **endorsement** includes a material connection, such as financial compensation, free product or other personal gains (e.g., - advancing of career, or public recognition). While endorsements may be client-centered, they are also dietitian-centered. Dietitians must take extra care to avoid conflicts of interest when endorsing products and services.

Refer to the definitions of recommendation, endorsement and material connection in the [Standard](#) for more details.

What are some examples of conflict of interest safeguards when endorsing products or services?

Example 1: Gifted product

If a dietitian is promoting a gifted product, this should be disclosed, allowing consumers to evaluate the dietitian's material connection to the product. If a gift might create an actual or perceived conflict of interest, it should be declined.

Example 2: Compensation for posting

If a RD receives compensation or other benefit for posting content or sharing links, the dietitian must adequately disclose that they will receive compensation when the consumer clicks on the link or makes a purchase using the link. Dietitians transparently, consistently and meaningfully disclose all interactions with a financial or material connection that could be broadly relevant to the dietitian's advice or activities.

Example 3: Recommendation without brand partnership

If a dietitian tells the public about a product they like and purchased themselves, and no brand relationship exists, the dietitian does not need to declare the *lack* of a brand relationship. In this circumstance, there is no material connection to disclose. However, dietitians should consider the context of all their recommendations and determine if disclosure where no brand relationship exists would be in the public's best interest (i.e., "no paid partnership", "not gifted", etc.).

Example 4: Recommendation with brand partnership

If a dietitian has a brand partnership and is endorsing a product, this should be prominently and transparently disclosed.

Refer to the definitions of recommendation, endorsement and material connection in the for more details.

What is the difference between a review and a testimonial?

Reviews and **testimonials** both reflect client experiences but differ in terms of independence and reliability.

- **A review** is an independent assessment written by a client, usually on a third-party platform with no connection to the dietitian or the employer of a dietitian. In a review, the client freely describes or rates their experience without being asked or influenced by the dietitian. The dietitian has no control over which reviews are published or their content, making reviews generally more objective and credible to the public.
- **A testimonial** is a personal statement from a client, former client or caregiver about the services received from a dietitian. Testimonials are typically chosen by a dietitian or employer with influence over the testimonial's content and visibility. Testimonials by nature are unverifiable by the public and generally unreliable, where negative comments are rarely included. One client's experience will not necessarily be the same as another's, especially with the provision of healthcare, so testimonials may be misleading. Nutrition assessment, treatment or intervention should be based on client need, not the experience of others. While understanding other clients' experiences with a dietitian's service can be helpful for prospective clients, dietitians can objectively provide aggregate and anonymized client satisfaction survey data to satisfy these requests.

Refer to the definitions of review and testimonial in the [Standard](#) for more details.

How can I market my services if I cannot use testimonials?

The Advertising Standard now formalizes previous College resources around soliciting and using testimonials. Dietitians cannot solicit and use personal testimonials or statements from individual clients, former clients or caregivers about dietetic services received.

- **A solicitation** is actively targeting or contacting an individual client to complete a testimonial or review, which can place pressure on clients and can lead to a power imbalance between practitioner and client. Even the most assertive clients may have difficulty saying no to giving a testimonial or review when approached by a healthcare provider.

Often, the public is looking for information on pricing, services, products and treatments from regulated health professionals¹. Dietitians can explain to clients why testimonials are not used, similar to other regulated health professionals.

If a dietitian wants to provide client satisfaction data about their products and/or client experiences, aggregate survey data can be provided to prospective clients, including qualitative data from clients and their experiences, provided the data is shared in its entirety and clients who received the service consent to the use of their survey data.

Here is resource to help you develop your own client satisfaction survey:

<https://www.hqontario.ca/Portals/0/documents/qi/primary-care/primary-care-patient-experience-survey-en.pdf>

What is an example of a false, fraudulent, deceptive, misleading, disparaging, or unfair statement or claim?

- Omitting pertinent information or context
- Including irrelevant or distracting information
- Including information which cannot be verified against objective research, is not evidence-informed, or supported by professional consensus
- Including information which is not in the client/public interest, is exaggerated or guarantees success.

Additional examples could also pertain to business practices such as submitting an account or charge for services that a registrant knows is false or misleading, or if an advertisement states that a service or product is discounted or free, it must truly be, and money must not be recovered in another manner.

Dietitians can consider the following guiding questions:

- Does the wording of the advertisement include content that may lead a reader to an incorrect conclusion?
- Create a false impression?
- Leave out key information or context?

What should I consider when marketing myself as having unique skill set?

Dietitians are encouraged to market their skills and experience in certain practice areas or with certain populations. However, they should avoid claims of superiority over other dietitians (e.g., “Best dietitian in the North”).

This is to protect the public such that all dietitians who have met and maintain the requirements for registration and standards of practice are competent to practice and do not

¹ Citizen Advisory Group (2019). Report: Citizen Advisory Group Meeting. Advertising by Regulated Health Professionals. Retrieved from <https://citizenadvisorygroup.org/wp-content/uploads/2019/11/citizen-advisory-group-2-nov-2019-final-report.pdf>

necessarily have superior skills. It is, however, acceptable to highlight one's competence - knowledge, skill and judgment, and additional education or training to support one's competence.

Can a dietitian claim a "specialty" in an area and why "specialist" cannot be used?

Dietitians should avoid the use of the word "specialist" in title and in self-description. Dietitians cannot inappropriately use a term, title or designation indicating a specialization, according to the *Dietetics Act*². As such, the College does not recognize, nor designate specialty areas of practice, as there are no recognized or certified specialties in dietetics. The term specialist conveys a specific meaning to the public amongst regulated health professions, such as physicians. Only the title "dietitian" is protected and recognized by the College.

Can you provide examples of how RD's can describe their expertise?

Under our profession-specific legislation, the *Dietetics Act*, the dietitian title is protected, and as a regulated profession, we are held to a higher standard. This is all done for public protection. By law, all registrants must be clearly identified when practicing dietetics by using their professional title of "Registered Dietitian" or "RD", or the French equivalent, "diététiste professionnel(le)" and "Dt.P."³.

Inappropriate use may include:

- Modifying the legislated title, and/or using a false or misleading term such as Medical Dietitian when the person is not a physician.
- Implying specialization or certification such as renal dietitian.

Examples

Dietitians may identify a practice area or health condition focus (e.g., public health, diabetes) on their social media accounts or websites to assist the public in finding their services. It is generally acceptable to indicate that a practice is restricted to a particular area such as diabetes, or is focused on a particular group, such as children.

Social media handles and hashtags are still considered use of the RD title (e.g., equivalent to an advertisement or business card), so dietitians should describe any focused area of practice after the RD title when using social media to prevent modifying the legislated title or implying specialization. Consider whether separate hashtags can accomplish this (e.g., #RD #pediatric_care), or "dietitian working in sports nutrition".

² *Dietetics Act*, 1991, S.O. 1991, c. 26. O. Reg. 680/93: Professional Misconduct.
<https://www.ontario.ca/laws/regulation/930680>

³ The reference to this information is in the General Regulation: *Section 4, subsection 5*. "The member shall use the following title in reference to his or her practice of dietetics: "Registered Dietitian" and the abbreviation "RD", or the French equivalent, "diététiste professionnel(le)" and "Dt.P.". O. Reg. 72/12, s. 1.

Dietitians are permitted to use a professional designation if they obtained a certified credential through another organization, such as becoming a Certified Diabetes Educator, since that would be verifiable and recognized. The concern is about using titles that could mislead the public into believing dietitians hold verifiable designations recognized by the profession or the College.

Why can't I solicit and link to Google reviews?

Soliciting a client can pressure them to engage in a practice they do not feel comfortable doing. Clients may choose to write reviews on third-party sites on their own initiative (e.g. Google reviews, independent website star ratings, etc.). In this case, the dietitian has not asked the client to do so, the dietitian has no influence over which reviews get published, and the dietitian does not link the reviews to their website or other advertising and marketing that is within their control. Linking the review to your emails or website, etc. is akin to providing a testimonial, which is not permitted.

Another healthcare provider wants to endorse me (or I am thinking about asking them for an endorsement). Can I do this and what should I consider?

Yes, if you are seeking, receiving or using a professional endorsement by another healthcare professional (e.g., a physician, another dietitian), ensure the endorser (the healthcare provider) has both sufficient expertise and personal knowledge of your competence, and that the endorsement supports the public in accessing relevant dietetic services when sharing their experience, views or opinions of a dietitian.

What are examples of products that I can promote or endorse in my practice? What are examples of products that I should not endorse or promote in my practice?

Dietitians exercise independent professional judgment on a client's or the public's behalf when making decisions about advertising and marketing their products and services. Dietitians consider evidence-informed practice, honesty, transparency, their overall advertising and marketing profile, and partnerships they enter. Consider these guiding questions:

- Does endorsing this product serve the interest of the health of the public?
- Does the product or service being promoted shape the public's understanding, perception, and inherent trust in the dietetic profession?
- Does this product or service have an unexpected material connection, whereby a relationship affects the weight and credibility of the endorsement that would not be reasonably expected by consumers?

Can you clarify what is considered solicitation? Is it the same for contacting a client who doesn't show up, cancels an appointment, or needs a follow-up?

Solicitation is defined in the standard as "actively targeting, contacting or attempting to contact an individual or a client directly, for dietetic services that is not being sought from the client themselves." If a client has booked an appointment with you, it is implied that they are seeking

dietetic care from you. Responding to client-initiated contact is not solicitation. If a client does not show up or cancels and you contact them for follow up, you are not soliciting. However, if a client decides to discontinue their care, you should not contact them directly for future dietetic services that are not being sought by the client themselves, unless they have already consented to have future follow up contact from you. Unnecessary dietetic and health care may be perceived as deceptive and may impact the public's trust and confidence in the profession.

Practice guidelines suggest that I should consider laws in other jurisdictions. What does this mean to my practice?

We regulate dietitians in Ontario and can only speak to the laws in Ontario, Canada. However, if you are advertising and marketing, especially on social media, you should consider if consumers in other jurisdictions may be viewing your advertising or marketing. Social media metrics can tell you where most followers are from and what jurisdictions they are viewing your advertising/marketing. It can be prudent to check and confirm advertising and marketing guidelines in other jurisdictions and follow the guidelines which are most restrictive.

What does it mean for a disclosure to be “clear and conspicuous?”

Ad Standards Canada and the Federal Trade Commission (FTC) indicate that material connections need to be disclosed clearly and conspicuously. A disclosure must clearly and effectively communicate that an endorsement was provided in exchange for benefit. The client and public must be able to see and understand the material connection.

The following guiding questions can be helpful:

1. Is the placement of the disclosure statement (e.g., #ad, #BrandAmbassador, #gifted) unambiguous and easy for the public to locate? Is it close to the claims being made?
2. Do other parts of the advertisement distract attention from the disclosure?
3. Does the disclosure need to be repeated more than once and in various formats and durations (e.g., written, audio, sufficient duration for a story, etc.) for it to be effectively communicated?
4. Is the language used understandable to the intended audience?

Refer to the Ad Standards Canada and the FTC for further guidance.