




Medicines & Healthcare products  
Regulatory Agency

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United Kingdom  
[gov.uk/mhra](https://www.gov.uk/mhra)

Dr A Black

By email: 

12 August 2022

Dear Dr Black

**Re: BBC programme: “Unvaccinated”**

Thank you for your letter dated 5 August 2022 concerning the above television programme broadcast on BBC2 and available on BBC iPlayer.

I have reviewed the above broadcast and my response outlines our view of the concerns set out in your correspondence.

In the Human Medicines Regulations, “advertisement”, in relation to a medicinal product, includes anything designed to promote the prescription, supply, sale or use of that product (as defined in regulation 7).

It is our initial view that the content of the broadcast falls outside the definition of an advertisement of a specific medicine or medicines. Although the documentary cites some covid-19 vaccines by name, I consider that this is done in a factual and informative way throughout without highlighting particular qualities of a medicine (ie, without use of any product claims).

Furthermore, while one may be able to deduce through the documentary or by other means through wider knowledge the product or products that have been or may be in use as part of the public health drive against Covid-19 infection, the decision of which product(s) to deploy is one made by public health officials in response to the disease. The documentary therefore cannot be considered to have been designed to lead a member of the public to request a specific prescription-only medicine (as defined in regulation 284).

I consider that any perceived encouragement by the presenter or guests who feature in the documentary to participate in the UK covid-19 vaccination programme, for example during the concluding part of the broadcast, is general to consideration of participation in the vaccination programme overall.

I am therefore of the view that a programme that investigates and reports on attitudes and behaviours of members of the UK general public to taking up a public health medical intervention—ie, vaccination—to prevent illness from an infectious disease would not be within scope of the definition for an advertisement for a particular medicine as defined in the Regulations.

Chapter 8 of the MHRA Blue Guide outlines how complaints about broadcast advertising are handled. It explains that such complaints we receive will be investigated or referred. On the basis of my explanation above and my view that the broadcast is out of scope of consideration under the Regulations, I would advise you to refer your concerns to the Advertising Standards Authority (ASA).

The ASA acts as a coregulator on behalf of the statutory body, Ofcom, and these bodies should be able to provide you with further guidance on how to complain about editorial content of concern published by the BBC.

I am sorry that we are not able to take forward your concerns, but I would like to thank you and colleagues for taking the time to contact us. I hope that the further information of where to refer your complaint is helpful.

This letter is issued without prejudice to any further action MHRA may wish to take in this matter.

Yours sincerely

*Claire Tilstone*

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