

Full title of law or regulation

Act of 26 October 1982 on the Maintenance of Sobriety and Combating Alcoholism, as amended 2007. Single text O.J. 2007 No 70 item 473

Full act in Polish here:

<http://www.g-regs.com/downloads/POAlcAct2007UpdatePO.pdf>

And in English here:

<http://www.g-regs.com/downloads/POAlcActUpdatedFullEN.pdf>

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Title of relevant section

Articles 13, 13 (1) and 13 (2)

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Article 13

1. Any alcoholic beverage shall be delivered to the place of sale only in sealed containers marked with the manufacturer's brand, the beverage type and volume, and the alcohol content.
2. A notice on harmful effects of alcohol consumption shall be displayed at every alcoholic beverages sale and/ or serving outlet.

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Article 13 (1), Clause 1

1. Advertising and promotion in the territory of the country of any alcoholic beverage shall be prohibited, except for beer, advertising and promotion of which shall be permitted provided that the same:
  1. Is not targeted at the under aged
  2. Does not present the under aged
  3. Does not associate drinking alcohol with physical fitness or vehicle driving
  4. Does not include any statements that alcohol is a medical, stimulating, calming drug or a means to resolve personal problems
  5. Does not promote excessive alcohol drinking
  6. Does not present abstinence or reasonable alcohol drinking in a negative way
  7. Does not promote the high percentage of alcohol content in alcoholic beverages as a feature improving their quality
  8. Does not form any associations with:
    - Sexual attractiveness
    - Relaxation or leisure
    - Learning or work
    - Personal or professional success.

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Article 13 (1)  
Clause 2

2. Neither advertisement of beer, nor promotion thereof, referred to in par. 1 above shall be executed:
  1. On television, the radio, at the cinema or the theatre between 6 a.m. and 8 p.m. except advertisement provided by an organizer of a qualified or professional sports event during such an event,
  2. On video cassettes and other media
  3. In press for the youth and children
  4. On a newspaper or magazine cover
  5. On posts, billboards, and other fixed and mobile advertisement displays, unless 20% of the advertisement area is covered with visible and legible notices on the harmful effects of alcohol consumption or of ban of alcohol sale to the under aged
  6. With participation of the under aged.

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BRAND LIKENESSES

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Article 13 (1) Clauses 3 & 4	<ol style="list-style-type: none"> <li>3. Advertisement and promotion of any product and/ or service, the brand, trade mark, graphic layout, or packaging which exploits similarity or is identical to marking of an alcoholic beverage or any other symbol that objectively refers to an alcoholic beverage, shall be prohibited.</li> <li>4. Advertisement and promotion of any business and/ or another party that in the advertising image thereof uses a brand, trade mark, graphic layout, or packaging related with an alcoholic beverage, and/ or a manufacturer and/ or distributor thereof, shall be prohibited</li> </ol>
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SPONSORSHIP

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Article 13 (1) Clauses 5-11	<ol style="list-style-type: none"> <li>5. It shall be forbidden to inform of sponsoring a sport event, music show, or another mass event by any beverage manufacturer and/or distributor, the principal business of which is manufacturing or sale of any alcoholic beverage with alcohol content from 8% to 18%, in any manner other than publishing the manufacturer's/distributor's brand and logotype, inside a newspaper or magazine, on an invitation, entrance ticket, poster, information product or billboard relative to a specific event, subject to reservation of the following par. 6.</li> <li>6. A sponsoring information may be broadcast on the radio and/or television provided that the same shall be limited to communicating the brand of a manufacturer and/or distributor of a beverage with up to 18% alcohol content or the logotype thereof only, and no such information shall be provided on television by an individual or using the image of an individual.</li> <li>7. It shall be forbidden to inform of any other than specified in the above par. 5 sponsoring by a producer and/or distributor of an alcohol beverage, the principal business of which is manufacturing or sale of any alcoholic beverage with alcohol content from 8% to 18%, and to inform of sponsoring by any manufacturer and/or distributor of any beverage with over 18% alcohol content.</li> <li>8. The ban provided for in par. 1 above shall also apply to any promotional/ advertising publication supplied by an alcoholic beverage manufacturer and/or distributor to retail customers.</li> <li>9. No ban provided for in the above par. 1-8 shall apply to advertisement and promotion of any alcoholic beverage provided inside premises of a wholesaler, a separate department, or a point of sale of alcoholic beverage only, and at a point of sale of alcoholic beverages for consumption at place of sale.</li> <li>10. Any ban provided for in par. 1-8 shall apply to any individual, legal person, or organisational unit without legal personality that participates in provision of advertisement as a customer or a contractor, regardless of the manner and form of such provision.</li> <li>11. The minister competent in matters of health shall determine by way of regulation the size, content, blueprint and manner of incorporating in the advertisement referred to in the above par. 2 item 5 notices on the harmful effects of alcohol consumption or of ban on alcohol sale to the under aged, in consideration of alcohol consumption reduction and counteracting alcoholism among the youth.</li> </ol>
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LEVY

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Article 13 (2) Clause 1	<ol style="list-style-type: none"> <li>1. Any entity that provides any service, the subject of which is advertisement rendered in compliance with provisions of this Act, shall pay to a dedicated account established for this purpose by the minister competent in matters of physical culture and sports a fee in the amount of 10% of the contractual net remuneration for the service of alcoholic beverage advertising.</li> </ol>
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