



Client Alert

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NEW REGULATION ON DRUG PROMOTION AND ADVERTISING

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Indonesia's National Agency of Drug and Food Control (*Badan Pengawas Obat dan Makanan* - "**BPOM**") has introduced a new regulatory framework for drug promotion and advertising through BPOM Regulation No. 7 of 2026 regarding the Drug Promotion and Advertising ("**BPOM Regulation 7/2026**"), replacing BPOM Regulation No. 2 of 2021 regarding the Guidelines for Drug Advertising Supervision.

Unlike the previous framework, which primarily focused on drug advertising, BPOM Regulation 7/2026 governs not only advertising activities but also drug promotion more broadly. The regulation establishes a comprehensive framework governing drug promotion and advertising, including the parties authorized to conduct promotional activities, permissible communication channels, content requirements for promotional materials, and restrictions applicable to pharmaceutical marketing practices.

The following are several key provisions under BPOM Regulation 7/2026:

1. Distinction Between Prescription and Non-Prescription Drugs

BPOM Regulation 7/2026 provides that prescription drugs, including prescription-only medicines, narcotics, and psychotropic substances, can only be promoted or advertised through scientific media intended for medical practitioners and/or healthcare professionals. In contrast, non-prescription drugs can be promoted to the public.

BPOM Regulation 7/2026 further requires that the promotion of prescription drugs be conducted only through forums or media with restricted access for medical practitioners and/or healthcare professionals and that the information presented be scientifically substantiated. Permitted channels include scientific brochures, professional presentations, and other digital platforms used for promotional activities.

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2. Digital and Social Media Promotion

In recognition of the increasing use of digital channels in pharmaceutical marketing, BPOM Regulation 7/2026 expressly permits the use of digital technology and social media for drug promotion and advertising activities. Social media platforms may enable two-way communication between advertisers and users, provided that the information communicated remains aligned with the approved advertising content and adheres to the principles of being objective, complete, and non-misleading.

Notwithstanding the above, BPOM Regulation 7/2026 imposes specific restrictions to mitigate the risks associated with online promotion. Among other things, promotional activities conducted through two-way communication features must not be used to directly offer or facilitate drug sales transactions. In addition, pharmaceutical electronic system operators are prohibited from displaying prescription drug information to the public for promotional, advertising, or direct sales purposes.

3. Responsibility for Promotional Activities

BPOM Regulation 7/2026 provides greater clarity on the parties involved in drug promotion activities, including medical representatives, product specialists, sales personnel, and other individuals formally appointed by business actors to undertake such activities. Regardless of who conducts the promotional activities, ultimate responsibility remains with the relevant business actor. Accordingly, pharmaceutical manufacturers, pharmaceutical wholesalers, pharmaceutical service facilities, and pharmaceutical electronic system operators are expected to ensure appropriate qualifications, training, and oversight of the personnel engaged in promotional activities.

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4. Prohibited Promotional Practices

BPOM Regulation 7/2026 introduces several restrictions aimed at preventing promotional practices that may create conflicts of interest or encourage the inappropriate use of drugs. These include:

- a. provision of bonuses or gifts, whether in cash or in kind, linked to drug sales;
- b. prescription arrangements with healthcare facilities or healthcare professionals aimed at increasing the sales of products;
- c. prize-based promotions, quizzes, and similar programs; and
- d. distribution of drug samples to the public for promotional purposes.

5. Advertising Approval for Non-Prescription Drugs

BPOM Regulation 7/2026 continues to require advertisements of non-prescription drugs intended for the public to obtain prior BPOM approval before publication. The regulation also provides a more detailed framework governing the electronic submission, review, and approval of advertising materials, including different review timelines for notification, minor, and major categories of advertisements.

6. Administrative Sanctions

BPOM may impose administrative sanctions for violations of certain provisions under BPOM Regulation 7/2026, depending on the nature and severity of the non-compliance.

Non-compliance with certain provisions of BPOM Regulation 7/2026 may give rise to administrative sanctions imposed by BPOM:

- a. warnings;
- b. stern warnings;
- c. temporary suspension of activities;
- d. revocation of marketing authorizations; and/or
- e. revocation of Good Distribution Practice (CDOB) certificates.

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Conclusion

Through BPOM Regulation 7/2026, BPOM has expanded its oversight from traditional drug advertising to the broader regulation of pharmaceutical promotional activities, including those conducted through digital and social media platforms. The regulation introduces clearer rules on the promotion of prescription and non-prescription drugs, establishes greater accountability for promotional activities, and provides a more detailed framework for advertising approvals and compliance obligations.

Given the broader scope and enhanced compliance requirements under BPOM Regulation 7/2026, business actors should assess whether their existing promotional practices, advertising materials, and digital engagement strategies remain aligned with the new regulatory framework.

This Client Alert is provided for general information purposes only and does not constitute legal advice. Please contact us should you require further information or assistance regarding the implementation of the drug promotion and advertising or related matters.

For further information regarding the above Client Alert and future updates, please contact our counselors at:

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