



GUIDE TO ETHICALLY RESPONSIBLE ADVERTISING

2025

INTRODUCTION

The Advertising Ethics Commission (the “Commission”) is a self-regulatory organisation established by the advertising and marketing industry in Poland. It was established to promote and protect the principles by which advertisers should be guided. The Commission’s resolutions are based on the Code of Advertising Ethics, a document which sets out the principles for identifying unethical advertising messages. This guide illustrates the issues relevant to advertising audiences which are mentioned in the Commission 2024 resolutions. It highlights consumer sensitivities in the advertising market, especially as regards health, ecology, nutrition and geopolitics. Accordingly, the Commission’s resolutions are useful to anyone responsible for advertising approvals. The importance of socially responsible advertising continues to grow. Advertisers, marketing companies and their clients face many legal and social challenges in adapting to the creative demands placed on the advertising industry.

HOW TO USE THIS GUIDE

The resolutions of the Advertising Ethics Commission are divided into thematic sections:

- I Ecological products
- II Traffic
- III Religious feelings
- IV Social norms, discrimination
- V Misleading advertising
- VI Dangerous behaviour
- VII Pharmaceutical and food products

The descriptions below contain hyperlinks to the Commission’s individual resolutions.

ABOUT THE AUTHORS

SSW's IP/TMT team advises advertisers, agencies and media houses from the moment of preparing scripts and storyboards, throughout the production and processing phases and including representation before public administration bodies and self-regulatory organisations such as the Advertising Ethics Commission. We advise on, and prepare the necessary documents for, negotiating

co-marketing agreements, event agreements, promotional materials, competition rules and lotteries. We believe that reading this guide will familiarise you with issues that we frequently encounter as advertising lawyers. Please do not hesitate to contact us if you have any questions or wish to explore any of these issues in greater depth.



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RESOLUTIONS OF THE ADVERTISING ETHICS COMMISSION



I ECOLOGICAL PRODUCTS

1. CLIMATE-NEUTRAL PACKAGING

[Resolution No. ZO/112/24u of 16 October 2024 of the Adjudicating Panel in case ref. no.: KER/090/24 – Advertising Council](#)

Complaint

A consumer complained to the Commission that an advertiser had been misleading about the environmental benefits of its product packaging. The complainant noted that the indication “climate-neutral packaging” on the product was unsupported by evidence, which suggested greenwashing

practices. The complaint also alleged that the claim was unverifiable.

Commission's Resolution

The Commission Adjudication Panel ruled that the advertised message did not violate advertising ethics. The advertising company had provided credible evidence to support its claim that the packaging was carbon neutral. Furthermore, the packaging was made of recyclable materials, which supported the message of its

environmental neutrality.

The Commission noted that an average consumer would understand the term “environmentally neutral” to mean that the packaging was carbon neutral and contained recyclable materials.

The Commission ruled that the complaint was unfounded and dismissed it.

2. SALE OF COAL

[Adjudication Panel Resolution No. ZO/091/24o of 21 August 2024 in case ref: KER/066/24 – Advertising Council](#)

Complaint

The Commission received a complaint about an advertisement promoting the sale of coal with the slogan “Ecological heat in your home!”. The complainant considered the slogan to be an example of greenwashing and therefore misleading

to consumers, as coal is not an environmentally friendly source of heat. The complaint alleged a breach of the ethical principles of advertising regarding misrepresenting environmental benefits.

Commission’s Resolution

The Adjudication Panel ruled that the advertisement violated the principles of advertising ethics. The slogan “Ecological heat in your home!” and the graphic suggesting that coal is environmentally friendly may mislead an average consumer, who may not be fully aware of the environmental impact of burning coal. The Panel noted that coal is not an ecological heat source, as it emits large amounts of carbon dioxide when burned, and that greener alternatives are available. The advertisement was a form of greenwashing as it suggested that coal was environmentally friendly, which is untrue.



II TRAFFIC

1. BEHAVIOUR CONTRARY TO TRAFFIC REGULATIONS

[Adjudication Panel Resolution No. ZO/099/24u of 11 September 2024 in case ref: KER/060/24 – Advertising Council](#)

Complaint

An advertisement was alleged to promote behaviour contrary to traffic regulations by showing cars racing on a city street. The complainant noted that a scene showing cars racing on an urban road may suggest that such behaviour is acceptable, despite a 50 km/h speed limit applying in built-up areas.

Commission’s Resolution

The Commission considered that the advertisement should be assessed from the perspective of an average consumer who is familiar with traffic regulations and can distinguish advertising fiction from reality. The Panel considered that the setting of the race and the security of the route made the message understandable and not misleading. The advertisement did not violate ethical principles as it was aimed at adult consumers who can correctly interpret its content. The Adjudicating Panel dismissed the complaint.

2. CHANGING CAR LANES WITH SIGNALLING

[Adjudication Panel Resolution No. ZO/084/24u of 14 August 2024 in case ref: KER/059/24 – Advertising Council](#)

Complaint

The complaint alleged that a company's advertisement promoted behaviour which infringed traffic regulations. The complainant noted that the advertisement showed cars changing lanes without signalling, which could promote irresponsible behaviour on the road.

Commission's Resolution

The Commission ruled that the advertisement was aimed at adult consumers who are familiar with traffic regulations and are able to understand that the advertisement was fictitious. It also noted that the advertisement in fact showed the car signalling, which made the complaint unfounded. The Adjudicating Panel noted the need to be particularly careful when creating advertisements, especially with regard to road safety. Nevertheless, the advertisement met the ethical standards of the Code of Advertising Ethics and the complaint was dismissed.



III RELIGIOUS FEELINGS

CROWN OF THORNS

[Adjudication Panel Resolution No. ZO/055/24u of 5 June 2024 in cases ref. no.: KER/021/24 – Advertising Council](#)

Complaint

A consumer alleged that an advertising poster depicting the shaved head of a man wearing a crown of thorns was a parody of God which upset religious feelings. The complainant considered such a message to violate the advertising ethics principles of respecting religious feelings and avoiding discriminatory content.

Commission's Resolution

The Adjudication Panel rejected the complaint. The advertisement was part of a social campaign, not a commercial campaign, and therefore fell outside the Commission's scope of review. Nevertheless, the Panel expressed a positive opinion regarding the campaign and considered it to be a form of

artistic demonstration which addressed a socially important topic, namely depression. It noted the difference between using religious symbols in commercial advertising and using them in an artistic context. The Adjudication Panel felt that the campaign aimed to help people suffering from mental illness, which complied with ethical standards.





IV SOCIAL NORMS, DISCRIMINATION

1. BURNING THROUGH THE BUDGET

[Adjudication Panel Resolution No. ZO/010/24o of 14 February 2024 in case ref. no.: KER/233/23 – Advertising Council](#)

Complaint

The complainant alleged that a marketing agency's advertisement was sexist and discriminatory. It contained the slogan: "Your old lady burns through your budget" and showed a woman holding burning banknotes. The complainant alleged that this violated advertising ethics by portraying women in a demeaning way, as merely spending money.

Commission's Resolution

The Adjudication Panel found that the advertisement violated ethical principles by using vulgar and contemptuous language. The phrase "your old lady" refers to a woman in a derogatory manner, which is unacceptable in advertising. When promoting marketing services, advertisers must use more appropriate language and respect all social groups. The Commission stressed that advertising messages should comply with generally accepted ethical standards and that vulgar and discriminatory language is unacceptable in the public arena.

2. CAR PURCHASE

[Adjudication Panel Resolution No. ZO/015/24o of 14 February 2024 in case ref. no.: KER/232/23 – Advertising Council](#)

Complaint

A consumer alleged that an advertisement violated good morals and was misleading by depicting the female body in a sexual context. The advertisement, located on a main road next to a shop, depicted a woman in a skimpy outfit, which the complaint alleged may particularly demoralise the elderly and children. Despite being about

buying vehicles, the advertisement used a sexualised image of a woman, which was unrelated to the services being advertised.

Commission's Resolution

The Adjudicating Panel ruled that the advertisement violated ethical standards. Using the image of a woman in the context of advertising cars was inappropriate and unrelated to the services being promoted. Additionally, the advertisement contained sexualising content, which is unacceptable in a public space, especially in the vicinity of children. The Commission stressed that advertising should comply with common ethical principles and that sexual content should not be used in a public space where the audience may include minors.

3. BEER ADVERTISING

[Adjudication Panel Resolution No. ZO/029/24u of 24 January 2024 in case ref: KER/209/23 – Advertising Council](#)

Complaint

A consumer alleged that it was unethical for a beer advertisement to appear next to an article about alcohol-induced depression. The advertisement included the slogan "Cho na Ž!" which, in the context of an article about post-alcoholic depression and in the complainant's opinion, was intended to exacerbate the problem and incite drinking, which was irresponsible and unethical.

Commission's Resolution

The Adjudication Panel dismissed the complaint. It ruled that there was no evidence showing that the advertisement was placed next to an article about alcoholism or depression. The evidence showed that the advertisement was placed next to content about sports and politics. The Commission ruled

that no grounds existed to find a breach of advertising ethics. It dismissed the complaint.

4. 0% BEER

[Adjudication Panel Resolution No. ZO/106/24u of 25 September 2024 in case ref: KER/080/24, KER/081/24 – Advertising Council](#)

Complaint

In two complaints to the Commission, consumers alleged that beer advertising breached ethical principles. Complaint KER/080/24 alleged that using an image of Adam Małysz (President of the Polish Ski Association) in a beer advertisement set a bad example for young people. Complaint KER/081/24 alleged that a beer advertisement which showed drivers (including Krzysztof Holowczyk) celebrating racing successes with a bottle of beer encouraged drinking and driving.

Commission's Resolution

The Adjudication Panel dismissed the complaints and ruled that the advertisements were ethical. The 0.0% beer advertisement promoted sobriety behind the wheel, as clearly demonstrated by its message (e.g. the slogan "You drive, you choose zero"). Although the advertisement contained images of well-known athletes, it did not link alcohol consumption with driving. Advertising non-alcoholic beer was permitted and its purpose was to promote safe driving. The Adjudication Panel noted the need for responsible communication, but ruled that the standards of the Code of Advertising Ethics had not been breached. The complaints were dismissed.

5. VULGAR ADVERTISING SLOGAN

[Appeal Panel Resolution No. ZO/077/24u of 31 July 2024 in the appeal against the resolution of the Adjudication Panel of 15 May 2024 No. ZO/045/24u – Advertising Council](#)

Complaint

A consumer alleged that an advertisement using the slogan "I've got it in my D" (where "D" in Polish may be understood as referring to a vulgar word for a person's anus) introduced vulgarities into the public space, in violation of advertising ethics. The Commission considered that this advertisement potentially violated the principles of Article 2 of

the Code of Advertising Ethics, which requires advertisements to comply with good morals and social responsibility.

Commission's Resolution

The Adjudication Panel ruled that the advertisement violated ethical principles because it used language that could lower the level of public discourse. The Appeal Panel, hearing the appeal, upheld the Panel's judgment and ruled that the advertisement alluded to vulgarity, despite the advertisers having argued that the letter "D" referred to vitamin D. The Appeal Panel noted that the advertisement must be assessed from the perspective of an average consumer, who might easily associate the slogan with a vulgar expression. The Appeal Panel ruled that, despite not being linguistically aggressive, the advertisement's message went beyond the limits of acceptable language in commercial advertising, which could extend the boundaries of linguistic norms.

6. BEST K IN TOWN

[Adjudication Panel Resolution No. ZO/041/24o of 8 May 2024 in case ref: KER/240/23 – Advertising Council](#)

Complaint

The consumer alleged that an advertisement containing the slogan "NAJLEPSZA K___A* W MIEŚCIE" (in English: "the best K in town", where "K" was alleged to implicitly refer to a vulgar swear word) was unacceptable and contrary to ethical principles. It was noted that, at the bottom of the poster, the asterisked K word was explained as referring to "Koszulka" (in Polish: t-shirt) and showed an animated image of a woman.

Commission's Resolution

The Adjudication Panel ruled that the advertisement evoked associations with a vulgar term for women. This was contrary to good morals and social responsibility. Such a message had the potential to influence a wide audience, including children and young people, and normalise unacceptable behaviour in the public arena. The Commission ruled that such advertising was unacceptable and breached advertising ethics.



V MISLEADING ADVERTISING

1. HELPING HEDGEHOGS

[Adjudication Panel Resolution No. ZO/003/24u of 10 January 2024 in case ref. no.: KER/188/23 – Advertising Council](#)

Complaint

The complainant alleged that an internet advertisement using the image of a pygmy hedgehog was misleading. The complainant noted that such hedgehogs are not found in the wild in Poland and that using it in an advertisement could threaten the health and life of such animals, as pygmy hedgehogs require specific climatic conditions.

Commission's Resolution

The Adjudicating Panel ruled that the advertisement did not violate the principles of the Code of Ethics for Advertising. The advertisement depicted helping hedgehogs found in Polish gardens and parks in autumn, which the Commission considered as a positive educational element. It believed that the average consumer would have no problem in understanding the message, and that the advertisement encouraged people to help hedgehogs in Poland. The Adjudication Panel concluded there to be only a minimal risk that the advertisement could threaten pygmy hedgehogs in Poland. However, it noted the need for greater care in selecting advertising motifs in the future. The complaint was dismissed.

2. PROMOTION AND DISCOUNT CODES

[Adjudication Panel Resolution No. ZO/017/24u of 14 February 2024 in case ref. no.: KER/216/23 – Advertising Council](#)

Complaint

A consumer alleged that a discount code promotion was misleading because, despite including information that the code could be combined with

promotions, it was not possible to use the discount on purchases, as two discount codes could not be used simultaneously.

Commission's Resolution

The Adjudication Panel ruled that the advertisement did not violate ethical principles because, once the conditions were met, the discount code could be used for its intended purpose. However, the Commission noted the terms "code" and "promotion" could be confusing for an average consumer, especially as it was technically possible to enter two codes. The Adjudicating Panel dismissed the complaint on the basis that the advertised promotion did not mislead consumers.

3. DISHWASHER TABLETS – SAVING ENERGY

[Adjudication Panel Resolution No. ZO/095/24u of 4 September 2024 in case ref. KER/071/24 – Advertising Council](#)

Complaint

The complaint concerned an advertisement for dishwasher tablets which claimed that using the product could save up to PLN 20 in energy. The complainant noted out that the advertisement did not explain over what time frame and under what conditions these savings could occur. The statement was likely to be misleading as it was unclear how the savings were calculated.

Commission's Resolution

The Commission ruled that the advertisement did not breach the Code of Advertising Ethics. The advertisement was not misleading, as the data was presented in a transparent manner and the assumptions were explained in a disclaimer which indicated the conditions for achieving the savings.

The advertisement did not unduly exploit consumer confidence or mislead consumers about the potential for savings. The Commission ruled that the advertisement complied with advertising ethics as it was based on realistic savings calculations and contained the necessary information regarding its terms and conditions.

4. ICE CREAM FOR ONE ZLOTY

[Adjudication Panel Resolution No. ZO/081/24u of 7 August 2024 in case ref: KER/053/24 – Advertising Council](#)

Complaint

A consumer alleged that advertising regarding an ice cream promotion was misleading. The advertisement informed about a “1+1 for 1 zloty” offer on ice cream of different brands, but it did not explain that the promotion only applied to two products from the same brand. The complainant argued that the lack of such information could mislead consumers.

Commission’s Resolution

The Adjudicating Panel ruled that the advertisement did not mislead consumers. The terms of the promotion complied with its regulations and the attached receipt confirmed the correctness of the discount given. Nevertheless, the Panel noted the need to communicate the terms of the promotion more precisely in the future, such as by clearly indicating that the promotion applies to the purchase of two different brands. Ultimately, the complaint was dismissed.

5. SHOP ONLINE FOR 1 ZLOTY A DAY

[Appeal Panel Resolution No. ZO/072/24o of 17 July 2024 in the appeal against the resolution of the Adjudication Panel of 8 May 2024 No. ZO/038/24o – Advertising Council](#)

Complaint

The complainant alleged that an advertisement which promised an online shop for 1 zloty per day was misleading because, after contacting the relevant company, it turned out that the price was 49 zloty per month (1.58 zloty per day), which differed from the information in the advertisement. The complainant also alleged that the company had used images of famous people, such as Leonardo DiCaprio, without their consent. Additionally, after the consumer provided an email address, the company sent unsolicited advertisements, despite not having received the consumer’s consent to receive marketing materials.

Commission’s Resolution

Having analysed the available material, the Adjudication Panel ruled that the advertisement was likely to be misleading, particularly as regards the inconsistency in the way prices were promoted and displayed. The advertisement suggested a price of 1 zloty per day, whereas the actual charge was higher. The Appeals Panel ruled that the advertisement was indeed likely to be misleading, as the price of 1 zloty per day was prominently displayed, whereas elsewhere on the page a net price of 1.11 zloty was shown. This inconsistency was considered to be a breach of advertising ethics.



6. PLANT CARE APP

[Adjudication Panel Resolution No. ZO/069/24o of 26 June 2024 in case ref: KER/024/24 – Advertising Council](#)

Complaint

The complainant alleged that an advertisement for an app on plant care presented false methods of treating plants via (e.g. by suggesting that pouring milk onto a plant could cure it and result in a change of species). The advertisement was found to potentially violate advertising ethics.

Commission's Resolution

The Adjudicating Panel ruled that the advertisement

was likely to mislead, especially as regards the app's effectiveness. The advertisement showing a plant being "cured" with milk actually used different species of plant, which could lead to confusion and potential harm if the user followed the methods indicated. The Panel noted that the advertisement could be perceived as exaggeration or hyperbole, but the advertisement could confuse an average consumer who is not an expert in the field.

The Adjudicating Panel ruled that the advertisement breached the generally accepted principles of advertising ethics, as it could mislead consumers and result in harm to their plants.



VI DANGEROUS BEHAVIOUR

FIGHT IN THE FOREST

[Adjudication Panel Resolution No. ZO/049/24u of 5 June 2024 in case ref: KER/015/24 – Advertising Council](#)

Complaint

A consumer alleged that a violent advertisement was broadcast on television. The advertisement showed a fight scene in the woods involving a sabre, which was alleged to be inappropriate, especially for children, and capable of causing fear and anxiety. The complainant alleged that the advertisement violated advertising ethics, especially as regards the mental and physical well-being of children.

Commission's Resolution

The Adjudication Panel ruled that the advertisement did not violate ethical principles. It considered that the fight scene did not depict violence

in such a way that it could harm the audience, including children. The advertisement had a fantasy feel to it and its humorous tone meant that it was perceived as funny rather than scary. The Panel noted that the advertisement was not aimed at children and was broadcast in programmes and on a channel aimed at older viewers. Additionally, the complainant's own research indicated that the advertisement had been well received by adults and was not a cause of concern to the parents of young children.

Accordingly, the Adjudicating Panel dismissed the complaint and ruled that the advertisement complied with the Code of Advertising Ethics.



VII PHARMACEUTICAL AND FOOD PRODUCTS

1. FLATULENCE MEDICATION

[Adjudication Panel Resolution No. ZO/090/24o of 21 August 2024 in case ref: KER/064/24 – Advertising Council](#)

Complaint

The complaint alleged that an advertisement promoted unhealthy eating habits (binge eating) by encouraging people to continue eating despite feeling full, which could result in harmful behaviour.

Commission's Resolution

The Commission ruled that the advertisement complied with ethical standards, as it focused on how the advertised product reviewed bloating, rather than promoting excessive eating. The advertisement did not suggest that the product enables consumers to continue eating after they feel bloated. The Adjudicating Panel ruled that the advertisement did not promote an unhealthy lifestyle and that its message was consistent with the product's purpose, which is to relieve digestive complaints.

2. REDUCING BLOOD SUGAR

[Adjudication Panel Resolution No. ZO/096/24u of 4 September 2024 in case ref: KER/072/24 – Advertising Council](#)

Complaint

The complaint concerned an advertisement which was alleged to be misleading by juxtaposing sugar cubes with Insulan and using a slogan stating that the product lowers or regulates blood sugar.

Commission's Resolution

The Adjudicating Panel ruled that the advertisement did not violate ethical principles. Using a metaphorical comparison (with sugar cubes) would not be misleading, because an average consumer

would understand the intended message. The advertisement was not misleading and did not abuse the viewer's trust. The complaint was dismissed as no violation of the Code of Advertising Ethics was found.

3. DIETARY SUPPLEMENT FOR IMMUNE SUPPORT

[Adjudication Panel Resolution No. ZO/050/24u of 5 June 2024 in case ref: KER/016/24 – Advertising Council](#)

Complaint

The complaint concerned a radio advertisement for a dietary supplement featuring a phrase which rhymes (in Polish): "A cup of boiling water and a sachet, warms like a nice shot...". The complainant alleged that it was inappropriate for the advertisement to contain an implicit reference to alcohol (i.e. the shot), particularly in the context of societal problems concerning alcoholism.

Commission's Resolution

The Adjudicating Panel ruled that the advertisement did not violate ethical principles. Use of the Polish word "sto" in the original advertisement could refer either to the number "one hundred" or to a colloquial word for a "shot" of alcohol. The Panel considered that its use in the advertisement was artistic and that the average consumer would understand it as referring to the number "one hundred". Nevertheless, the Panel noted the need for greater sensitivity when creating future advertisements, especially in the context of health products such as dietary supplements. The complaint was dismissed.