

## Case Scenarios: How can a Continuing Professional Education (CPE) Provider meet the Commission on Dietetic Registration's policies regarding marketing and CPE?

*For case scenarios specific to logo use, please see [link].*

The Commission on Dietetic Registration (CDR) has published policies regarding marketing and Continuing Professional Education.

**Policy 7.0 (Marketing and Commercial Bias in CPE)** states, "All attempts to favor, recommend, purchase, use, or promote particular products, product groups, commodities, equipment, devices, services, branded treatment options, diagnostic screening tools, or tests are prohibited."

**Policy 7.1 (Content Containing Products or Services)** states, "Verbal, printed, or visual depictions of products or services in CPE content shall be generic, unbranded, and/or de-identified."

"Education materials that are part of CPE content such as slides, abstracts, handouts, evaluation mechanisms, or disclosure information must not contain any marketing including logos, trade names, or product group messages or images"

"CPE shall not include the following (list is not exhaustive):"

- Branded product giveaways
- Raffles
- Prize winnings
- Branded products purchased with Provider-supplied coupons, gift cards, or similar"

**Policy 7.2.1 (In-Person)** states, "Marketing, samples, exhibits, and non-CDR Prior Approved education must not occur in the physical space. (i.e. conference room) utilized for the Prior Approved CPE within 20 minutes before or after a Prior Approved CPE activity."

**Policy 7.2.2 (Virtual, Recorded, or Printed)** states, "Learners must be able to engage with the CPE without having to page through, click through, watch, listen to, or be presented with marketing messages during content. The link provided for web-based CPE activities must not include access to product or service listings, product or service descriptions, or purchase options for products or services. Commercial breaks are not permitted. Non-CDR Prior

Approved education or marketing content offered before or after online CPE must be accessed via a separate link.”

**Policy 7.3 (Marketing-Free Print and Email Communication)** states, “CPE-related print and email communications shall not include...branded product images or non-CPE product or service marketing messages.”

**Policy 7.4 (Marketing-Free Feedback and CPE Evaluation)** states, “Learner feedback and assessment and CPE evaluation opportunities shall not be located on areas of websites, forums, message boards, etc. that include access to product or service listings, product or service descriptions, or purchase options for products or services.”

**Policy 7.5 (Management of Other Activities Associated with CPE)** states, “Activities that are peripheral to the CPE but are not CDR CPEU Prior Approved must be clearly identified and communicated as such to learners.”

**Policy 7.5.2 (Information about the CPE That Does Not Contain Educational Content)** states, “Information distributed about CDR Prior Approved CPE that does not include educational content, such as schedules and logistical information... may not contain branded product images or product or service marketing messages.”

**Policy 7.6 (Confidentiality and Use of Learner Names and Contact Information)** states, “Learners must be given the opportunity to consent (i.e. opt in / opt out) to any marketing emails, texts, and / or physical mailers.”

How can a Continuing Professional Education (CPE) Provider meet the Commission on Dietetic Registration’s policies regarding marketing and CPE?			
<b>Scenario background:</b> Learners are made aware of a CPE opportunity via emails and flyers that do not include non-CPE product or service marketing messages. Learners register for an in-person conference offered by TUBEFEEDS, a company that makes tube feeding formulas.			
#	Scenario	Meets Policy?	Rationale
1	Learners receive an email with information about the conference. The email includes information about other CPE	No	CPE-related email communications shall not include product marketing messages.

	opportunities available through TUBEFEEDS.		
2	As a condition of registering for the conference, the learners' contact information was included on TUBEFEEDS marketing list. Learners begin to receive weekly emails with product updates. Learners are given the option to unsubscribe from marketing emails.	No	Learners must be given the opportunity to consent (i.e., opt in/opt out) to any marketing emails.  Learners' ability to participate in a CPE activity must not hinge on whether they opted into marketing.
3	At the conference, learners are invited to visit an exhibit hall that includes products made by TUBEFEEDS. The exhibit hall takes place in a room that is physically separate from the room where the CPE takes place. Learners are informed that the exhibit hall is not CDR Prior Approved CPE.	Yes	Non-CPE activities must not occur in the physical space utilized for the Prior Approved CPE within 20 minutes before or after a Prior Approved CPE activity.  Non-CPE activities may occur in rooms that are separate from the CPE.  Activities that are peripheral to the CPE but are not CDR CPEU Prior Approved must be clearly identified and communicated as such to learners.
4	At the conference, learners are invited to a lunch paid for by TUBEFEEDS. Lunch takes place in the same room as the CPE. Lunch starts 20 minutes after the morning CPE session and ends 20 minutes before the afternoon CPE session begins.	Yes	Lunches and other non-CPE activities must not occur in the physical space utilized for the Prior Approved CPE within 20 minutes before or

			<p>after a Prior Approved CPE activity.</p> <p>See Sample Timing Outline.</p>
5	<p>CPE content does not mention TUBEFEEDS or its products and does not include branded product images.</p> <p>NEWPROD, a tube feeding pump that is easily identified as a TUBEFEEDS product by its shape and color is excluded from content. Even with the brand name removed or covered, the product cannot be de-identified.</p> <p>Tube feeding formulas are discussed by properties, characteristics, and intended uses.</p>	Yes	<p>Verbal, printed, or visual depictions of products or services in CPE content shall be generic, unbranded, and/or de-identified.</p> <p>Since NEWPROD can be easily identified by sight, it is not sufficient to remove or cover the brand name.</p>
6	<p>TUBEFEEDS records one of its conference sessions and decides to use the recording to create an enduring activity. Once the enduring activity is Prior Approved by CDR for CPEUs, TUBEFEEDS offers the activity on its website. When learners purchase the activity, they are sent an email with a link to the CPE activity. The email does not contain links to TUBEFEEDS' products or other CPE offerings.</p> <p>When learners click on the link for the CPE activity, they are brought directly to the activity without having to click through or watch advertisements.</p>	Yes	<p>The link provided for web-based CPE activities must not include access to product or service listings, product or service descriptions, or purchase options for products or services.</p> <p>Learners must be able to engage with the CPE without having to page through, click through, watch, listen to, or be presented with marketing messages during content.</p>

# Sample Timing Outline for CPE Activity and Lunch in the Same Physical Space

**Title:** Nutrition and Dietetics

**Date:** April 4, 2025

**Location:** Chicago, IL

**9:30 am – 10:00 am:** Welcome and introductions

Jane Doe, MS

**10:00 am – 11:00 am:** “Long Term Complications of Uncontrolled Diabetes”

John Smith, MD

- 10:00 am – 10:10 am: Formal feedback and assessment (pre-test)
- 10:40 am – 10:45 am: Informal feedback (check for understanding)

**11:00 am – 12:00 pm:** “Benefits of Purchasing Local Foods”

Robert Sample, MBA

- 11:05 am – 11:08 am and 11:12 am – 11:15 am: Informal feedback (polling)
- 11:45 am – 12:00 pm: Informal feedback (scheduled Q/A)

**12:20 pm – 1:00 pm:** Sponsored Lunch

**1:20 pm – 2:20 pm:** “Is your Child a Picky Eater or a Problem Feeder?”

Cindy Jones, APN

- 1:30-1:40 pm: Informal feedback (knowledge assessment game)

**2:20 pm – 3:00 pm:** Q & A

**3:00 pm – 3:30 pm:** Closing

Please note, time for Welcomes/Introductions, Meals, Breaks, and Closing/Wrap-Up does not count towards total CPEUs. All hours are awarded for learning time only.

For concurrent sessions, the time is only counted once as practitioners cannot attend more than one live event at the same time. For example, if there were 3 sessions from 12 - 1 pm, this would count as 1 CPE vs. 3 CPEs.