

**Draft name:** Act amending the Act on a sober upbringing and counteracting alcoholism

**Drawn up on:** 31 July 2025.

**Representative of the Applicant:**

Senator Rafał Ambrozik

**Source:** petition

**Persons responsible for the draft in the Legislative Office:**

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**Form No.:** 166, 166 S

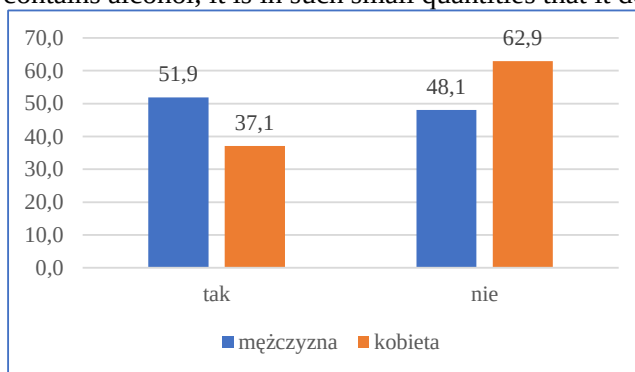
## REGULATORY IMPACT ASSESSMENT

### 1. What issue is being addressed?

Alcohol is a psychoactive substance consumed by almost 90 % of adult Poles. According to the World Health Organisation, alcohol ranks third globally and second in Europe among the most significant risk factors for public health<sup>1</sup>. In order to reduce the consumption of alcohol by pregnant and breastfeeding women, various initiatives are being taken by the state. *Ciąża bez alkoholu* (Alcohol-free pregnancy) – under this slogan, Państwowa Agencja Rozwiązywania Problemów Alkoholowych [State Agency for Prevention of Alcohol Related Problems] has been conducting educational activities since 2007 to raise awareness of the damage to foetal development caused by alcohol consumption during pregnancy. Women also receive information about harmful effects of alcohol consumption at doctor's appointments<sup>2</sup>. One in three women (33.3 %) admitted that their doctor advised them not to drink alcohol during pregnancy. Slightly fewer (26.7 %) women claimed that their doctor recommended abstinence during breastfeeding.

Statistical research shows that measures taken by the state to reduce alcohol consumption by pregnant women are achieving the desired results. Between 2013 and 2017, the proportion of women who declare that they do not consume alcohol during pregnancy increased by 5.26 percentage points – from 89.9 % in 2013 to 95.16 % in 2017<sup>3</sup>. However, despite these positive changes in the behaviour of pregnant women, many misconceptions are still common in society, such as the belief that drinking moderate amount of alcohol during pregnancy is not harmful. Another very dangerous stereotype is the belief that wine has a positive effect on the health of pregnant woman and her unborn child. Figure 1 and the data in Table 1 below present misconceptions common in Polish society.

Figure No. 1: Although beer contains alcohol, it is in such small quantities that it does not adversely affect health



Mężczyzna  
kobieta

men  
women

Source: Based on PARPA data, 'Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.', dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

Table No. 1: Child health risk assessment.

<sup>1</sup> Najwyższa Izba Kontroli, NIK [Supreme Audit Office], Informacja o wynikach kontroli; „Ograniczanie spożycia napojów alkoholowych”, LPO.430.006.2020 Ref. No. 196/2020/P/20/076/LPO

<sup>2</sup> Państwowa Agencja Rozwiązywania Problemów Alkoholowych, PARPA [State Agency for the Prevention of Alcohol-Related Problems]; 'Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.'; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

<sup>3</sup> Państwowa Inspekcja Sanitarna [State Sanitary Inspectorate] 'Zachowania zdrowotne kobiet w ciąży 2017'

<https://gis.gov.pl/wp-content/uploads/2018/04/Zachowania-zdrowotne-kobiet-w-ci%C4%85%C5%BCy-alkohol-i-papierosy.-Raport-2017-1.pdf>

ocena ryzyka dla kobiet	jedn.	picie niewielkich ilości alkoholu	picie dużych ilości alkoholu
brak ryzyka	%	1,07	0,44
nieznaczne ryzyko		7,06	0,19
średnie ryzyko		16,51	1,00
wysokie ryzyko		75,35	98,37
<b>suma</b>		100	100

Ocena ryzyka dla kobiet

Brak ryzyka

Nieznaczne ryzyko

Średnie ryzyko

Wysokie ryzyko

Suma

Jedn.

Picie niewielkich ilości alkoholu

Picie dużych ilości alkoholu

Source State Sanitary Inspection, 'Zachowania zdrowotne kobiet w ciąży 2017'.

Women risk assessment

No risk

Insignificant risk

Medium risk

High risk

Total

Unit

Drinking small amounts of alcohol

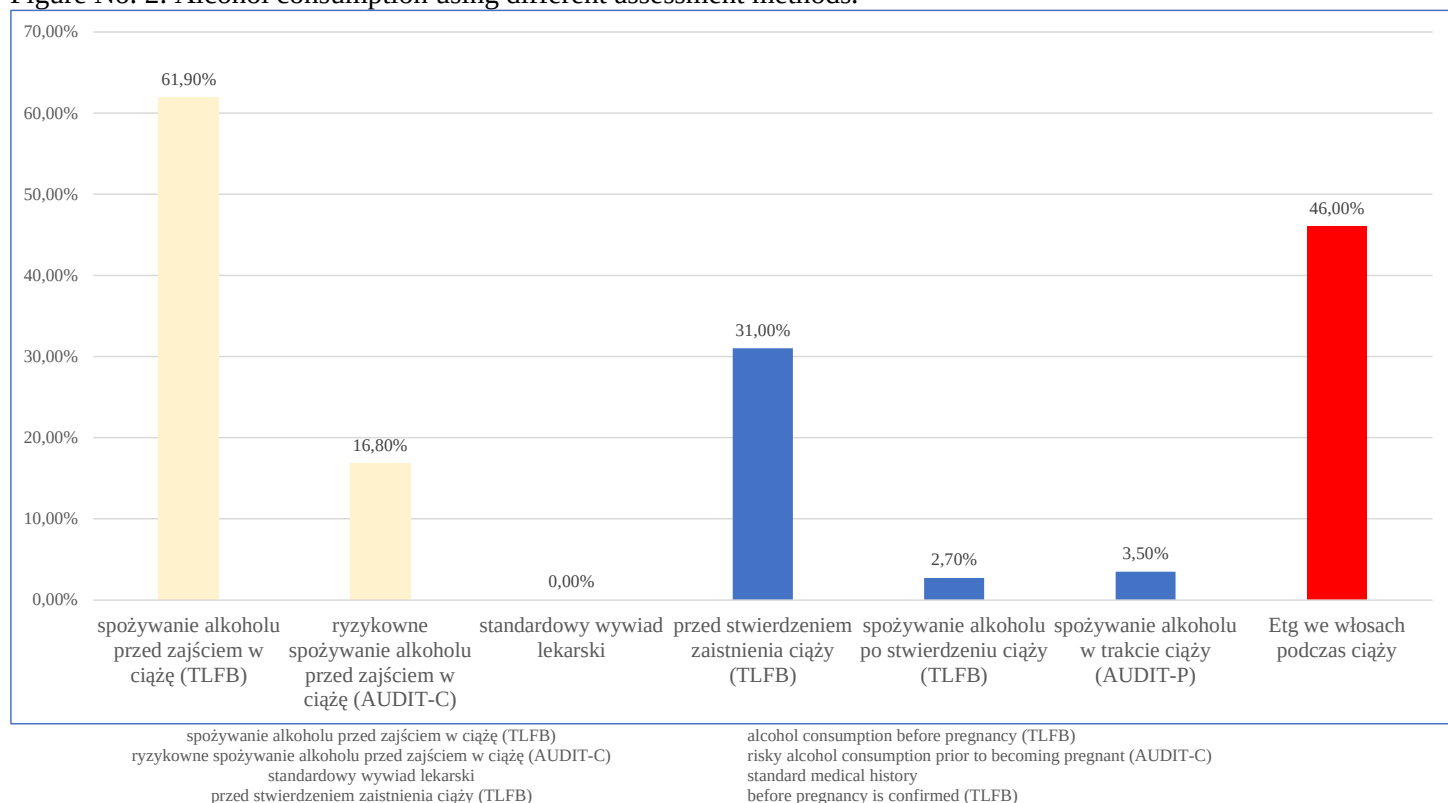
Drinking large amounts of alcohol

Alcohol consumption during pregnancy does not differ within the group of women surveyed in terms of their age, place of residence, education or religious commitment. Furthermore, these social and demographic variables do not influence the frequency of drinking or the type of alcohol consumed. According to surveys, women prefer wine – almost half of the women consuming alcohol during pregnancy declared drinking wine – followed by vodka, while the least frequently indicated alcohol was beer<sup>4</sup>.

However, despite the undertaken initiatives, many women are still unaware that even a very small amount of wine, and other alcoholic beverage (beer, vodka, etc.) can cause irreversible damage to an unborn child and result in Foetal Alcohol Spectrum Disorder (FASD), the most severe of which is FAS (Foetal Alcohol Syndrome)<sup>5</sup>

It turns out that the accuracy of the assessment of the scale of alcohol consumption by pregnant women also depends on the method used to measure it. According to the publication of Krajowe Centrum Przeciwdziałania Uzależnieniom [National Centre for Prevention of Addictions] the use of alcohol, psychoactive substances during pregnancy can be assessed objectively based on the results of metabolite identification. Hair analysis can be useful in detecting chronic or excessive alcohol consumption. The results of the EtG hair test indicate the actual pattern of alcohol consumption by pregnant women, and this data raises concern.

Figure No. 2: Alcohol consumption using different assessment methods.



<sup>4</sup> Państwowa Agencja Rozwiązywania Problemów Alkoholowych, PARPA [State Agency for the Prevention of Alcohol-Related Problems]; 'Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.'; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

<sup>5</sup>Based on information posted on the website <http://ciazabezalkoholu.info/>

Source: dr n. med. Tomasz Maciejewski, Klinika Położnictwa i Ginekologii Instytut Matki i Dziecka [Clinic of Obstetrics and Gynaecology in the Institute of Mother and Child], 'Położnictwo w praktyce', Krajowe Centrum Przeciwdziałania Uzależnieniom [National Centre for Prevention of Addiction], published in 'Magazyn pielęgniarki i położnej' 9/2023, <https://kcpu.gov.pl/wp-content/uploads/2024/01/FASD.-Ocena-ryzyka-spozywania-alkoholu-w-czasie-ciazy.pdf>

FAS prevalence in Poland may range from 1–3 cases per 1,000 births (0.3 %). This means that each year up to 900 children are born with full symptoms of the disease<sup>6</sup>. 20 in 1,000 children probably have FASD. FAS is an incurable disease, the prevalence of which – according to scientific knowledge – can be eliminated if pregnant women refrain from drinking alcohol.

## 2. The recommended solution, including planned intervention tools and expected impact.

In order to prevent the effects of alcohol consumption by pregnant women, it is recommended to adopt a draft *Act amending the Act on a sober upbringing and counteracting alcoholism*, which proposes the introduction of the following intervention tools:

1. imposing an obligation on producers and distributors of alcoholic beverages to provide information on the harmfulness of alcohol consumption by pregnant or breastfeeding women on containers in which alcoholic beverages are sold,
  - the minister responsible for health shall determine, by means of a regulation, the size, scope, format and manner of affixing of the information,
  - alcoholic beverages delivered to points of sale in containers that do not meet the requirements may be sold for no longer than 24 months from the date of entry into force of the Act,
2. extending the scope of providing information on the harmful effects of alcohol consumption by pregnant or breastfeeding women by including beer advertising and promotional messages in the information obligation,
  - the minister responsible for health shall determine, by means of a regulation, the manner and scope of the information,

In order to take into account the principle of balancing administrative obligations resulting from the provisions of the Act on amending certain laws in order to deregulate commercial and administrative law and to improve the principles of commercial law-making of 21 May 2025, which has been in force since 13 July 2025, the following provisions are proposed:

- abolition of the fee of PLN 200 for amending authorisations for the wholesale distribution of alcohol,
- extension of the deadline for notifying about changes in the undertaking's factual and legal situation, from 14 to 30 days,
- clarification of the rules for payment of the fee for the use of authorisations to sell alcoholic beverages, where the fee is paid in instalments.

It is expected that the draft regulation will contribute to raising the awareness of pregnant and breastfeeding women about the particular harmfulness of alcohol consumption. There is some evidence that warning labels may increase awareness of the risks associated with drinking alcohol during pregnancy<sup>7</sup>. The regulation may also have a preventive effect on the members of local communities, who often do not react or even encourage women to drink alcohol. It is assumed that the implementation of the draft Act will result in a further reduction in alcohol consumption by pregnant or breastfeeding women. As a consequence, the number of children affected by the Foetal Alcohol Spectrum Disorder (FASD) should be reduced, including the number of children born with Foetal Alcohol Syndrome (FAS), which is the most severe.

## 3. How has this problem been solved in other countries, in particular OECD/EU Member States?

The global prevalence of FAS is estimated at 3–9 per 1,000 live births. In Germany, approximately 2,200 children are born with FAS each year, and in the USA – approximately 5,000<sup>8</sup>.

<sup>6</sup> *Plodowy zespół alkoholowy w ujęciu interdyscyplinarnym*, Państwowa Medyczna Wyższa Szkoła Zawodowa w Opolu, 2015, Edyta Kędra, Maria Borczykowska-Rzepka.

<sup>7</sup> European Commission, „Alcohol in Europe. A public health perspective”, Peter Anderson and Ben Baumberg Institute of Alcohol Studies, UK June 2006; [https://ec.europa.eu/health/archive/ph\\_determinants/life\\_style/alcohol/documents/alcohol\\_europe\\_en.pdf](https://ec.europa.eu/health/archive/ph_determinants/life_style/alcohol/documents/alcohol_europe_en.pdf)

The World FAS Day, the FASD Awareness Day are celebrated on 9 September. In order to make future mothers aware of the effects of drinking alcohol during pregnancy, the risks of affecting foetal development and the possible abnormal development of the child in the future, as well as to draw public attention to the global scale of the problem, parents from Toronto (Canada) and Tucson (USA) came up with an idea of establishing the Awareness Day. The first World FAS Day was held on 9 September 1999 in Auckland, New Zealand. Subsequently, FAS Days were held in Australia, South Africa, the United States, and finally, with the participation of volunteers from Italy, Germany and Sweden, also in Europe. By the resolution of the United States Senate of 23 June 2004, 9 September was designated the *National FASD Day*<sup>9</sup>.

In 2016, recognising the negative effects of alcohol consumption by pregnant women, the European Commission together with the World Health Organisation initiated a project to monitor this phenomenon and promote effective prevention methods. In the light of the European Commission's publication, the Member States are taking differentiated measures to limit this negative phenomenon<sup>10</sup>. However, according to a report of the World Health Organisation, few member countries have regulations in place on health information labelling (including warnings for pregnant women)<sup>11</sup>.

**France.** In 2005, legislation was introduced requiring all alcoholic beverages to be labelled with a warning against drinking alcohol during pregnancy. The provisions in force require that packaging of products containing alcohol include the following information: "Consumption of alcoholic drinks during pregnancy, even in small amounts, may have serious consequences on the child's health" or a pictogram representing the silhouette of a pregnant woman in a red circle crossed by an oblique line. Since manufacturers may choose the method of warning, most of them use a pictogram. Due to the established minimum specifications for the size and colour of the pictogram, a small pictogram is used.

**Lithuania.** In 2016, within a more comprehensive alcohol control policy, an act introducing mandatory graphic warning about the harm caused to pregnant women by alcohol was implemented. The warning label must be placed on the packaging next to other mandatory information. It must be presented in a colour that contrasts with the background so that the information is clearly visible and not covered by any text or other graphic symbols. The diameter of the warning symbol must be at least 5 mm if the volume of the beverage container is 500 ml or less, or 10 mm if the volume exceeds 500 ml.

**Ireland.** The provisions on alcohol labelling were adopted in 2018, but are not yet in force and are part of a comprehensive alcohol policy package. According to them, it is the Minister of Health who determines the form of the information label, in particular its size, colour, font type and material.

**Australia.** According to the Food Standards Australia New Zealand, Australia has introduced legislation requiring alcoholic beverages to be provided with labels warning of the effects of alcohol consumption during pregnancy. The provisions were published on 31 July 2020 with a transitional period of three years. Optional alternative requirements for warning labels on corrugated cardboard outer packaging have also been published. The Food Standards Australia New Zealand website provides detailed recommendations on the technical requirements related to the affixing and appearance of the warning label<sup>12, 13</sup>.

**USA.** In 23 states and Washington D.C., alcohol retailers are required by law to provide alcohol warning signs. These signs warn of the risks associated with drinking alcohol during pregnancy. Studies have confirmed the impact of warning labels on reducing alcohol consumption in pregnant women<sup>14</sup>.

Image No. 1: Examples of warning labels in the USA.

<sup>8</sup>State Agency for the Prevention of Alcohol-Related Problems, <http://www.parpa.pl/index.php/ciaza-bez-alkoholu/badania>

<sup>9</sup> Based on information published on the Wikipedia pages and [www.fasday.com](http://www.fasday.com)

<sup>10</sup> European Commission and World Health Organisation Regional Office for Europe, *Prevention of harm caused by alcohol exposure in pregnancy* [http://www.euro.who.int/\\_data/assets/pdf\\_file/0005/318074/Prevention-harm-caused-alcohol-exposure-pregnancy.pdf](http://www.euro.who.int/_data/assets/pdf_file/0005/318074/Prevention-harm-caused-alcohol-exposure-pregnancy.pdf)

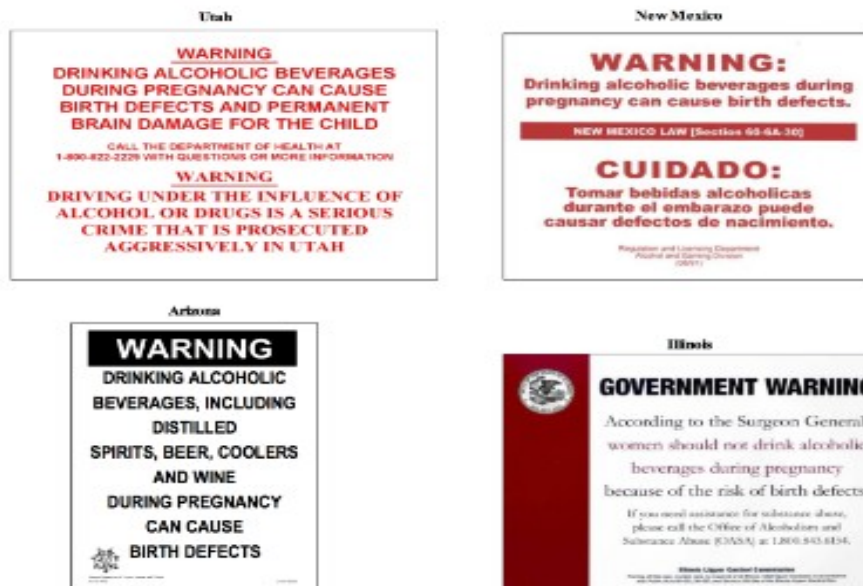
<sup>11</sup> World Health Organization Regional Office for Europe; WHO HEALTH EVIDENCE NETWORK SYNTHESIS REPORT 68, "What is the current alcohol labelling practice in the WHO European Region and what are barriers and facilitators to development and implementation of alcohol labelling policy?"; Eva Jané-Llopis, Daša Kokole, Maria Neufeld, Omer Syed Muhammad Hasan, Jürgen Rehm

<sup>12</sup> Food Standards Australia New Zealand (FSANZ);

<https://www.foodstandards.gov.au/business/labelling/pregnancy-warning-labels/pregnancy-warning-labels-downloadable-files#faqs>

<sup>13</sup> [https://www.foodregulation.gov.au/search/funnelback?query=Impact+Assessment+label+alcohol&search\\_scope=0](https://www.foodregulation.gov.au/search/funnelback?query=Impact+Assessment+label+alcohol&search_scope=0)

<sup>14</sup> Gulcan Cil, "Effects of Posted Point-of-Sale Warnings on Alcohol Consumption During Pregnancy and on Birth Outcomes", 2017.



Source: Gulcan CIL, 'Effects of Posted Point-of-Sale Warnings on Alcohol Consumption During Pregnancy and on Birth Outcomes', 2017.

#### 4. Entities affected by the draft

Group	Size	Data source	Impact
pregnant or breastfeeding women	approx. 380,000 per year	own estimates based on data from the Statistics Poland (GUS)	<ul style="list-style-type: none"> <li>raising awareness about the harmful effects of alcohol consumption on child's health</li> <li>decrease in the number of childbirths affected by FASD</li> </ul>
producers of alcoholic beverages:	Number of breweries <b>326</b>	The Brewers of Europe <sup>15</sup>	<ul style="list-style-type: none"> <li>the obligation to include information on the packaging of alcoholic beverages about the particular harmfulness of alcohol consumption for pregnant or breastfeeding women</li> </ul>
entities involved in wine production, distribution of wine	manufacturing and processing of ethyl alcohol <b>534</b>  <b>approx. 600</b> <b>approx. 500</b>	Krajowy Ośrodek Wsparcia Rolnictwa [National Support Centre for Agriculture] <sup>16</sup>  Estimates Związek Pracodawców Polska Rada Winiarstwa [Association of Employers Poland Council of Winemaking] <sup>17</sup>	<ul style="list-style-type: none"> <li>the obligation to include information in beer advertisements about the particular harmfulness of alcohol consumption by pregnant or breastfeeding women</li> <li>one-off cost associated with adapting labels to the amended provisions</li> <li>negative impact on demand for alcoholic beverages</li> <li>abolition of the fee of PLN 200 for amending authorisations for the wholesale distribution of alcohol</li> <li>extension of the deadline for notifying changes to authorisations from 14 to 30 days</li> </ul>
distributors of alcoholic beverages:			<ul style="list-style-type: none"> <li>modification of the rules for payment of concession fees in instalments</li> </ul>

<sup>15</sup>The Brewers of Europe, "European Beer Trends, statics Report, 2024 Edition", <https://brewersofeurope.eu/wp-content/uploads/2024/12/eu-beer-trends-2024-web.pdf>

<sup>16</sup> National Agricultural Support Centre, List of entities authorised to carry out economic activity in the production and processing of ethyl alcohol, as at 17 January 2025.

<sup>17</sup>Association of Employers Poland Council of Winemaking, opinion on draft Act amending the Act on a sober upbringing and counteracting alcoholism, form 166.

<ul style="list-style-type: none"> <li>• supermarkets</li> <li>• discount stores</li> <li>• grocery stores</li> <li>• wine and confectionery liquor stores</li> <li>• highly specialised stores</li> <li>• petrol stations</li> <li>• online shops</li> <li>• pubs, bars, cafés, restaurants</li> <li>• clubs, discotheques</li> <li>• hotels</li> <li>• temporary points, mass events</li> </ul>		<p>KPMG <i>Rynek napojów alkoholowych w Polsce</i></p>	
<p>Minister of Health</p>			<ul style="list-style-type: none"> <li>• the obligation to issue a regulation specifying the size, scope, format and manner of affixing of the information on the particular harmfulness of alcohol consumption by pregnant or breastfeeding women</li> <li>• the obligation to issue a regulation specifying the manner and scope of information in beer advertising and promotional messages about the specific harmfulness of alcohol consumption by pregnant or breastfeeding women</li> </ul>

#### 5. Information on the scope, duration, and summary of consultation results.

The draft *Act amending the Act on a sober upbringing and counteracting alcoholism* was sent on 14 October 2024 to the following entities: Krajowe Centrum Przeciwdziałania Uzależnieniom [National Centre for Prevention of Addiction]; Główny Inspektorat Sanitarny [Main Sanitary Inspectorate]; Minister of Finance; Minister of Agriculture and Rural Development; Minister of Health; Minister of Family, Labour and Social Policy; Prezesowi Urzędu Ochrony Konkurencji i Konsumentów [President of the Competition and Consumer Protection Authority]; Helsinki Foundation for Human Rights; Stowarzyszenie Krajowej Unii Producentów Soków [Polish Association of Juices Producers]; Związek Pracodawców Przemysłu Piwowarskiego – Browary Polskie [Union of Brewing Industry Employers – Polish Breweries]; Polskie Stowarzyszenie Browarów Rzemieślniczych [Polish Association of Craft Breweries]; Związek Przedsiębiorców i Pracodawców [Union of Entrepreneurs and Employers]; Związek Rzemiosła Polskiego [Polish Craft Association]; Związek Sadowników Rzeczypospolitej Polskiej [Polish Fruit Growers' Association]; Business Centre Club; Krajowa Rada Radców Prawnych [National Bar Council of Attorneys at Law]; Naczelna Rada Adwokacka [Polish Bar Council]; Prokuratura Generalna Rzeczypospolitej Polskiej [General Counsel to the Republic of Poland]; Konfederacja Lewiatan [‘Lewiatan’ Confederation]; Pracodawcy Rzeczypospolitej Polskiej [Employers of Poland]; Główne Stowarzyszenie Naukowo-Techniczne Przemysłu Spożywczego [Main Scientific and Technical Association of the Food Industry]; Związek Pracodawców Polski Przemysł Spirytusowy [Spirits Employers Association of the Polish Spirits Industry]; Związek Pracodawców Polska Rada Winiarstwa [Association of Employers Poland Council of Winemaking]; Komisja Krajowej NSZZ „Solidarność” [National Commission of NSZZ ‘Solidarność’]; Ombudsman for Children's Rights. The opinions are to be sent by 31 October 2024.

The Minister of Agriculture and Rural Development **questioned the validity of the amendments** imposing additional labelling obligations for packaging of alcoholic beverages delivered to the points of sale, in the context of voluntary initiatives already taken by the alcohol industry to increase public awareness of the harmfulness of alcohol consumption by pregnant women.

The Minister of Family, Labour and Social Policy **positively** assessed the amendments proposed in the draft Act. At the same time, she suggested that the scope of the draft Act should be extended to include the following issues:

- the obligation to provide information about the harmfulness of alcohol consumption by pregnant or breastfeeding women also in places where alcoholic beverages are sold and served,
- the possibility of using fees for authorisations issued under Articles 18 and 18<sup>1</sup> of the Act on a sober upbringing and

counteracting alcoholism and income from the fees referred to in Article 11<sup>1</sup> of that Act also for tasks carried out by family assistants and support families.

The Ombudsman for Children's Rights **welcomed** the proposed solution, which he compared to the solutions that the legislator introduced for tobacco products – through the mandatory obligation to include a health warning on the unit packet and any outside packaging of tobacco products for smoking. At the same time, he emphasised that the proposed amendment should be one of the elements of the state policy for promoting sobriety and counteracting alcoholism, as the current solutions are insufficient. He pointed out that regulatory measures regarding the availability of alcohol in Poland (online sales, beer advertising, physical and economic accessibility) must be taken.

The Director of the National Centre for Prevention of Addictions **positively** assessed the proposed amendments aimed at regulating the obligation to inform both, within the content of advertising and on the product (alcoholic beverage) about the harmfulness of alcohol for pregnant and breastfeeding women. He also pointed out that the above-mentioned information was far from sufficient. It is extremely important to inform consumers about the harmfulness of alcohol, including but not limited to its teratogenicity, but also its carcinogenicity.

The President of the Office of Competition and Consumer Protection (UOKiK) **supported** the presented solutions. At the same time, he pointed out that these solutions are part of a wider discussion about the sale, availability and use of alcohol. In the opinion of the President of UOKiK, in order for the new regulations to be effective and have a positive impact on consumers, it is necessary to comprehensively address the issues identified. The President of UOKiK proposed that the inclusion of the proposals presented in the draft into the draft Act amending the Act on a sober upbringing and counteracting alcoholism prepared by the Minister of Health (UD147) should be considered.

The 'Lewiatan' Confederation expressed **a positive opinion** about the initiative. At the same time, it pointed out that the proposed regulations would be subject to mandatory notification to the European Commission. In addition, the 'Lewiatan' Confederation submitted:

- proposal to specify the format of the warning information, its size, and the manner in which such information should be included directly in the Act,
- the need to clarify what the transitional period is,
- proposal to amend the wording of Article 2 in accordance with its own proposal.

The Association of Employers Poland Council of Winemaking emphasised that it fully supports initiatives aimed at reducing the negative effects of irresponsible alcohol consumption and confirmed that all actions heading in this direction are extremely relevant from a social perspective. However, with reference to the draft Act, the Association noted that the rules on labelling alcoholic beverages are regulated at EU level. This is determined by the functioning of the single market and the free movement of goods. In this regard, the Association **claimed that the introduction of mandatory warnings on alcoholic products should be regulated by uniform EU legislation.**

In the event that the Senate decides to continue work on the amendment to the Act, the Association called for:

- the health warning format to be similar to the one introduced in France, and the provisions to be worded in a manner consistent with French regulations, including, in particular, the format to be precisely defined directly in the Act,
- a specific date to be indicated by which manufacturers and importers have time to acquaint themselves with the new requirements and to adapt the labels, and that products manufactured before that date, labelled in accordance with the provisions in force before that date, to be sold until stocks are exhausted. According to the Association, the 24-month period laid down in Article 2 of the draft, during which products labelled in accordance with the existing provisions may be sold, is too short.

The Spirits Employers Association of the Polish Spirits Industry has expressed its position that they support any initiative aimed at educating pregnant women and those who wish to become mothers about the harmfulness of alcohol to unborn children. At the same time, the Association emphasised that it is too late to inform a future mother about the harmfulness of alcohol consumption when she reaches for a bottle. Such a solution (label warnings) can merely have a supporting function. Outreach activities carried out at the earliest possible stage seem to be more relevant, including, in particular, the involvement of gynaecologists in educational campaigns. In addition, the Spirits Employers Association of the Polish Spirits Industry pointed out that imposing obligation to include additional information on labels is subject to EU law. In the event of an attempt to introduce the proposed obligation, the regulations will be considered as technical provisions and will be subject to EU notification. According to the Spirits Employers Association of the Polish Spirits Industry, the proposal to determine the size, scope, format and manner of affixing the warning by means of a regulation of the Minister of Health raises questions. Such requirements should be laid down explicitly in the Act. In addition, it was proposed to introduce warnings similar to those introduced in France. In the opinion of the Spirits Employers Association of the Polish Spirits Industry the proposal concerning the transition period also raises concerns. The proposed regulation needs to be

clarified by specifying whether the transitional period applies to every placing on the market (by all entities involved in the distribution chain) or to the initial placing on the market (by the manufacturer).

According to the assessment of the Union of Brewing Industry Employers:

- the brewing industry meets the expectations set out in the 2017 petition, as the symbol warning pregnant women against alcohol consumption is displayed on every beer packaging sold on the Polish market; manufacturers who have already been using the labelling referring to the subject matter of the petition should not be required to change it, and the statutory requirement should only apply to those manufacturers and importers who do not use such labelling or will not use it by the relevant date specified in the Act;
- technical provisions must be notified to the European Commission,
- a draft implementing act should also be attached to the draft Act,
- the transitional periods proposed in Article 2 of the draft Act are too short; introduction of a 36-month adjustment period should be considered, following comparable requirements imposed by the EU on food producers (providing nutrition value on labelling/packaging),
- it should be clarified whether the obligation to provide a warning label will also apply to KEG barrels; with such an obligation in place it would be necessary to replace or modify approximately 1.5 million steel beer barrels used in the catering industry.

Rada Przedsiębiorców [Council of Entrepreneurs] claimed that in a situation where a large proportion of enterprises have opted for self-regulation, the introduction of a statutory requirement to provide a special warning label on alcohol packaging advising against alcohol consumption by pregnant or breastfeeding women seems unfounded and constitutes excessive interference in the activities of enterprises. The Council of Entrepreneurs requests that further work on the draft Act be discontinued and that dialogue with alcoholic beverages producers be continued while further measures are taken to raise awareness of the harmfulness of alcohol consumption by pregnant women.

The Polish Association of Craft Breweries expressed the view that the draft Act was redundant, as it attempts to regulate a matter that is subject to self-regulation in the industry. For many years, the brewing industry has been undertaking initiatives to promote responsible alcohol consumption (including pictograms on labels and advertising materials). In addition, the Polish Association of Craft Breweries noted the following issues:

- Article 1 of the draft Act contains terms that are not used in law with respect to food ('type', 'strength') or the term 'quantity of beverages',
- the requirement to indicate the name of the producer laid down in Article 1 of the draft Act is not consistent with EU law,
- the labelling of alcoholic beverages is regulated at EU level and relevant concepts are defined therein, while 'the draft introduces new, independent terms, without introducing their definitions',
- the draft Act must be supplemented with a model label, since as it stands, the proposed regulation gives the minister too much discretion in determining its format.

In the opinion of the Polish Association of Craft Breweries further analyses must be conducted and the latest studies need to be considered.

On 29 July 2025, at a joint meeting, the Health Committee and the Legislative Committee adopted the draft Act with the amendments regarding:

- abolition of the fee of PLN 200 for amending authorisations for the wholesale distribution of alcohol,
- extension of the deadline for notifying changes to authorisations from 14 to 30 days,
- modification of the rules for payment of concession fees in instalments.

## 6. Impact on the public finance sector.

(fixed prices from 2025)	Impact over 10 years from implementing the amendments [PLN million]												
	0	1	2	3	4	5	6	7	8	9	10	Total (0–10)	
<b>Total revenue</b>	0	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data
<b>Total expenditure</b>	0	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data
<b>Total balance</b>	0	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data

Sources of financing

Additional information, including the identification of data sources and

The Act in question may contribute to a reduction in the consumption of alcohol by pregnant or breastfeeding women, thus reducing the number of children who are born with FASD. As a consequence, public expenditure on treatment and social care for people affected by this disease should also be reduced. However, a significant reduction in these expenditures will only be achieved after several years, when the positive effects accumulate.

assumptions made in the calculation	<p>According to information provided by the Minister of Health, no studies have been conducted in Poland on the economic costs associated with FASD<sup>18</sup>.</p> <p>Research on the social and economic impacts of FASD has been carried out in the USA, Canada, New Zealand, and Sweden. A group of researchers attempted to review published articles describing the social and economic effects associated with FASD. After identifying 522 publications on this subject, the researchers ultimately selected 32 scientific articles and performed a meta-analysis. The results obtained in this way indicate that annual costs of maintaining and caring for a person with FASD are higher than in the case of other diseases or congenital disorders. It has been calculated that average annual costs associated with caring for a child and adult with FASD, amount to USD 23,000 and USD 24,000, respectively.<sup>19,20</sup> For example, annual costs associated with caring for a person with autism and diabetes, amount to USD 17,000 and USD 21,000, respectively.<sup>21</sup></p> <p>According to information from the State Agency for the Prevention of Alcohol-Related Problems, taking into account foreign research results and lower (compared to the USA, Canada or Sweden) real costs associated with caring for people affected by FASD in Poland, it is estimated (depending on the methodological approach) that the annual costs associated with FASD in Poland may range from PLN 1.6 billion to PLN 3.5 billion<sup>22</sup>.</p> <p>The Act in question may contribute to a change in the behaviour of some pregnant and breastfeeding women. However, as there are no documented parameters, it is difficult to reliably estimate the scale of the reduction in harmful behaviours and predict a decrease in the number of women consuming alcohol during pregnancy. Consequently, it is not possible to reliably estimate how the public expenditure will be reduced.</p> <p>When analysing the proposed legal regulation, its impact on the revenue side of the public finance sector should also be taken into account. By raising awareness of the harmful effects of alcohol consumption, even in small amounts, the act in question will reduce demand for alcoholic beverages, primarily among the target group, i.e. pregnant or breastfeeding women, but also among other groups that consume alcoholic beverages.</p>
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## 7. Impact on the competitiveness of the economy and entrepreneurship, including the functioning of enterprises and impact on families, citizens, and households.

		Impact						
Time in years since entry into force of the amendments		0	1	2	3	5	10	Total (0–10)
In monetary terms (PLN million, fixed prices from 2025)	large enterprises	0			0	0	0	
	micro-, small- and medium-sized enterprises	0			0	0	0	
	families, citizens and households	0	no data	no data	no data	no data	no data	no data
	large enterprises	The act in question will affect the activities of producers and distributors of alcoholic beverages. By imposing an obligation to include information on the particular harmfulness of alcohol consumption by pregnant or breastfeeding						
	micro-, small- and medium-sized enterprises							

<sup>18</sup> Consultations on draft *Act amending the Act on a sober upbringing and counteracting alcoholism*, 9th term of the Senate of the Republic of Poland, document no. 1017, opinion of the Minister of Health, letter ref. No.: ZPN.070.4.2019.DL of 11 January 2019.

<sup>19</sup> Ibid.

<sup>20</sup> Jacob R. Greenmyer, BS, Marilyn G. Klug, PhD, Cassandra Kambeitz, BS, Svetlana Popova, MD, and Larry Burd, PhD; “A Multicountry Updated Assessment of the Economic Impact of Fetal Alcohol Spectrum Disorder: Costs for Children and Adults”; *American of Addiction Medicine*, Volume 12, Number 6, November/December 2018

<sup>21</sup> Consultations on draft *Act amending the Act on a sober upbringing and counteracting alcoholism*, 9th term of the Senate of the Republic of Poland, document no. 1017, opinion of the Minister of Health, letter ref. no.: ZPN.070.4.2019.DL of 11 January 2019.

<sup>22</sup> The State Agency for the Prevention of Alcohol-Related Problems, Consultations on the draft *Act amending the Act on a sober upbringing and counteracting alcoholism*, 9th term of the Senate of the Republic of Poland, opinion of the State Agency for the Prevention of Alcohol-Related Problems, letter ref. no: ANA/50/DPr/2019 of 10 January 2019.

women, the regulation will result in additional costs, expenses and loss of revenue. This will have the following effects:

- one-off costs of getting to know laws and regulations,
- costs associated with adapting to new labelling requirements in order to comply with the obligation to include appropriate information on the harmful effects of alcohol consumption by pregnant or breastfeeding women on containers in which alcoholic beverages are sold,
- possible expenses related to the purchase of equipment to meet the requirement of appropriate product labelling, however, the such effect depends on the manner in which the requirements are set out in the regulation, which will regulate issues related to product labelling; at this stage of the legislative process, it is not possible to clearly determine whether this effect will occur,
- negative impact on revenue from the sale of alcoholic beverages.

**Impact of regulation on enterprises in the sector of alcoholic beverages.**

The draft Act will make it necessary for operators in the sector of alcoholic beverages to incur additional costs in order to adapt the label formats. The amount of these costs will depend on the following factors: the number of enterprises adapting the labels, the average number of labels adapted by the operator concerned and the average cost of adapting the label format. At this stage of the legislative process, no specific recommendations have yet been made regarding the manner of affixing the labels warning about the harmfulness of consuming alcoholic beverages. The regulation of this issue will determine the amount of costs of adapting the labels. Therefore, the regulatory impact assessment must be based on the assumption that these parameters will evolve within reasonable ranges.

**It is estimated that the total one-off costs associated with adapting to the requirements of label format may range from PLN 42.5 million** (if the cost of adapting the label format is PLN 3,000) **to PLN 226.6 million** (if the cost of adapting the label format is about PLN 16,000). This means that the costs of adapting labels may give rise to an increase in the total costs of enterprises in the sector of alcoholic beverages of between 0.1 % and 0.6 %, depending on the amount of the label cost.

**Assessment of the impact of regulation at micro level**, i.e. the impact of the draft Act on an individual entity operating in the alcoholic beverage industry. The draft Act will make it necessary for the entity to bear the following costs:

- costs related to acquainting with laws and regulations. These costs may amount to **approx. PLN 5,000** – assumed at the level of the amount estimated by the European Commission for food labelling regulations (EUR 1,408/entity)<sup>23</sup>, the costs are likely not to cause expenditure in the vast majority of entities,
- costs related to the adaptation of labels. The cost of adapting the label is likely to be in the range of **PLN 3,000 to PLN 16,000**.

The lower limit of the cost of adapting the label was adopted at the level indicated in the consultation process – the expression ‘several thousand PLN’ was used. The upper limit was adopted at the level estimated by the

<sup>23</sup>European Commission Impact Assessment Report on General Food Labelling Issues  
[http://ec.europa.eu/smart-regulation/impact/ia\\_carried\\_out/docs/ia\\_2008/sec\\_2008\\_0092\\_en.pdf](http://ec.europa.eu/smart-regulation/impact/ia_carried_out/docs/ia_2008/sec_2008_0092_en.pdf);

		<p>European Commission (EUR 2,000 – 4,000, food labelling regulation)<sup>24</sup>.</p> <p><u>Impact of regulation on the demand for alcoholic beverages.</u> Advertising is a significant factor in increasing the level of consumption of alcoholic beverages, especially by young people<sup>25</sup>. By raising awareness of the harmful effects of alcohol consumption, even in small amounts, the act in question will reduce demand for alcoholic beverages, primarily among the target group, i.e. pregnant or breastfeeding women, but also among other groups that consume alcoholic beverages (although it is difficult to predict the quantitative impact of the regulation in this regard). In the literature, interventions consisting in the affixing of a label with appropriate warning information to the packaging of a product are referred to as counter-advertising.</p> <p>It can be assumed that the informational and educational element of the regulation will also have an impact on a certain proportion of consumers outside the target group, who, upon receiving accurate information, will become aware of their misconceptions, such as:</p> <ul style="list-style-type: none"> <li>• although beer contains alcohol, its concentration is so small that it does not adversely affect health (currently 51.9 % of men and 37.1 % of women surveyed share this view),</li> <li>• ‘appropriate diet’ aspect; the positive impact of the regulation on the health of citizens may also be evident in the 65+ age group, as surveys show, in the group of the oldest participants (65+ years), the ‘appropriate diet’ concept is relevant for more or less twice as high proportion of respondents than in other age groups. Arguably, the beliefs of this age group can be derived from the rationalisation of their consumption of alcohol, but equally – from rooted beliefs, e.g. that beer is healthy).</li> </ul> <p>Due to the lack of a reliable parameter, no quantitative estimate of the effect of the reduction in the demand for alcoholic beverages has been made. Statistical data shows that between 2015 and 2019 the value of sales of alcoholic beverages declared by retailers increased from PLN 34.7 billion in 2015 to PLN 40.6 billion in 2019.<sup>26</sup> Taking into account these figures, it can be concluded that even a slight decrease in demand will result in a significant loss of revenues for this sector.</p> <p>The detailed impact statement is described in Annex 5.</p>
	families, citizens and households	<p><b>Impact of regulation on consumers.</b> Considering that retail beer prices in Poland rose by 12 % between 2019 and 2022, partly due to increases in energy and transport costs, but also due to factors such as an increase in the excise duty rate,<sup>27</sup> it can be assumed that the it will be the consumers who will eventually bear the costs of adapting labels in the price of the goods.</p> <p>Based on the data contained in the publication<sup>28</sup> prepared for the purposes of the regulatory impact assessment<sup>29</sup> attached to a similar act developed in Australia, after taking into account the currency exchange rate, the additional cost that can be transferred to the consumer in the price of an alcoholic beverage for beer, wine, and spirits may be PLN 0.18, PLN 0.84, PLN 0.33, respectively.</p>

<sup>24</sup>Ibid.

<sup>25</sup> Results of a study conducted in September 2012 by RAND Europe on behalf of the European Commission

<sup>26</sup> NIK, Informacja o wynikach kontroli, ‘Ograniczanie spożycia napojów alkoholowych’, LPO.430.006.2020 Ref. No. 196/2020/P/20/076//LPO

<sup>27</sup> The Office of Competition and Consumer Protection, ‘Raport z badania krajowego rynku piwa i chmielu’.

<sup>28</sup> A Marsden Jacob Report, “Cost of labelling model-alcohol. Report for Food Standards Australia New Zealand, 29 September 2021”.

**8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft.**

This regulation will create regulatory burdens, as the producers and distributors of alcoholic beverages will need to acquaint themselves with the provisions of the law. In addition, the draft Act imposes new obligations on entrepreneurs, related to the obligation to affix a special sign warning against alcohol consumption by pregnant or breastfeeding women on the packaging of alcoholic beverage.

In order to take into account the principle of balancing administrative obligations resulting from the provisions of the Act on amending certain laws in order to deregulate commercial and administrative law and to improve the principles of commercial law-making of 21 May 2025, which has been in force since 13 July 2025, the following provisions are proposed:

- abolition of the fee of PLN 200 for amending authorisations for the wholesale distribution of alcohol,
- extension of the deadline for notifying about changes in the undertaking's factual and legal situation, from 14 to 30 days,
- clarification of the rules for payment of the fee for the use of authorisations to sell alcoholic beverages, where the fee is paid in instalments.

**9. Impact on the labour market.**

No impact.

**10. Impact on other aspects.**

<input type="checkbox"/> natural environment <input type="checkbox"/> regional standing and development <input type="checkbox"/> other:	<input type="checkbox"/> demography <input type="checkbox"/> state property	<input type="checkbox"/> digitalisation <input checked="" type="checkbox"/> health
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Discussion of the impact	This regulation will have a positive impact on the health of pregnant women and children. It can be expected that in the long term the draft Act will contribute to a decrease in the number of people affected by FASD and FAS.
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**11.Planned implementation of the provisions of the Act.**

The provisions of the draft will start to apply 6 months after the date of publication of the Act.

**12. How and when will the impact of the draft be assessed, and what measures will be applied?**

In view of the significance of the regulation, an evaluation of the effects of the draft Act should be carried out after 3 years of its entry into force. Indicators identifying the number of cases of FASD and FAS are proposed as metrics. In addition, the evaluation should include the impact on economic operators and the state budget.

**13.Annexes (important source documents, research, analyses, etc.).**

Alcohol consumption by pregnant and breastfeeding women, Annex 1.  
Information on the Foetal Alcohol Spectrum Disorder (FASD) and Foetal Alcohol Syndrome (FAS); Annex 2.  
Reasons for drinking alcohol; Annex 3.  
Respondents' opinions on alcohol policy; Annex 4.  
Impact of regulation on the business and consumer sectors; Annex 5.

### Alcohol consumption by pregnant and breastfeeding women

Alcohol is a psychoactive substance consumed by almost 90 % of adult Poles. According to the World Health Organisation, alcohol ranks third globally and second in Europe among the most significant risk factors for public health<sup>30</sup>. In order to reduce the consumption of alcohol by pregnant and breastfeeding women, various measures are being taken by the state. *Ciąża bez alkoholu* (Alcohol-free pregnancy) – under this slogan, Państwowa Agencja Rozwiązywania Problemów Alkoholowych [State Agency for Prevention of Alcohol Related Problems] has been conducting educational activities since 2007 to raise awareness of the damage to foetal development caused by alcohol consumption during pregnancy. Women also receive information about harmful effects of alcohol consumption at doctor's appointments<sup>31</sup>. One in three women admitted (33.3 %) that their doctor advised them not to drink alcohol during pregnancy. Slightly fewer (26.7 %) women claimed that their doctor recommended abstinence during breastfeeding.

7.1 % of women who had ever been pregnant admitted to drinking alcohol during pregnancy. This percentage is lower compared to the studies commissioned by PARPA in 2008 (12.1 %) and 2005 (16.5 %). However, it is higher than in the surveys carried out at the request of the Chief Sanitary Inspectorate in 2017, when 4.8 % of respondents admitted to drinking alcohol during pregnancy. On the other hand, in a study carried out by Instytut Medycyny Wsi im. Witolda Chodźki [Witold Chodźka Rural Medicine Institute] in 2013, 10.1 % of pregnant women declared drinking alcohol<sup>32</sup>.

Alcohol consumption during pregnancy did not differ within the group of women surveyed in terms of their age, place of residence, education or religious commitment. Furthermore, these social and demographic variables did not influence the frequency of drinking or the type of alcohol consumed. According to surveys, women prefer wine – almost half of the women consuming alcohol during pregnancy declared drinking wine, followed by vodka, while beer was the least frequently indicated alcohol<sup>33</sup>.

Statistical surveys show that these measures are producing the desired results. The proportion of women declaring that they did not consume alcohol during pregnancy increased by 5.26 percentage points between 2013 and 2017, from 89.9 % in 2013 to 95.16 % in 2017.<sup>34</sup>

Table No. 2: Alcohol consumption by women during pregnancy.

frequency of drinking	% 2013	% 2017	change in behaviour	
			trend	in percentage points
four or more times a week	0.11	0.20	increase	0.1
twice or three times a week	0.21	0.14	decrease	-0.1
two to four times a month	1.27	0.46		-0.8
once a month or less frequently	8.51	4.03		-4.5
did not drink	89.90	95.16	increase	5.3
<b>total</b>	100	100		0.00

Source: *Zachowania zdrowotne kobiet w ciąży 2017 r.*, State Sanitary Inspectorate.

However, despite positive changes in the behaviour of pregnant women, many misconceptions are still common in society, such as the belief that drinking moderate amounts of alcohol during pregnancy is not particularly harmful. A very dangerous stereotype present in Polish society is the belief that wine has a positive effect on the health of pregnant woman and her unborn child. The misconceptions present in the society are illustrated by the Figure 3 and the data in the Table 3 below.

<sup>30</sup> NIK, Informacja o wynikach kontroli, 'Ograniczanie spożycia napojów alkoholowych', LPO.430.006.2020 Ref. No. 196/2020/P/20/076//LPO

<sup>31</sup> PARPA, 'Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.'; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

<sup>34</sup> *Zachowania zdrowotne kobiet w ciąży 2017 r.*; State Sanitary Inspectorate;

<https://gis.gov.pl/wp-content/uploads/2018/04/Zachowania-zdrowotne-kobiet-w-ci%C4%85%C5%BCy-alkohol-i-papierosy.-Raport-2017-1.pdf>



**Information on:**  
**Foetal Alcohol Spectrum Disorder (FASD)**<sup>37</sup>

**Foetal Alcohol Spectrum Disorder (FASD)** is an incurable, non-genetic syndrome that can occur in children whose mothers consumed alcohol during pregnancy.

FASD is characterised by:

- damage to the central nervous system
- neurological disorders
- delayed physical and mental development
- behavioural disorders
- mental retardation
- attention deficit hyperactivity disorder
- birth defects (including heart and joint defects)

These abnormalities may result in the child having difficulties with:

- learning
- concentration
- memory and problem-solving skill
- ataxia
- speech disorders
- relationships with people
- observance of social norms.

Deficits associated with Foetal Alcohol Spectrum Disorder (FASD) affect a child's intellectual and social development during adolescence and into adulthood. **The most severe form of damage caused by prenatal exposure to alcohol is Foetal Alcohol Syndrome (FAS)**, in which, in addition to damage to the central nervous system, the following can also occur:

- prenatal and postnatal growth deficiency(weight + height);
- facial dysmorphic features (characteristic facial traits: narrow palpebral fissures, absent philtrum, no upper vermilion border).

Population studies estimating the prevalence of FASD conducted among children aged 7–9 years in Poland indicate that FASD have at least 20 per 1,000 children. In Poland, the FAS rate may be 1–3 per 1,000 births, approximately 900 children per year.

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<sup>37</sup>Based on information posted on the website <http://ciazabezalkoholu.info/>

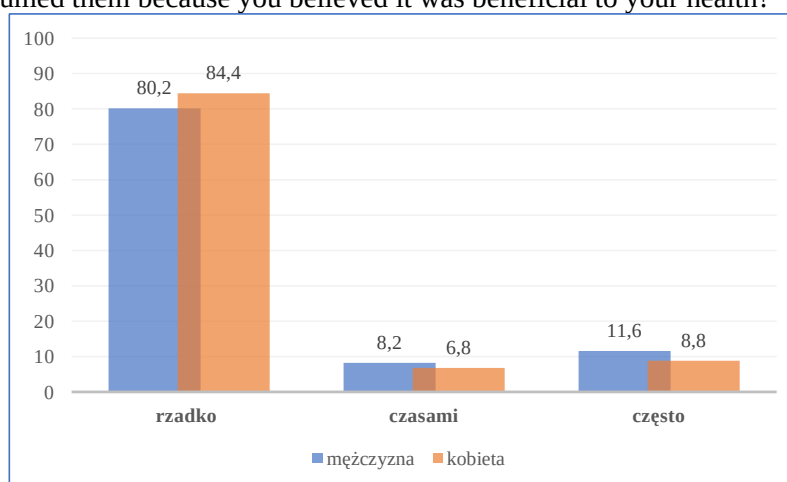
### Reasons for drinking alcohol<sup>38</sup>

Across all age groups, there is consistency in the most important reasons for drinking – as with gender, they are as follows:

- hedonistic reasons, i.e. drinking for the pleasure of getting drunk or feeling slightly intoxicated,
- rituals, i.e. an embedded way of ‘celebrating’ events and social meetings, e.g. drinking during family events,
- adapting to others, i.e. you want to do what everyone else is doing – if people around you are drinking, you copy such behaviour.

It is striking that in the group of the oldest survey participants (65+), the ‘appropriate diet’ reason is relevant for approximately twice as many respondents as in the other age groups. The beliefs of this age group may well stem from rationalising their alcohol consumption, but they may just as easily result from deeply rooted beliefs (e.g. ‘Beer makes you stronger!’).

Figure No. 4: Percentage distribution of responses to the question about reasons for drinking by gender: ‘Recall a situation when you have consumed alcoholic beverages over the past 12 months, whether it was beer, wine, or spirits: how often have you consumed them because you believed it was beneficial to your health?’

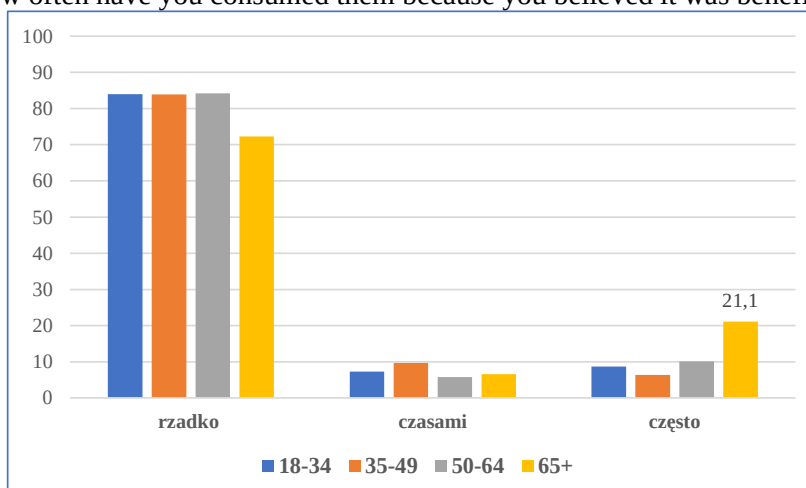


Rzadko  
Czasami  
Często  
Mężczyzna  
kobieta

Seldom  
Sometimes  
Frequently  
man  
woman

Source: Based on PARPA data, ‘Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.’; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

Figure No. 5: Percentage distribution of responses to the question about reasons for drinking by age group of study participants: ‘Recall a situation when you have consumed alcoholic beverages over the past 12 months, whether it was beer, wine, or spirits: how often have you consumed them because you believed it was beneficial to your health?’



<sup>38</sup> Based on data from the publication ‘Wzory konsumpcji alkoholu w Polsce’. Raport z badań kwestionariuszowych 2020 r.’; PARPA; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

Rzadko  
Czasami  
Często

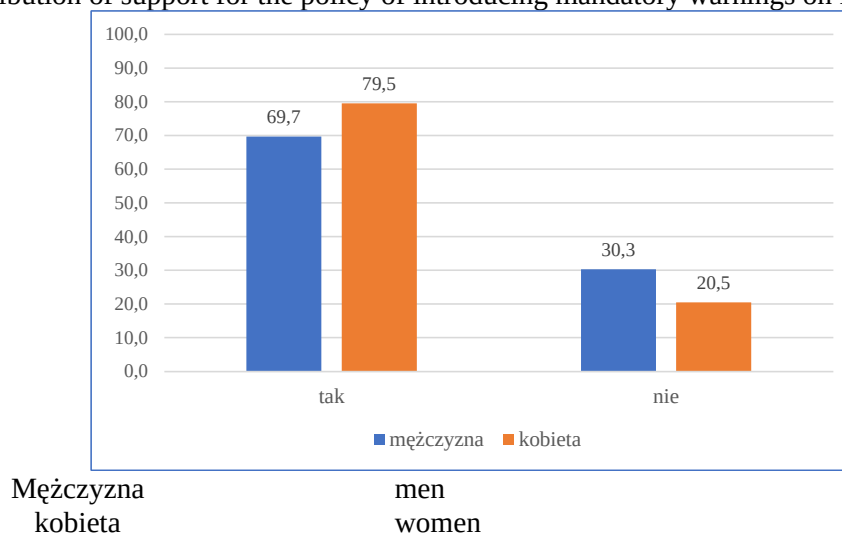
Seldom  
Sometimes  
Frequently

Source: Based on PARPA data, 'Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.'; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

### Respondents' opinions on alcohol policy<sup>39</sup>

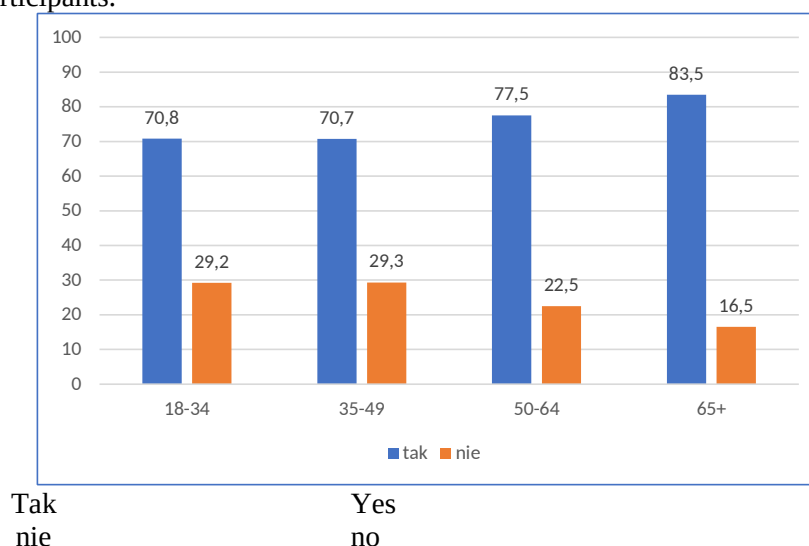
An important area addressed in the surveys is support for various government alcohol policies. Public support for certain forms of action can facilitate the implementation of changes in alcohol policy, while a negative public approach can significantly hinder it. In general, women and men agreed on the most important elements of alcohol policy, with both groups strongly advocating education and information as the most important strategy. Taking into account the age cohort, the survey participants were generally in agreement on priorities and opportunities for action. Survey respondents strongly support education and information (supported by 90.4 % of female respondents and 84.7 % of male respondents) and warnings on alcohol packaging about the harmful effects of alcohol consumption (supported by 79.5 % of female respondents and 69.7 % of male respondents).

Figure No. 6: Distribution of support for the policy of introducing mandatory warnings on labels.



Source: Based on PARPA data, 'Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.'; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

Figure No. 7: Distribution of support for alcohol policy involving the introduction of mandatory warnings on labels by age group of survey participants.



Source: Based on PARPA data, 'Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.'; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

<sup>39</sup> Based on data from the publication 'Wzory konsumpcji alkoholu w Polsce'. Raport z badań kwestionariuszowych 2020 r.'; PARPA; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

### Impact of regulation on the business and consumer sector

The Act in question will affect the activities of producers and distributors of alcoholic beverages. By imposing an obligation to include information on the particular harmfulness of alcohol consumption by pregnant or breastfeeding women, the regulation will result in additional costs, expenses and loss of revenue. This will have the following effects:

- one-off costs of getting to know laws and regulations,
- costs associated with adapting to new labelling requirements in order to comply with the obligation to include appropriate information on the harmful effects of alcohol consumption by pregnant or breastfeeding women on containers in which alcoholic beverages are sold,
- possible expenses related to the purchase of equipment to meet the requirement of appropriate product labelling, however, the such effect depends on the manner in which the requirements are set out in the regulation, which will regulate issues related to product labelling; at this stage of the legislative process, it is not possible to clearly determine whether this effect will occur,
- negative impact on revenue from the sale of alcoholic beverages.

The draft Act will make it necessary for operators in the sector of alcoholic beverages to incur additional costs in order to adapt the label formats. The amount of these costs will depend on the following factors: the number of enterprises adapting the labels, the average number of labels adapted by the operator concerned and the average cost of adapting the label format. No statistics are available for assuming accurate parameter values, in particular the parameter at which the average number of adapted labels by operators should be taken into account and at what the average cost of adapting the label will be. Therefore, the regulatory impact assessment must be based on the assumption that these parameters will evolve within reasonable ranges.

At this stage of the legislative process, no specific recommendations have yet been made regarding the manner of affixing the labels warning about the harmful effects of consuming alcoholic beverages. It is assumed that the cost of adapting the label will be in the range of **PLN 3,000 to PLN 16,000**; the lower cost limit was adopted at the level indicated in the consultation process (the expression ‘several thousand PLN’ was used), the upper limit was adopted at the level estimated by the European Commission (EUR 2,000 to EUR 4,000, food labelling regulation)<sup>40</sup>.

**Impact of regulation on enterprises in the sector of alcoholic beverages. It is estimated that the total one-off costs associated with adapting to the requirements of label format may range from PLN 42.5 million** (if the cost of adapting the label format is PLN 3,000) **to PLN 226.6 million** (if the cost of adapting the label format is about PLN 16,000). This means that the costs of adapting labels may give rise to an increase in the total costs of enterprises in the sector of alcoholic beverages of between **0.1 % and 0.6 %**, depending on the label cost.

Table No. 4: Total costs of adapting labels incurred by operators in the sector of alcoholic beverages.

		beer	spirits	wine	comment
<b>the costs of adapting labels by sub-sectors</b>	(PLN million)	23.3	16.0	3.2	depending on the label cost
		124.1	85.4	17.0	
<b>total costs of adapting labels in the sector of alcoholic beverages</b>	(PLN million)	<b>42.5</b>	assuming the cost of the label is PLN 3,000		
		<b>226.6</b>	assuming the cost of the label is PLN 16,000		
sales of alcoholic beverages declared by retailers	[PLN billion]	40.6	NIK, Informacja o wynikach kontroli, ‘Ograniczenie spożycia napojów alkoholowych’		
<b>estimated increase in costs for the sector of alcoholic beverages resulting from adapting labels</b>					
<b>in relation to the revenues of the sector of alcoholic beverages</b>	[%]	<b>0.1 %</b>	assuming the cost of the label is PLN 3,000		
		<b>0.6 %</b>	assuming the cost of the label is PLN 16,000		

<sup>40</sup>European Commission Impact Assessment Report on General Food Labelling Issues  
[http://ec.europa.eu/smart-regulation/impact/ia\\_carried\\_out/docs/ia\\_2008/sec\\_2008\\_0092\\_en.pdf](http://ec.europa.eu/smart-regulation/impact/ia_carried_out/docs/ia_2008/sec_2008_0092_en.pdf);

Source: Own calculations.

**Impact of regulation on consumers.** Considering that retail beer prices in Poland rose by 12 % between 2019 and 2022, partly due to increases in energy and transport costs, but also due to factors such as an increase in the excise duty rate,<sup>41</sup> it can be assumed that it will be the consumers who will probably eventually bear the costs of adapting labels in the price of the goods. Based on the data contained in the publication<sup>42</sup> prepared for the purposes of the regulatory impact assessment<sup>43</sup> of a similar act developed in Australia, after converting the exchange rate, the additional cost that can be transferred to the consumer in the price of an alcoholic beverage for beer, wine, and spirits may be PLN 0.18, PLN 0.84, PLN 0.33, respectively.

Table No. 5: The costs of adapting beer label formats.

	unit	value	source
<b>data</b>			
<b>number of breweries</b>		<b>326</b>	The Brewers of Europe
<b>structure of beer market:</b>		100 %	Report of Deloitte Advisory Sp. z o.o.
large breweries		84 %	
medium-sized breweries		12 %	
regional and craft breweries		4 %	
<b>label cost</b>	[PLN]	<b>3,000</b> <b>4,000</b>	consultations of the draft act – ‘... several thousand PLN’
	[PLN]	<b>8,000</b> <b>16,000</b>	European Commission Impact Assessment Report On General. Food Labelling Issues
<b>assumptions</b>			
<b>average number of labels requiring adaptation of the format depending on the size of the brewery</b>			
large breweries		<b>20</b>	own assumption
medium-sized breweries	[pieces]	<b>25</b>	own assumption
regional and craft breweries		<b>100</b>	consultation on the draft act
<b>calculations</b>			
<b>estimate of the number of labels, which in general require a new format to be designed</b>		<b>7,759</b>	
<b>the amount of the costs the breweries need to incur to adapt the labels to the Act requirements</b>			
depending on the label cost	(PLN million)	<b>23</b> <b>31</b>	consultations of the draft Act – ‘... several thousand PLN’
	(PLN million)	<b>62</b> <b>124</b>	European Commission Impact Assessment Report On General. Food Labelling Issues
sales of alcoholic beverages declared by retailers	[PLN billion]	40.6	NIK, Informacja o wynikach kontroli, ‘Ograniczenie spożywania napojów alkoholowych’
share of beer in sales of alcoholic beverages	[%]	57.9	
estimated value of beer sales	[PLN]	23.5	
<b>estimate of the increase in the level of costs the breweries need to incur for adapting labels expressed as a percentage</b>			
depending on the label cost	[%]	<b>0.1 %</b>	consultations of the draft Act – ‘... several thousand PLN’
		<b>0.1 %</b>	
		<b>0.3 %</b>	European Commission Impact Assessment Report On General Food Labelling Issues
		<b>0.5 %</b>	

Source: Own calculations.

<sup>41</sup> The Office of Competition and Consumer Protection, ‘Raport z badania krajowego rynku piwa i chmielu’.

<sup>42</sup> A Marsden Jacob Report, ‘Cost of labelling model-alcohol. Report for Food Standards Australia New Zealand, 29 September 2021’.

<sup>43</sup> October 2018 Food Regulation Standing Committee Decision Regulation Impact Statement: Pregnancy warning labels on packaged alcoholic beverages.

Table No. 6: Costs of adapting label formats for spirit products.

	unit	value	source
<b>data</b>			
<b>number of spirits producers</b>		534	Krajowy Ośrodek Wsparcia Rolnictwa [National Centre for Agricultural Support]
<b>label cost [PLN]</b>		3,000	in the amount indicated in the consultation
		4,000	process for beer – ‘... several thousand PLN’
		8,000	European Commission Impact Assessment
		16,000	Report On General Food Labelling Issues
<b>assumptions</b>			
<b>average number of labels requiring format update</b>	[pieces]	10	own assumption
<b>calculations</b>			
<b>estimate of the number of labels, which in general require a new format to be designed</b>	[pieces]	5,340	
<b>amount of the costs the spirits producers need to incur to adapt labels to the requirements of the Act</b>			
depending on the label cost	(PLN million)	16	depending on the label cost
		21	
		43	
		85	
sales of alcoholic beverages declared by retailers	[PLN billion]	40.6	NIK, Informacja o wynikach kontroli, ‘Ograniczenie spożywania napojów alkoholowych’
share of spirits sales in the sale of alcoholic beverages	[%]	34,6 %	
estimated value of sales of spirits	[PLN million]	14.0	
<b>estimate of the increase in the level of costs of producers of spirits resulting from the adaptation of labels</b>			
in percentage	[%]	0.1 %	depending on the label cost
		0.2 %	
		0.3 %	
		0.6 %	

Source: Own calculations.

In the case of entities involved in wine production and distribution, no statistics are known that would allow for the adoption of reliably documented parameters, in particular assumptions about the average number of labels that need to be adapted. Therefore, the impact assessment for this sub-sector has been calculated as a residual value, taking into account the share of wine in the alcoholic beverages market at 7.5 %.

Table No. 7: The costs of adapting wine label formats.

		beer	spirits	wine	comment
estimate of the costs of adapting labels	(PLN million)	23.3	16.0	3.2	PLN 3,000 label cost
		124.1	85.4	17.0	PLN 16,000 label cost

Source: Own calculations.

This regulation will create regulatory burdens, as the producers and distributors of alcoholic beverages will need to acquaint themselves with the provisions of the law. In addition, the draft Act imposes new obligations on entrepreneurs, related to the obligation to affix a special sign warning against alcohol consumption by pregnant or breastfeeding women on the packaging of alcoholic beverage. In order to consider the standard of creating economic regulations laid down in the Delegation Act – Prawo gospodarcze i administracyjne oraz doskonalenie zasad opracowywania prawa gospodarczego [Economic and Administrative Law and Improving the Principles of Developing Economic Law], which has been in force since 13 July 2025, the draft Act introduces legislative amendments consisting in:

- abolition of the fee of PLN 200 for amending authorisations for the wholesale distribution of alcohol,

- extension of the deadline for notifying changes to authorisations from 14 to 30 days,
- clarification of the rules for payment of the fee for the use of authorisations for the sale of alcoholic beverages, where the fee is paid in instalments.

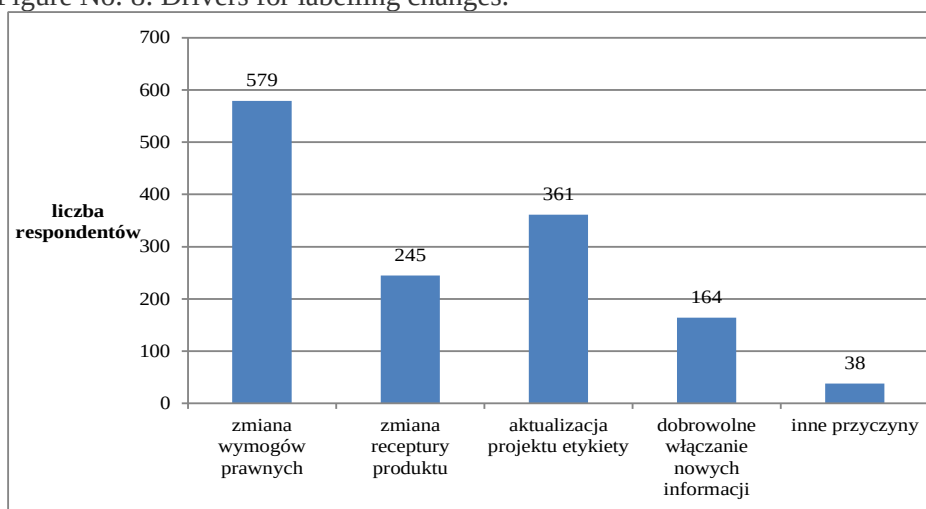
The statistical data presented in Table 8 and Figure 8 below shows that the solution adopted in the draft Act, whereby alcoholic beverages delivered to points of sale in containers that do not meet the requirements may be sold for no longer than 24 months from the date of entry into force of the draft act, will reduce the costs associated with label change. This conclusion is justified based on data contained in the European Commission document, *Impact Assessment*, prepared for the regulation setting out the rules for food labelling<sup>44</sup>. The document shows that more than 60 % of the items change the label within two years.

Table No. 8: Frequency of labelling changes.

	Percentage of labels changed			
	once a year	once every two years	once every three years	other
	%			
RAND Survey	37	26	20	18
SME Panel Survey	29	26	25	19

Source: European Commission: *Impact Assessment Report on General Food Labelling Issues*, p. 40.

Figure No. 8: Drivers for labelling changes.



Liczba respondentów	Number of respondents
zmiana wymogów prawnych	change in legal requirements
zmiana receptury produktu	change in product recipe
aktualizacja projektu etykiety	updating label format
dobrowolne włączanie nowych informacji	voluntary addition of new information

Source: European Commission: *Impact Assessment Report on General Food Labelling Issues*, p. 39.

Impact of the regulation on the demand for alcoholic beverages. It seems that an indication of the effectiveness of the measure proposed in the draft Act may be the experience of introducing solutions for providing information on packets of cigarettes about the harmfulness of smoking cigarettes. Research results show that ‘Health warnings on

<sup>44</sup>European Commission Impact Assessment Report On General Food Labelling Issues  
[http://ec.europa.eu/smart-regulation/impact/ia\\_carried\\_out/docs/ia\\_2008/sec\\_2008\\_0092\\_en.pdf](http://ec.europa.eu/smart-regulation/impact/ia_carried_out/docs/ia_2008/sec_2008_0092_en.pdf);

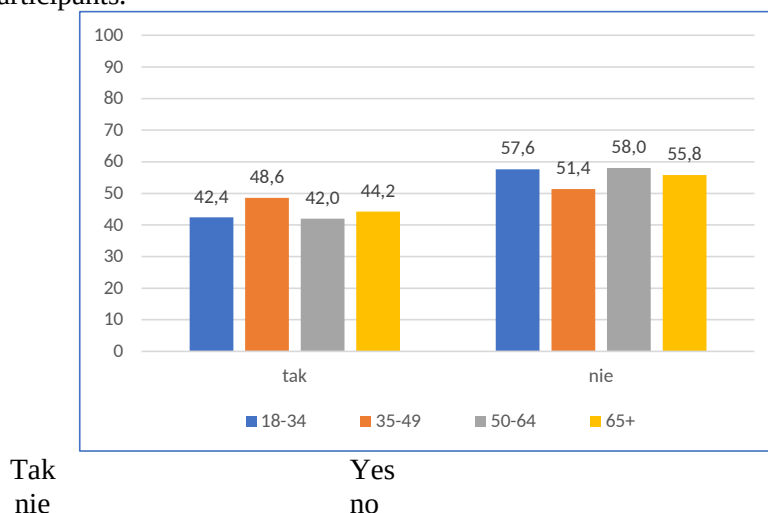
cigarettes packs proved to be effective in informing smokers about dangers of tobacco smoking. GATS study results confirm that the health warnings are noticed almost by every smoker (96.6 %). Almost every fifth smoker (17.7 %) declares, that health warnings caused considering smoking cessation’<sup>45</sup>.

An analysis of consumer trends in the alcoholic beverages market in Poland shows that the percentage of alcoholic beverage consumers who reduce their alcohol consumption for health and well-being reasons is currently 22 %. Research shows that, over time (2 years horizon), the impact of this factor will be critical<sup>46</sup>. Therefore, it can be assumed that increasing awareness of the harmful effects of alcohol consumption by pregnant and breastfeeding women is likely to have an additional effect of reducing alcohol consumption in other groups of consumers as well.

Advertising is a significant factor in increasing the level of consumption of alcoholic beverages, especially by young people<sup>47</sup>. By raising awareness of the harmful effects of alcohol consumption, even in small amounts — such type of interventions are referred to as counter-advertising (placing a label with relevant product information) in the literature — the Act in question will reduce demand for alcoholic beverages, primarily among the target group, i.e., pregnant or breastfeeding women, but also among other groups that consume alcoholic beverages (although it is difficult to predict the quantitative impact of the regulation in this regard). It can be assumed that the informational and educational element of the regulation will also have an impact on a certain proportion of consumers, who, upon receiving accurate information, will become aware of their misconceptions, such as:

- although beer contains alcohol, its concentration is so small that it does not adversely affect health (currently 51.9% of men and 37.1 % of women surveyed share this view),

Figure No. 9: Although beer contains alcohol, it is in such small quantities that it does not adversely affect health by age groups of survey participants.



Source: Based on PARPA data, ‘Wzory konsumpcji alkoholu w Polsce. Raport z badań kwestionariuszowych 2020 r.’; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

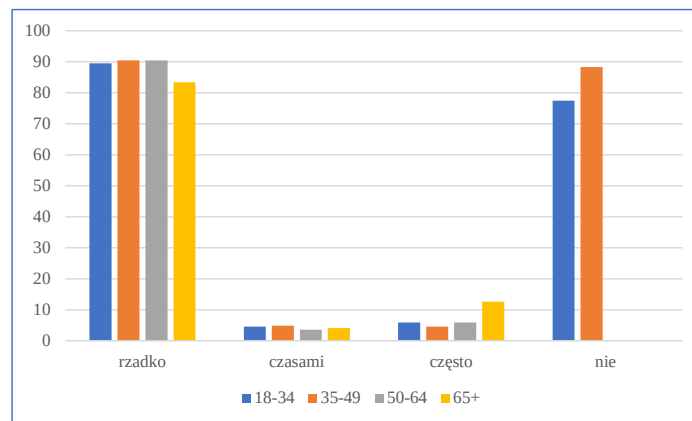
- ‘appropriate diet’ aspect; the positive impact of the regulation on the health of citizens may also be evident in the 65+ age group, as surveys show, in the group of the oldest participants (65+ years), the ‘appropriate diet’ concept is relevant for more or less twice as high proportion of respondents than in other age groups. The beliefs of this age group may well stem from rationalising their alcohol consumption, but they may just as easily result from deeply rooted beliefs (e.g. ‘Beer makes you stronger!’).

Figure No. 10: The percentage distribution of the frequency of alcohol consumption due to the ‘healthy diet’ reason by age group of study participants.

<sup>45</sup> Publication *Global Adult Tobacco Survey (GATS) Poland 2009-2010*  
[http://www2.mz.gov.pl/wwwfiles/ma\\_struktura/docs/sondaz\\_tyt\\_15112010.pdf](http://www2.mz.gov.pl/wwwfiles/ma_struktura/docs/sondaz_tyt_15112010.pdf)

<sup>46</sup> KPMG *Rynek napojów alkoholowych w Polsce*  
<https://assets.kpmg.com/content/dam/kpmg/pdf/2014/11/Rynek-napojow-alkoholowych-w-Polsce-2014-czesc-I.pdf>

<sup>47</sup> Results of a study conducted in September 2012 by RAND Europe on behalf of the European Commission



Rzadko  
Czasami  
Często  
nie

Seldom  
Sometimes  
Frequently  
no

Source: Based on data from the publication 'Wzory konsumpcji alkoholu w Polsce'. Raport z badań kwestionariuszowych 2020 r.'; PARPA; dr Magdalena Rowicka, dr Sławomir Postek, Marta Zin-Sędek

It seems that an indication of the effectiveness of the measure proposed in the draft Act may be the experience of introducing solutions for providing information on packets of cigarettes about the harmfulness of smoking cigarettes. Research results show that 'Health warnings on cigarettes packs proved to be effective in informing smokers about dangers of tobacco smoking. GATS study results confirm that the health warnings are noticed almost by every smoker (96.6 %). Almost every fifth smoker (17.7 %) declares, that health warnings caused considering smoking cessation'<sup>48</sup>.

Conclusion: Taking into account the above-mentioned arguments, it can be assumed that increasing awareness of the harmfulness of alcohol consumption by pregnant and breastfeeding women is likely to have the effect of reducing alcohol consumption in the target group, but also it may have an additional effect of reducing consumption by some of the other consumer groups analysed.

Due to the lack of a reliable parameter, no quantitative estimate of the effect of the reduction in the demand for alcoholic beverages has been made. Statistical data show that between 2015 and 2019 the value of sales of alcoholic beverages declared by retailers increased from PLN 34.7 billion in 2015 to PLN 40.6 billion in 2019.<sup>49</sup> Taking into account these figures, it can be concluded that even a slight decrease in demand will result in a significant loss of revenues for this sector.

<sup>48</sup> Publication *Global Adult Tobacco Survey (GATS) Poland 2009-2010*

[http://www2.mz.gov.pl/wwwfiles/ma\\_struktura/docs/sondaz\\_tyt\\_15112010.pdf](http://www2.mz.gov.pl/wwwfiles/ma_struktura/docs/sondaz_tyt_15112010.pdf)

<sup>49</sup> NIK, Informacja o wynikach kontroli, 'Ograniczanie spożycia napojów alkoholowych', LPO.430.006.2020 Ref. No. 196/2020/P/20/076//LPO

