



Paris, 30 September 2024

CEVI position–TRIS notification 2024-0351-LV Draft law ‘Amendments to the Handling of Alcoholic Beverages Law’

CEVI, the **European Confederation of Independent Winegrowers**, is the only organisation representing and defending the interests of Independent Winegrowers at European level. Independent Winegrowers are entrepreneurs at the head of micro, small and medium-sized enterprises (SMEs), often a family business. They make everything from the vineyard to the table, meaning that they produce and sell their wines directly (to the consumer), thereby contributing to the vitality of wine-producing regions. CEVI currently represents Independent Winegrowers from 12 European countries. In Europe there are 200,000 Independent Winegrowers.

On 1 July 2024, the Latvian government notified under TRIS 2024-0351-LV the ‘Draft law “Amendments to the Handling of Alcoholic Beverages Law”’. The proposal covers areas such as packaging, labelling, marketing and availability of alcoholic beverages. The measures introduced by this draft law would come into effect on 1 June 2025, except for the labelling requirements, which will be applicable from 1 January 2028. Products ‘manufactured and labelled’ before this date will be allowed to exhaust their stock without a time limit.

The proposal contains several unclear provisions, potentially in contradiction with existing EU legislation or in breach of the EU treaties, discriminating against Independent Winegrowers’ products and creating disproportionate barriers to trade. **CEVI invites the Commission and Member States to issue Detailed Opinions addressing the following critical points.**

Labelling requirements: lack of clarity, disproportionality, gold plating

Article 7: Mandatory pictograms that encourage citizens not to use alcohol during pregnancy and when driving on the labelling of alcoholic beverages;

The provisions concerning the pregnancy and drink-driving pictograms fails to provide information about the content or the format of the health message, as the concrete modalities of the implementation of these measures only evoke ‘other visual elements (e.g., borderlines, background drawing, or colour)’. It is currently impossible to assess precisely whether the measure is proportionate or not as there are no clear instructions concerning the pictograms.

Moreover, in some Member States, a pregnancy pictogram is already mandatory. The Latvian draft law would require imported products to comply with another local regulations, forcing Independent Winegrowers to modify their labels specifically for the Latvian market, hence creating additional barriers to trade.

Article 7: Display of information on ingredients and nutritional value on the labelling of alcoholic beverages.

The proposed article 7 as notified via the TRIS process appears to go beyond the EU requirements regarding nutritional labelling, by imposing the provision on the label of the list of ingredients, while, according to EU regulations, the provision of the list of ingredients can be done on the label, or under certain conditions, through digital means. The lack of harmonisation and gold-plating on labelling will create barriers to trade and further increase the financial and administrative burden on businesses and in particular on micro and SMEs.

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Harmonised legislation and single market are two of the greatest EU successes and assets for the EU Independent Winegrowers. Such measures will **reduce the fluidity of the single market** and undermine EU-wide efforts to improve its functioning. Should this be allowed and if other Member States follow suit in adopting similar unilateral disproportionate labelling requirements, the resulting divergences would lead to the **fragmentation of the single market**. Moreover, Member States should **always take into consideration off label modalities** to inform the consumers, in line with a process of increased digitalisation.

Furthermore, missing or unclear elements **restrict** the European Commission, the Member States and stakeholders' **ability to assess the draft law**.

CEVI calls on the Latvian authorities to **clarify the notified draft law**. The future text must be written in a way that will be fully **in line with the new EU wine labelling rules** and **contain the actual details** upon which the European Commission and Member States can take an informed position.

Warning message in retail locations: unclear, beyond EU recommendations

Upon article 7 of the notified draft law, there must be a '*prominent displayed sign*' in retail locations that '*must warn that the consumption of alcoholic beverages has negative health effects, alcoholic beverages cannot be sold to minors and minors may not purchase, consume or possess alcoholic beverages.*'

The notified draft law fails to provide any information regarding the concrete modalities of the implementation of this measure.

In addition, the content of the warning displayed appears to contradict the EU health recommendations about alcohol consumption and fails to acknowledge more than four decades of independent scientific research. On one hand, the Commission has set up the objective to reduce harmful use of alcohol. On the other hand, the European Parliament adopted the report on 'strengthening Europe in the fight against cancer' which distinguishes the harmful use of alcohol and moderate consumption and aims at addressing the harmful use of alcohol, an objective that CEVI shares.

CEVI calls the Latvian government to **clarify the content and format of this sign** as it is currently impossible to assess whether this is a proportionate measure.

In line with European Institutions' recommendations, a **distinction has to be made between the harmful use of alcohol and moderate consumption**. CEVI therefore asks for the **sentence to be rewritten** in the following way: '*In retail locations, a prominently displayed sign must warn that the harmful consumption of alcoholic beverages has negative health effects.*'

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