

Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use

[^{F1}TITLE VIIIa

INFORMATION AND ADVERTISING]

Article 90

The advertising of a medicinal product to the general public shall not contain any material which:

- (a) gives the impression that a medical consultation or surgical operation is unnecessary, in particular by offering a diagnosis or by suggesting treatment by mail;
- (b) suggests that the effects of taking the medicine are guaranteed, are unaccompanied by adverse reactions or are better than, or equivalent to, those of another treatment or medicinal product;
- (c) suggests that the health of the subject can be enhanced by taking the medicine;
- (d) suggests that the health of the subject could be affected by not taking the medicine; this prohibition shall not apply to the vaccination campaigns referred to in Article 88(4);
- (e) is directed exclusively or principally at children;
- (f) refers to a recommendation by scientists, health professionals or persons who are neither of the foregoing but who, because of their celebrity, could encourage the consumption of medicinal products;
- (g) suggests that the medicinal product is a foodstuff, cosmetic or other consumer product;
- (h) suggests that the safety or efficacy of the medicinal product is due to the fact that it is natural;
- (i) could, by a description or detailed representation of a case history, lead to erroneous self-diagnosis;
- (j) refers, in improper, alarming or misleading terms, to claims of recovery;
- (k) uses, in improper, alarming or misleading terms, pictorial representations of changes in the human body caused by disease or injury, or of the action of a medicinal product on the human body or parts thereof[^{F1}.]
- (l) [^{F2}.]

Textual Amendments

- F1** Substituted by [Directive 2004/27/EC of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use.](#)
- F2** Deleted by [Directive 2004/27/EC of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use.](#)