

Legal Alert

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Changes in pharmacy advertising – analysis of the draft amendment to Pharmaceutical Law

On 12 December 2025, the long-awaited draft act amending Pharmaceutical Law was published on the website of the Government Legislation Center.

The draft aims to repeal the complete ban on the advertising of pharmacies and pharmacy dispensaries, and to establish new rules for conducting advertising, i.e., to align Polish law with the requirements of the CJEU judgment of 19 June 2025 in case C-200/24.

A brief overview of the draft is presented below.

New definition of pharmacy advertising

Advertising of a pharmacy or pharmacy dispensaries means activities consisting of: *informing or encouraging the use of the offer of a pharmacy or pharmacy dispensaries, aimed at increasing the sales of the assortment available in the pharmacy or pharmacy dispensaries, as well as services provided there and programs implemented there.*

Prohibitions in pharmacy advertising

Advertising of a pharmacy or pharmacy dispensaries **may not be permitted to**, among others:

1. offer any benefits in exchange for purchasing an assortment or using services or programs,
2. constitute comparative advertising,
3. be directed at children or young people under 18 years of age,
4. use the image of celebrities, scientists, people with medical education or suggest the possession of such education, or rely on the recommendations of such persons,
5. contain content suggesting that the failure to use the offer will result in the deterioration or lack of improvement in health condition,
6. be misleading, be formulated in a manner that may cause fear, or exert pressure on the patient to use services or benefits offered in the pharmacy or pharmacy dispensaries, or to purchase the assortment offered,

7. violate the law and good practices,
8. be combined with content unrelated to the pharmacy or pharmacy dispensaries, or
9. violate professional secrecy or the principles of ethics and professional deontology binding on pharmacists.

Higher sanctions

Currently, the maximum penalty for non-compliant advertising of a pharmacy or pharmacy dispensaries amounts to **PLN 50,000**. It is proposed to increase this amount to **PLN 100,000**.

Transitional Provisions

Proceedings initiated and not concluded by a final decision before the date of entry into force of the act will be subject to **discontinuation!**

If you operate a pharmacy, please contact us! We will be happy to answer your questions regarding the proper advertising of a pharmacy or pharmacy dispensaries.

Contact us!



Jacek Myszek

Partner, attorney-at-law

☎ +48 660 617 009

✉ jacek.myszek@skslegal.pl



Katarzyna Wójcik-Welc

Associate, attorney-at-law

☎ +48 539 673 159

✉ katarzyna.wojcik-welc@skslegal.pl