

End Prescription Drug Ads Now Act

Senator Bernie Sanders

One of the reasons why the American people pay, by far, the highest prices in the world for prescription drugs, is that the pharmaceutical industry has spent tens of billions of dollars -- not to make their medicine more affordable -- but on fancy television ads that make their brand name drugs more profitable. That must change.

The United States and New Zealand are the only two countries in the world that allow drug companies to advertise directly to patients for prescription drugs. Every other country on earth has banned these ads. They understand that doctors should determine which medications are best for their patients, not slick promotions from the pharmaceutical industry.

Last year, while ten top drug companies made over \$100 billion in profits, the pharmaceutical industry spent over [\\$5 billion](#) on television ads. Incredibly, drug advertising now accounts for over 30 percent of commercial time on evening news programs on major television networks. In the first three months of this year, Big Pharma spent over \$725 million on direct-to-consumer advertisements for just ten drugs.

What the Bill Would Do: This bill would align the United States with virtually every other country on earth by establishing a ban on direct-to-consumer prescription drug advertising. Under this bill, effective immediately, drug companies would be prohibited from advertising prescription drugs directly to consumers on any forms of media, including social media. This ban would apply to all drugs and biologics, including those currently on the market.

This is not a radical idea. Ten years ago, the [American Medical Association endorsed a ban](#) on pharmaceutical advertising because of “concerns among physicians about the negative impact of commercially-driven promotions, and the role that marketing costs play in fueling escalating drug prices. Direct-to-consumer advertising also inflates demand for new and more expensive drugs, even when these drugs may not be appropriate.”

HHS Secretary Kennedy has also repeatedly called for banning prescription drug ads stating in November of 2024: “Let's get President Trump back in the White House and me to DC so we can ban pharmaceutical advertising.”

Why the Bill is Needed: Studies have shown that [over half](#) of prescription drug ads are misleading or false causing many Americans to underestimate the risks associated with this medicine. Seniors are particularly at risk of being misled as pharmaceutical companies strategically target them by pushing high-priced medications that may cause them harm.

Further, according to a [study](#) published by researchers at Harvard, the majority of the most-advertised drugs had little to no therapeutic benefit compared to existing prescription drugs. The researchers noted “drugs with substantial therapeutic value are likely to be recognized and prescribed without advertising, so manufacturers have greater incentive to promote drugs of lesser value.”

A ban on pharmaceutical advertising is not just good public policy. It would also save taxpayers money.

Studies have shown that enacting a federal ban on direct-to-consumer prescription drug ads could also increase federal tax revenue by up to \$1.7 billion each year.

Let us take on the greed of the pharmaceutical industry and promote public health. Let us ban pharmaceutical advertising.