



Department for
Business, Energy
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Our ref: TOB2018/17692/VJ

29 August 2018

Dear Paul Burnett,

Thank you for your letter dated 27 July 2018, to Greg Clark MP, forwarding some studies on the potential efficacy of homeopathy. The Secretary of State is pleased that you have taken the time to write to him and has asked me to respond on his behalf.

I should start by making clear that the Department for Business, Energy and Industrial Strategy (BEIS) recognises that the Department of Health and Social Care (DHSC) has not sought to prevent the sale of homeopathic products or services and that local NHS organisations continue to make decisions on the commissioning and funding of homeopathy treatments for NHS patients.

It is not the responsibility of BEIS to assess the medical efficacy of homeopathic treatments. Our responsibility is for the general consumer protection framework which governs all consumer contracts for the sale of goods and services. Under the Consumer Protection from Unfair Trading Regulations (CPRs), which govern all consumer transactions, it is an offence for any trader to make “false claims that a product or service is able to cure illnesses, dysfunctions or malformations”.

In addition to general consumer law, the sale of homeopathic products and services is covered by more specific regulations and guidance governing claims made about the efficacy of medical treatments. For example, the guidance for registering and advertising homeopathic products is provided by the Medicines and Healthcare Products Regulatory Agency (MHRA), who apply two separate regulatory schemes: the Simplified Registration Scheme, which requires products to be labelled with ‘homeopathic medicinal product without approved therapeutic indications’; and the National Rules Scheme which allows claims that the product can be used within the homeopathic tradition for the relief or treatment of minor symptoms or conditions which do not require the supervision or intervention of a doctor. Other legislation such as the Cancer Act (1939) may also be relevant.

To help traders understand the law in this area the Advertising Standards Authority (ASA) has published guidance setting out acceptable website advertising for homeopathy services and other alternative health services. The Advertiser’s Code requires that marketers hold robust evidence to support claims made, in order to prove they are not engaging in unfair commercial practices. In the case of complementary and alternative health products and therapies, this is likely to exclude claims to cure specific illnesses (such as asthma, diabetes or depression).

The ASA assesses advertising claims against the Advertising Code and, following a ruling, seeks written assurances from advertisers that any elements deemed to break the Code will be brought into compliance. The ASA therefore seeks to work with traders to ensure they understand and comply with the regulatory framework, but they can refer advertisers to Trading Standards for further enforcement action when they are unwilling or unable to comply.

I hope this explanation reassures you that homeopathy practitioners are free to practice, provided they comply with the regulations on the advertising and labelling of homeopathic products and services. We have been informed that as of the beginning of August, there has not been any live referrals from ASA to National Trading Standards concerning these types of breaches.

Thank you again for writing.

Yours sincerely

V Jeffrey
BEIS MINISTERIAL CORRESPONDENCE UNIT