

Message 104

Communication from the Commission - TRIS/(2022) 02740
Directive (EU) 2015/1535
Translation of the message 103
Notification: 2022/0441/IRL

Forwarding of the observations of a Member State (Slovakia) (article 5, paragraph 2, of Directive (EU) 2015/1535).
These observations do not have the effect of extending the standstill period.

(MSG: 202202740.EN)

1. MSG 104 IND 2022 0441 IRL EN 22-09-2022 09-08-2022 COM 5.2 22-09-2022
2. Slovakia

3A. Úrad pre normalizáciu, metrológiu a skúšobníctvo SR
Odbor skúšobníctva a európskych záležitostí
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3B. Ministerstvo hospodárstva Slovenskej republiky
Mlynské nivy 44/a
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4. 2022/0441/IRL - B00

5. article 5, paragraph 2, of Directive (EU) 2015/1535

6. Regarding Notification No 2022/0441/IRL (Notification of draft legislation pursuant to Section 12 of the Public Health (Alcohol) Act from 2018) we submit the following comments:

We consider the proposed measures to be an undue restriction of the common European market at a time when the proposed legislation is within the withdrawal period in relation to EC notifications on the preparation of warnings for beverages containing alcohol and information related to caloric values (Article 6.3 of Directive 2015/1535, TRIS procedure). It creates unequal conditions for producers and distributors in the common European market by introducing specific conditions applicable to one Member State only.

In Part 5(3) and Annex 1, the volume of alcohol is indicated in grams, contrary to Regulation No 1169/2011, which provides that alcohol must be marketed in units by volume within the common European market. Alcohol volume indicators are fully harmonised at EU level by regulation No 1169/2011 and cannot be amended or regulated by a Member State.

We require the health warnings to be consistent with the scientific evidence and with the link between alcohol consumption and its health effects, such as specific diseases. In accordance with the principle of proportionality, it is also necessary to avoid warnings or false impressions that rare or a single consumption of a small volume of alcohol of any kind inevitably causes cancer.

European Commission

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