

**Question for written answer E-000346/2018  
to the Commission**  
Rule 130  
**Marek Plura (PPE)**

Subject: Total ban on advertising for pharmacies, pharmacy outlets and their activities in Poland (EU PILOT 7216/14/MARK)

The Commission is looking into a complaint from the Lewiatan Confederation about the total ban on advertising for pharmacies, pharmacy outlets and their activities in Poland (EU PILOT 7216/14/MARK).

At the beginning of May 2017, the EU Court of Justice issued its judgment in Case C-339/15, ruling that a general and absolute prohibition of any advertising relating to dental care services in Belgium is incompatible with European Union law.

The prohibition in question was almost identical to one that has applied in Poland since 2012, banning advertising for pharmacies, pharmacy outlets and their activities. The two bans share the following elements: a general and absolute prohibition of advertising, a list detailing permitted information on activities, and stated objectives such as the protection of public health and of the dignity of the profession concerned.

Unfortunately, however, despite the aforementioned judgment, the Polish Ministry of Health does not intend to change the law – something that was made explicitly clear in a letter to employers' organisations. Polish courts are also failing to heed the ECJ's ruling. This situation is making it impossible to implement social and health programmes, for example (including programmes aimed at bringing down the prices of over-the-counter medicines for large families and senior citizens).

In the light of the foregoing, what action will the Commission be taking to ensure that Polish law is brought into line with EU law as quickly as possible, in particular where the EU PILOT 7216/14/MARK procedure is concerned?