

Trump's incoming healthcare team could try to ban pharma ads on broadcast media

Article

Robert F. Kennedy Jr. will put immense pressure on the FDA [to ban pharma ads](#) on TV if he's confirmed as HHS secretary. He has repeatedly advocated to ban drug ads on TV and radio,

even as [recently](#) as November. The US is one of only two countries (New Zealand being the other) where D2C pharma advertising is completely legal. Kennedy believes lax pharma ad rules have led to an overreliance on prescription medications among Americans.

He [also believes](#) pharma companies account for too much of TV ad spending, leaving media companies less likely to cover the sector critically. Prescription drug ads accounted for nearly one-third (30.7%) of commercial time on evening news programs across six major broadcast channels (ABC, CBS, CNN, Fox News, MSNBC, and NBC) last year through Dec. 15, according to data from iSpot.tv cited by the Wall Street Journal.

There will be support for a drug advertising ban across the government. Brendan Carr, Trump's pick to lead the FCC, said in a November [interview](#) that the agency could enforce a ban established by Congress or the HHS. And Vice President-elect JD Vance said on the campaign trail that he would explore stricter regulations of D2C pharma advertising. Bills to restrict or prohibit D2C drug ads have been introduced in the past yet typically lacked support from GOP lawmakers. But if a Republican-led administration pushes for a ban, previously hesitant members of Congress could be swayed.

We think enacting regulations or laws forbidding drug ads on broadcast media will be extremely difficult. The FCC's move to prohibit cigarette ads on TV and radio in the 1970s will be a precedent for supporters of a pharma ad ban. Pharmaceuticals are a different case though, since they do have evidence-backed health benefits. Lobbying groups representing drug companies and media networks will cite First Amendment protections to prevent an outright ban from materializing.

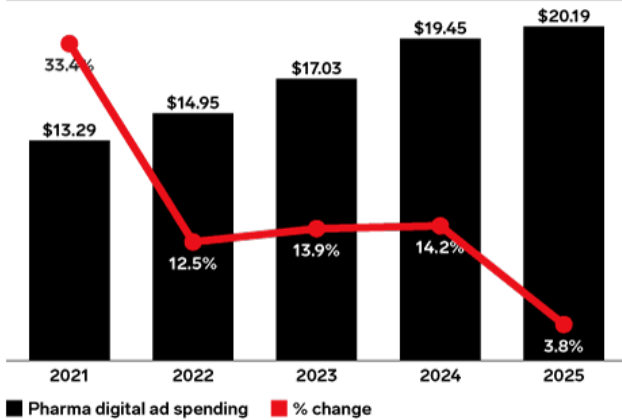
But pharma companies should still prepare for more scrutiny of their TV commercials. For example, we may see renewed support for a [rule](#) that Trump tried to enact during his first term that would have required drug companies to reveal the list prices for medications over \$35 per month in TV ads.

If Trump's administration calls for greater pharma ad transparency on broadcast media, marketers may allocate more resources toward digital. We could see increased spending on social media, search, and online video, for instance. Drugmakers have already been growing their digital ad spending over the years: [We forecast](#) that pharma companies will spend just over \$20 billion on online marketing in 2025.

Editor's note: This article is part of a series on how the incoming Trump administration will affect key sectors of [retail](#), marketing, [tech](#), and finance. Keep an eye out for the full report, publishing just ahead of Inauguration Day.

Pharma's Digital Ad Spending Will Grow More Than 50% Between 2021 and 2025

billions in US pharma digital ad spending and % change, 2021-2025



Note: includes advertising that appears on desktop and laptop computers as well as mobile phones, tablets, and other internet-connected devices, and includes all the various formats of advertising on those platforms

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