

# Decree of the Ministry of Social Affairs and Health amending its decree on the Supervision of the Alcohol Act

## Background and powers to issue decrees

The prepared Proposal is part of the implementation of the Government Programme of Prime Minister Petteri Orpo. According to Prime Minister Petteri Orpo's Government Programme (20 June 2023, A strong and committed Finland), the Government will reform Finland's alcohol policy in a responsible manner to make it more in line with the alcohol policy in other European countries. It will also continue the comprehensive reform of the Alcohol Act carried out in 2018. According to the Programme, online sales of alcohol and other retail sales concepts based on delivery and collection will also be allowed for Alko and other domestic operators that hold a retail trade licence, while ensuring age limit control.

The Alcohol Act (1102/2017) has been amended with Act xx/202x, which will enter into force on dd Month 202x. In line with the government programme, the Act was amended to allow for the delivery of alcoholic beverages from a domestic retail outlet or from an alcohol company to a place designated by the customer. Provisions on the cross-border distance sales of alcoholic beverages were also added to the Act. In both domestic deliveries and distance sales, alcoholic beverages may only be delivered to the buyer or other recipient by an alcoholic beverage supplier. In addition to the retail and serving licences, a new licence for the delivery of alcoholic beverages was introduced to the Alcohol Act. In addition, the Act allowed spirits to be marketed online. There were also some minor or technical amendments to the Act.

Section 56 of the Alcohol Act lays down the self-monitoring by the licence holder and the obligation of the licence holder to prepare a self-monitoring plan. According to subsection 4, further provisions on the creation, content and implementation of the self-supervision plan are laid down by decree of the Ministry of Social Affairs and Health.

Section 58 of the Alcohol Act provides for the issuance of a certificate demonstrating knowledge of the Alcohol Act. According to subsection 4, the specific regulations regarding the content of the examination laid out in (1) and (2), its evaluation and the relevant training and studies as well as approving a certificate granted in the county of Åland as the certificate specified in (1) are laid down by decree of the Ministry of Social Affairs and Health.

Section 62 of the Alcohol Act lays down supervisory authority's right of inspection and access to information. According to subsection 4, a licence holder shall, on a regular basis, submit to the supervisory authority declarations and information regarding his or her sales and other operations necessary for supervision and operational risk assessment. Further provisions on submitting declarations and information are laid down by decree of the Ministry of Social Affairs and Health.

The proposal would amend the Decree to include the supervision of alcohol delivery licences. The current decree does not include specific provisions on delivery licences, due to which it is necessary to supplement the Decree.

The Alcohol Act (1102/2017) has been amended by Act xx/2025. As a result of the amendment, the tasks of the National Supervisory Authority for Welfare and Health will be transferred to the new Finnish Supervisory Agency on 1 January 2026 due to the reform of regional state administration. The proposal includes the corresponding technical amendments to the Decree.

## Preparatory work

A hearing on the draft decree was held on 29 November 2024 to gather the opinions of different actors on the content of the decree. Representatives of alcoholic beverage retailers, potential delivery licence holders and interest groups were invited to the hearing. Public authorities were also invited.

A consultation round on the draft decree was held from dd Month to dd Month 2024. A total of xx statements were received. Statements were given by...

Based on the statements...

## Feedback

### Provision-specific explanatory notes

**Section 3.** *General content of the self-monitoring plan for the serving of alcoholic beverages.* The section would be amended to reflect the possibility of delivering alcoholic beverages. A retail sale licence for alcoholic beverages may be granted under Section 17(1)(3) of the Alcohol Act for the retail sale of alcoholic beverages sold at on-licence establishments. On-licence establishments do not prepare a separate self-monitoring plan for retail sales, but include a section on retail sales in the on-licence self-monitoring plan. Therefore, the provisions on the self-regulation plan for on-licence establishments would also consider the possibility of delivering alcoholic beverages.

Paragraph 3 would include a reference to pick-out outlets under section 17(5) of the Alcohol Act. Pursuant to that Section, it is possible to specify indoor pick-up outlets in the retail licence, from which alcoholic beverages may be handed over for delivery. This provision also applies to retail licences connected to an on-licence establishment. For this reason, the self-monitoring plan should contain a description for the supervision of compliance with the prohibitions and obligations laid down in Sections 35(1), 37(1) and 38(5) of the Alcohol Act at any pick-up outlets under Section 17(5) of the Alcohol Act.

The above provision would specifically apply to the pick-up outlets provided for in Section 17(5) of the Alcohol Act, from which alcoholic beverages are handed over for delivery. Holders of a retail licence who engage in online sales may already operate pick-up points as defined in the licence, from which online customers may pick up their beverage orders. The proposed regulation would not apply to the existing online store and pick-up point practice. Therefore, the regulation would not change the current situation in this respect.

In addition, in paragraph 3, the term 'responsible operator' or any other person appointed by the licence holder for that purpose would become a designated representative of the licence holder. A corresponding change of terminology has also been made to the Alcohol Act, so terms that are consistent with the Act are used in the Decree.

Paragraph 4 would also include a reference to possible pick-up outlets under Section 17(5) of the Alcohol Act. Therefore, the self-monitoring plan must include a description of how the retail operation is organised and the cashier and point-of-sale arrangements at possible pick-up outlets in accordance with Section 17(5) of the Alcohol Act. Therefore, this description must be included in the self-monitoring plan if the licence holder operates delivery pick-up outlets. The self-monitoring plan could, for example, describe whether a representative of the retail licence holder hands over beverages for delivery or for example, a technological arrangement is used to ensure that the alcoholic beverages are handed over to the right party.

A new paragraph 5 would be added to the article, according to which the self-monitoring plan must include a description of how the licence holder ensures that alcoholic beverages are handed over for delivery to a

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delivery licence holder or to someone acting on their behalf, as well as how the licence holder subsequently verifies the name and licence number of the delivery licence holder in the case of a hand-over for delivery.

Alcoholic beverages may be delivered from retail directly to the buyer or a delivery licence holder. A 'delivery licence holder' refers to the holder of a delivery licence or a person acting on their behalf.

Therefore, the beverages cannot be delivered to just anyone. For example, in its self-monitoring plant, the licence holder could describe how it ensures that all employees have up-to-date information on the party that the retail licence holder has contracted to deliver alcoholic beverages.

In accordance with Section 35 of the Alcohol Act, the retailer must be able to retrospectively verify the name and licence number of the delivery licence holder carrying out the delivery of the alcoholic beverage. It would therefore be justified for the operator to describe how it ensures, in practice, that the above information is available to it when needed in its self-monitoring plan.

**Section 5.** *Self-monitoring plan for the retail sale of alcoholic beverages.* Paragraphs 4 and 5 of (1) would include a reference to possible pick-out outlets under section 17(5) of the Alcohol Act. The provisions would be the same as those in Sections 3(3) and 3(4), as would the grounds for the provisions.

Paragraph 5 of the subsection would be amended so that the term 'responsible operator' or other person designated for this task by the licence holder would be replaced by the term 'designated representative of the licence holder'. A corresponding change of terminology has also been made to the Alcohol Act, so terms that are consistent with the Act are used in the Decree. A clarification would be added to paragraph 7 of (1) that a report under the paragraph must be made only if the products referred to in said paragraph are available for sale at the retail outlet.

A new paragraph 8 would be added to this subsection. Since it has not previously been possible to deliver alcoholic beverages, provisions on this have not existed in the self-monitoring provisions of retail sales. According to paragraph 8, the self-monitoring plan must include an explanation of how the licence holder ensures that alcoholic beverages are only handed over to persons entitled to receive them and how the licence holder verifies the name and licence number of the delivery licence holder. The provision would be the same as that in Section 3(5), as would the grounds for the provision.

**Section 5a.** *Self-monitoring plan for the delivery of alcoholic beverages.* A new section would be added to the decree on the content of the self-monitoring plan for the delivery of alcoholic beverages. There are identifiable supervisory risks in the delivery of alcoholic beverages, which makes it important to lay down an obligation for the licence holder to prepare a comprehensive self-monitoring plan. In the delivery of alcoholic beverages, self-monitoring is particularly important, as regulatory supervision of these operations is significantly more difficult. A comprehensive description of procedures in the self-monitoring plan helps to ensure compliance with the law.

According to paragraph 1, the self-monitoring plan must state the purpose, scope and area of operation of the establishment. The purpose refers, for example, to the way in which deliveries are to be organised. Here, the self-monitoring plan could, for example, describe the type of equipment generally used for deliveries, as this affects the scale and scope of the activity. In addition, according to (1), the self-monitoring plan should contain descriptions of how to handle different risk situations and what to do when it is necessary to refuse the delivery of alcoholic beverages. In addition, the self-monitoring plan should include a description of how age controls are implemented in the operation. Under Section 37 of the Act, alcoholic beverages may not be handed over to persons under the age of 18, and spirits may not be handed over to persons under the age of 20. The holder of the delivery licence is responsible, along with the person delivering the alcoholic beverage, for ensuring that any prohibition of hand-over is not violated. However, in delivery operations, age control is difficult, as the person delivering alcoholic beverages works alone and it can be difficult to verify that age controls have taken place afterwards. It is therefore significantly important

that the delivery licence holder provides adequate guidance for the persons that deliver alcoholic beverages, and that the delivery licence holder's self-monitoring plan includes the means by which age controls are monitored and implemented in the operation. The self-monitoring plan should also include a description of how to prevent delivery or procurement in violation of the Alcohol Act. The practices to prevent procurement in violation of the Act could, for example, include guidance on what to do if a delivery includes a significant amount of alcohol. This creates a justification to pay particular attention to making sure that the delivery event does give rise to suspect unauthorised procurement of alcoholic beverages by minors. The self-monitoring plan should also include a description of the procedures to comply with the delivery times for alcoholic beverages and what to do if the recipient is not available or it is not possible to deliver the alcoholic beverages within the delivery times. In addition, the self-monitoring plan should include a description of the duties of the delivery persons and a plan for the number and duties of the staff to monitor compliance with the prohibitions and obligations laid down in sections 35a, 37 and 38 of the Alcohol Act.

Paragraph 2 would provide for the licence holder's obligation to keep records of implemented orientations for new delivery persons and of delivery passport certificate checks.

**Section 6.** *Content and assessment of the alcohol and delivery passport tests.* Subsection 1 would be amended so that the test assessing knowledge of the Alcohol Act would be modified into an alcohol passport test. The term 'alcohol passport test' has also been included in the Alcohol Act, so it is justified to use terminology that is consistent with the Act. A requirement would be added to the subsection that the test questions should be based on the instructions issued by the Finnish Supervisory Agency on the serving of alcoholic beverages. This would ensure consistent test questions. In addition, the reference of the subsection to educational institutions would be changed to universities of applied sciences and training providers, as the reference to the issuers of the licence has been clarified in section 58(1) of the Act. Pursuant to the section, alcohol passports are issued by a university of applied sciences referred to in the Polytechnics Act (932/2014), which organises training in the catering industry, or a training provider referred to in the Act on Vocational Education and Training (531/2017), which organises training in the catering industry.

A new subsection 2 on the delivery passport test would be added and the current subsection 2 would become subsection 3. The delivery passport test would consist of at least 20 questions covering a comprehensive range of knowledge related to the delivery of alcoholic beverages. Similarly to the alcohol passport test, a requirement would be added to the subsection that the delivery passport test questions should be based on the instructions issued by the Finnish Supervisory Agency on the delivery of alcoholic beverages. The test should at least include questions that test the knowledge of the examinee on delivery prohibitions, the responsibility of staff and delivery sales times under the Alcohol Act. For example, to pass the test, the examinee should know how to deal with possible suspicious procurement and what to do with alcoholic beverages that cannot be delivered.

**Section 7.** *Qualifications that correspond with the test.* The word 'trainings' would be removed from the title of the section due to the amendment to Section 58 of the Alcohol Act. Subsection 1 would be amended to change the reference to the qualifications in catering to basic qualifications in the restaurant and catering sector and the vocational qualifications of customer service in restaurants. This subsection would need to be clarified, as the degree structure for vocational education and training does not include basic, professional and specialist vocational qualifications in the catering sector, as referred to in the current regulation.

The current subsection 2 would be repealed as superfluous.

**Section 8.** *Acceptance of certificates issued in the province of Åland.* The article would add the definition of the alcohol licence.

**Section 9.** *Submission of notifications and information to the licensing authorities.* In the introduction of subsection 1, the National Supervisory Authority for Welfare and Health is changed into the Finnish Supervisory Authority.

In the introduction of subsection 2, the National Supervisory Authority for Welfare and Health is changed into the Finnish Supervisory Authority.

Subsection 3 would be amended to include the obligation for a retail licence holder to provide information on the quantity and value of alcoholic beverages delivered and on the delivery licence holders it uses. Delivered alcoholic beverages would mean alcoholic beverages handed over for delivery which have not been returned to the retail licence holder. The current section does not contain any provisions on the submission of information relating to deliveries, making the addition necessary.

## Entry into force

The proposed amendment would enter into force on dd Month 202X, i.e. simultaneously with the entry into force of the amendment to the Alcohol Act.

**The economic and social effects of regulation and the impact on the activities of public authorities would be related to the effects described in Government Proposal 131/2025 vp**

## 1.1 Principal impacts

### 1.1.1 General

The production, sale and marketing of alcoholic beverages generates over 1 billion of tax revenues for the society, billions of business income for various businesses and labour income for people involved in the production, sale and marketing of alcohol. However, alcohol consumption costs billions of euros directly and indirectly for the society, businesses and individuals.

E-commerce and delivery of alcohol are relatively new phenomena in alcohol trade. The COVID-19 pandemic accelerated online sales of alcoholic beverages worldwide and e-commerce and delivery restrictions were relaxed in several countries during the COVID-19 pandemic in order to improve business conditions under the extraordinary circumstances. The e-commerce and delivery of alcoholic beverages as new access channels pose new challenges to the implementation and control of responsible alcohol retail sales. Alcohol is not a normal consumer product but causes a wide range of social and health problems for consumers. As e-commerce and delivery of alcohol are still relatively new phenomena, only a limited number of articles on the delivery (or home delivery) of alcohol have been published in international literature. In early 2024, Finnish Institute for Health and Welfare (THL) compiled existing research and experience on the impact of delivery activities of alcoholic beverages (in this Proposal, the delivery of alcoholic beverages would include home delivery) in a research publication<sup>1</sup>. This evidence base has also been used in the impact assessment of this draft act.

There is no direct scientific data on whether the supply of alcoholic beverages affects the overall volume of alcohol consumption at individual or social level. In e-commerce, consumers may tend to spend more money on alcohol in one transaction than in a shop, and storing higher volumes of alcohol at home can increase consumption. It is also known that the price of alcoholic beverages has an impact on consumption and alcohol deliveries may reduce the effort involved in obtaining alcohol, including in the form of saved time. The effort involved in purchasing alcoholic beverages can also be seen as a part of the total cost of the drink to the consumer<sup>2</sup>. The ease of ordering could therefore increase the consumption of alcoholic beverages by some consumers.

The legal situation of distance selling of alcoholic beverages across borders has been unclear for a long time. In September 2025, the Supreme Court ruled that the seller had not committed an alcohol offence when it sold alcoholic beverages from Estonia to Finland via the e-commerce websites of an Estonian company. When placing their order, the customer could have authorised a freight forwarder, proposed by and independent of the seller, to assist in concluding a transport contract with the carrier. The Supreme Court's decision states that what is relevant is whether the seller has ceased to have effective control before the alcoholic beverages entered Finland. Since the preliminary ruling guides case-law, it would have an impact on the interpretation of the authority even without an amendment to the law. The ruling has considerably clarified the legal situation of the distance sales of alcohol. Distance sales of alcoholic beverages to Finland is not illegal if the seller has ceased to have effective control before the alcoholic beverages are delivered to Finland. Specific provisions would be added to the Act on distance selling, giving Finns the right to purchase alcoholic beverages through a distance selling procedure.

Although Valvira, as the licensing authority, has instructed that distance selling is not permitted under the current Alcohol Act, it is known that distance selling has nonetheless been carried out. For this reason, distance selling cannot be regarded as an entirely new sales channel, but to some extent as an established part of the Finnish alcohol market. In recent years, the share of distance sales in total alcohol consumption in Finland has been in the order of a few per cent. However, clarifying the legal situation of distance selling could increase the distance selling of alcohol to some extent, as some consumers are currently unlikely to

<sup>1</sup> Mäkelä, P. & Warpenius, K. (2024) Alkoholijuomien kotiinkuljetus – tietopohjaa sääntelystä ja vaikutuksista. The Tutkimuksesta tiiviisti publication series 11/2024. Finnish Institute for Health and Welfare, Helsinki

<sup>2</sup> Stockwell T, Gruenewald PJ. (2004) Controls on the physical availability of alcohol, The essential handbook of treatment and prevention of alcohol problems. West Sussex: John Wiley & Sons, 213–33.

have preferred or believed in orders for alcohol from a foreign distance seller in view of the unclear legal situation. For its part, consumer demand is likely to be affected by the extent to which distance sellers would pay legal taxes. If the taxes required by law were not paid in connection with distance selling, it would be more advantageous to buy alcoholic beverages from distance selling than when purchasing from domestic retail sales. Significant price differences between foreign online stores and domestic retail sales are unlikely to arise if the taxes on drinks purchased by distance selling or by distance purchasing are paid to Finland in accordance with the provisions, as well as the transportation costs when ordering from abroad are still taken into account. The duty-paid price of alcoholic beverages is therefore likely to be in the same range as that of domestic retail sales in online foreign sales.

It is known that only a fraction of alcoholic beverages sold via distance selling are currently subject to tax correctly. The amendment to the Excise Duties Act, which entered into force in September 2024, provides for the unique identification of transport in transportation and also for the purchaser's solidarity with paying the taxes, but there are no indications that this would significantly improve the payment of taxes. An amendment of the Alcohol Act could increase the supply from foreign operators to Finland who wish to operate in compliance with the law but have, under the current circumstances, considered the legislation unclear and therefore have not sold their products to Finland via distance selling. Harmonisation of definitions with the Excise Duty Act and rights to information between the Tax Administration and the Finnish Supervisory Agency<sup>3</sup> as well as between Customs and the Finnish Supervisory Agency would contribute to giving operators an incentive to comply with the provisions of both the Alcohol Act and the Excise Duty Act. On the other hand, it is likely that some operators would continue to attempt to evade their tax liability, for example by obscuring their role in organising the transport and thereby presenting the situation as distance purchasing. Comprehensive supervision of distance selling is challenging and would require significant resources, which may make it difficult to address tax evasion effectively.

Overall, clarifying the legal status of distance selling of alcohol is unlikely to significantly affect the volume of alcohol ordered by consumers from abroad to Finland to such an extent that it would have a notable impact on domestic alcohol consumption or the harms related to that consumption. This assessment is also supported by recent findings in Sweden, where the Swedish Supreme Court ruled in summer 2023 that distance sales are allowed in Sweden under certain conditions. The judgment referred to the amended articles following the Rosengren judgment and Commission v Sweden, and to the government proposal which, according to the Court, shows that there was an intent to allow distance sales. In Sweden, according to preliminary information, distance selling has not become a significant sales channel following the change. Even if distance sales were to increase in popularity in Finland, purchases made from distance sales could replace domestic retail sales or passenger imports. However, the proposal would have an impact on the position of the State Alcohol Monopoly, since by clarifying the legal situation of distance selling in such a way that it would be possible unequivocally to purchase products under the monopoly from distance selling, it would undermine the criteria for which the monopoly has been established. In addition, the Proposal would increase competition for products under the monopoly, as in the future the State Alcohol Monopoly would compete with online stores engaged in cross-border distance sales for alcoholic beverages sold online. Foreign operators could offer consumers monopoly goods when delivered home, at their best, only with slightly longer delivery times than those from Alko's online store.

In the future too, the bulk of the alcohol consumed is likely to be bought in physical outlets and the proportion of alcohol purchased through delivery is likely to be relatively low. In this way, the legislative proposal is likely to affect a relatively small proportion of total alcohol consumption and therefore its impact on the overall consumption of alcohol at social level is estimated to be relatively limited. However, this assessment is subject to significant uncertainty. At the individual level, the delivery of alcoholic beverages, in particular fast delivery, can have an impact on high-risk alcohol consumption and episodic drinking, and thus on alcohol-related harm. The impact of the Proposal on alcohol-related harm is described in more detail in the section titled 'Effects on well-being and health' in particular.

The Proposal would have the desired positive economic effects as it would promote consumer consumption and business opportunities for operators selling alcoholic beverages on the market by enabling the delivery

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<sup>3</sup> The Finnish Supervisory Agency commences operations on 1 January 2026. The tasks of Valvira and the Regional State Administrative Agencies regarding alcohol legislation are transferred to the Finnish Supervisory Agency. However, the State Department of Åland would supervise the deliveries of alcoholic beverages in its territory.

of alcoholic beverages. Even if the Proposal would also increase the regulatory burden for businesses, the Proposal would be business-friendly overall. At the same time, the proposal could have an impact on alcohol-related harm and increase the load on social welfare, health care and public order, in particular. However, the significance of these disadvantages varies depending on whether they are viewed at the level of an individual, a community or the society. At the social level, the impact of the Proposal on alcohol-related harm is likely to be rather limited, but for some individuals or communities the impact of the Proposal may be significant. However, there is no direct research data on the link between alcoholic beverage supply and alcohol harms that could be used to form precise estimates of the link between the proposal and alcohol harm.

The amendments to the marketing provisions proposed in the proposal could have a positive impact on the companies exporting alcoholic beverages. The value of the export of alcoholic beverages in 2023 was EUR 204 million. The vast majority of the value of exports consisted of spirits, which accounted for about 70 per cent of the total exports of spirits. Of the exports of spirits, 83 % were directed to other EEA countries, as the largest exporting countries Estonia, Poland and Sweden.<sup>4</sup> The European Economic Area is the main market for the export of alcoholic beverages, and by enabling the online marketing of spirits to other EEA countries, the proposal would create even better conditions for the growth and internationalisation of the alcohol companies established in Finland. The proposal could have minor positive effects on public finances in the form of increased tax revenues, if Finnish alcohol producers were to grow and find better success in international markets.

Due to the significant uncertainty surrounding the financial benefits and disadvantages of the proposal, it is very difficult to provide estimates of the financial benefits and disadvantages of the proposal. In addition, the proposal has advantages as well as disadvantages, the mutual comparison of which is very difficult due to their different quality. For example, for consumers, the presentation combined with online sales of alcohol would make it easier to compare the price of alcohol products and reduce the need to travel separately to shops for the purpose of purchasing alcoholic beverages. Revenues would accrue to companies from services related to the delivery of alcoholic beverages and from the sale of alcoholic beverages. The Proposal could cause costs to social welfare and healthcare services and to order maintenance if the Proposal would increase the alcohol harm or alcohol-related public disturbances.

The Government Programme of Prime Minister Petteri Orpo's Government has several objectives in relation to the alcohol market. The Act amending sections 17 and 26 of the Alcohol Act (HE 7/2024) entered into force on 10 June 2024. The Act allows stronger fermented alcoholic beverages to be sold in licensed retail. The amendments to the alcoholic beverage tax (HE 37/2023), which entered into force in January 2024, will reduce the tax collected on beer and increase the tax collected on wines and other fermented beverages containing more than 5.5 % alcohol by volume, intermediate products and ethyl alcohol beverages. The proposed Bill mainly targets the same groups of people and operators as the legislative reform that entered into force in 2024, which allowed the sale of increasingly strong alcoholic beverages in licensed retail trade. The performances can be seen to create synergies, in particular with the position of the Alko. Looking at the proposals as a whole, the proposals will have an impact on the monopoly sector, on the justification of Alko's status and on the sale of Alko. In other respects, the proposals are not likely to have synergies that significantly strengthen the independent effects of the proposals. Even if proposals would have an impact on the sales channels of alcoholic beverages, the independent effects of the bill would probably be quite similar even if the other proposal were not implemented. The bill proposes that the delivery of alcoholic beverages would be allowed if the alcoholic beverages were purchased and received from a Finnish retail outlet, Alko or cross-border distance sales. Allowing the sale of stronger alcoholic beverages in licensed retail has therefore not affected what kind of alcoholic beverages could be delivered from domestic retail under the bill. On the other hand, it would be possible for the threshold for ordering from a grocery store to be lower when food and other products could also be purchased from it. Looking at the Government's overall alcohol policy during the Government term up to this point, from the perspective of total alcohol consumption it can be seen to have included both measures likely to increase alcohol consumption (sale of stronger fermented alcoholic beverages in licensed retail trade) and tax changes likely to reduce overall alcohol consumption. From a business point of view, the Proposal continues to pursue the objectives of the Government Programme to promote fair and open competition.

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<sup>4</sup> Customs Statistics Database.

### 1.1.2 Economic impact

#### *Impact on public finances*

As described above, there is no direct scientific evidence of the effect of alcohol deliveries on alcohol consumption and, in general, the impact of the Proposal on overall alcohol consumption is estimated to be limited. Nor is it estimated that the clarification of the legal situation of distance selling will have significant independent effects on the total consumption of alcohol. It is likely that some of the new purchases of alcoholic beverages via the network to other countries would replace alcoholic beverages previously purchased from Finland or imported via passenger imports, and the total consumption would therefore hardly increase. Nevertheless, the Proposal may have implications for public finances on the revenues and costs of alcohol consumption. The burden of alcohol on social and health care is significant. For healthcare services, the load occurs, for example, as break or follow-up treatment caused by alcohol and as long-term treatment of addictions or direct treatment of injuries or injuries due to the state of intoxication. In social welfare services, the load is, for example, presented in the form of social emergency interventions, such as situations of domestic violence, assessments of the urgent need to care children, or challenges to financial income support or housing. If the legislative proposal were to increase the overall consumption of alcohol or alcohol consumption among alcohol-intensive users, place an additional burden on social and health care services due to the treatment of alcohol-related harms, thereby increasing the costs of such treatment. Overall, the independent effects of this Government proposal on the burden on the social welfare and healthcare system would be mainly negative in nature, but relatively limited. The impacts could vary from region to region, as Finland has a strong distribution across regions in terms of alcohol problems. Even if the effects are likely to be relatively limited, they will be challenging from the point of view of the social welfare and healthcare system, as the availability and resources of services, particularly in terms of mental health and substance abuse services, are already, in principle, found to be quite limited and in part insufficient. In well-being areas, the need for substance abuse and addiction services is estimated to increase due to the increase in substance abuse and addiction problems, as well as improved accessibility to services.<sup>5</sup> At the same time, public service production is subject to significant savings pressures.

So far, the popularity of distance sales of alcohol has been based on significantly cheaper prices than Finland, which has meant that only a small proportion of distance selling of alcoholic beverages abroad has currently been subject to alcohol tax, either by sellers or purchasers, in accordance with the regulations. Currently, approximately EUR 1 million in alcohol duties has been paid annually on e-commerce sales, whereas in 2023, for example, the amount of alcohol duty calculated on the volume of alcoholic beverages purchased online, estimated at approximately 0.7 million litres of 100 % alcohol<sup>6</sup>, would be approximately EUR 30 million. However, it is likely that the amount of foreign online shopping would not be realised in the same amount if taxes were paid on all drinks in Finland in accordance with the Act. This is because some drinks would probably not be purchased, they would be purchased in Finland as passenger imports exempt from tax, instead of online purchasing, or they would be purchased through domestic retail sales. The proposal could have an impact on alcohol tax revenue if excise duties related to foreign online purchases are, as a result of the proposal, more frequently paid properly to Finland than they are currently.

An amendment of the Alcohol Act could increase the supply from foreign operators to Finland who wish to operate in compliance with the law but have, under the current circumstances, considered the legislation unclear and therefore have not sold their products to Finland via distance selling. Harmonisation of definitions with the Excise Duty Act and rights to information between the Tax Administration and the Finnish Supervisory Agency as well as between Customs and the Finnish Supervisory Agency would contribute to better cooperation between authorities in the supervision of distance sales and give operators an incentive to comply with the provisions of both the Alcohol Act and the Excise Duty Act. At the same time, clearly allowing distance sales in the Alcohol Act in a way that supports the effective collection of excise duties could also have a negative impact on the attractiveness of distance sales, since the popularity

<sup>5</sup> Substance abuse and addiction services in the transformation – results from welfare area surveys 2024. The Tutkimuksesta tiiviisti publication series 7/2025. Finnish Institute for Health and Welfare.

[https://www.julkari.fi/bitstream/handle/10024/150871/URN\\_ISBN\\_978-952-408-469-7.pdf?sequence=1&isAllowed=y](https://www.julkari.fi/bitstream/handle/10024/150871/URN_ISBN_978-952-408-469-7.pdf?sequence=1&isAllowed=y)

<sup>6</sup> Alkoholijuomien matkustajatuonti ja verkko-ostaminen 2023. Tilastoraportti publication series 10/2024, 1 March 2024. Finnish Institute for Health and Welfare. <https://www.julkari.fi/handle/10024/148582>

of distance sales has been based on significantly lower prices than in Finland today due to non-payment of taxes. On the other hand, some operators would probably continue to seek to circumvent their tax liability, for example by disguising their own share in the organisation of transport and thus presenting the situation as a distance purchase. Comprehensive monitoring of distance sales is challenging and would require significant resources, so addressing the recycling of tax liability could be challenging. If the proposal were to direct the consumption of alcohol from foreign online purchases acquired tax-free to domestic retail sales, this could also have minor positive changes in the revenue from alcohol tax. Overall, the proposal's impact on alcohol tax revenue would likely be minor.

The direct budgetary impact of the proposal would be on the appropriations for the Finnish Supervisory Agency, which will start operating on 1 January 2026. The Proposal would increase the workload and costs of the authorities supervising the Alcohol Act, i.e. the Finnish Supervisory Agency from 1 January 2026 – as a completely new delivery licence for alcoholic beverages would become subject to control. With the proposal, the Finnish Supervisory Agency could collect supervisory fees from delivery licence holders.

#### *Effects on Alko's position*

A clarification of the legal situation of distance sales could have an impact on the market share of the Alko in the alcoholic beverages consumed by Finnish consumers. With distance sales not being banned for beverages above the retail limit, foreign operators could sell alcoholic beverages of any strength to Finland via distance sales, whereas domestic operators could sell only alcoholic beverages containing a maximum of 5.5/8.0 per cent by volume of ethyl alcohol.

The preliminary ruling of the Supreme Court (2025:71) clarified the legal situation of distance sales considerably in September 2025. In the court case, A had been selling alcoholic beverages from Estonia to Finland through the e-commerce websites of an Estonian company. When ordering, the online shop customer had been able to choose whether to pick up the alcoholic beverages they had ordered personally, in which case the customer could also arrange for a third party to pick up the goods from the seller's warehouse. Alternatively, the customer could have authorised a freight forwarder, proposed by and independent of the seller, to assist in concluding a transport contract with the carrier. If the customer had chosen the latter option, the carrier would have delivered the alcoholic beverages to the customer in Finland. The Supreme Court held, on the grounds set out in more detail in its decision, that A had not imported or sold alcoholic beverages in Finland in violation of the Alcohol Act. The aggravated alcohol offence charges were dismissed.

The Supreme Court held that the sale of alcoholic beverages had taken place entirely in Estonia and was limited to outside of Finland. The Supreme Court held that A did not import alcoholic beverages into Finland or sell them in Finland in violation of the Alcohol Act. When placing an online order for alcoholic beverages, the buyer could choose to collect the products personally and also authorise the forwarding agent or carrier of their choice to collect the beverages from the online store. Alternatively, when placing the online order, the buyer could have authorised the freight forwarder to assist in concluding a transport contract with a separate carrier. The price paid for the transport was charged to the buyer at the same time as the alcoholic beverages ordered, but the company was not compensated for the transport and the transport fees were passed through to the delivery companies.

On the basis of the facts established in the judgment of the Court of Appeals, the Supreme Court held that the activities of the forwarding companies and carriers did not form a consistent series of events with those of A, which sold the alcoholic beverages under its control in B Oü's online store. The freight forwarders and carriers have been independent and autonomous from B Oü and did not pay a commission to the company for the transports they received from the buyers. A has ceased to have effective control over the beverages handing them over to the carrier through the freight forwarder.

According to Article 37 of the TFEU, Member States are to adjust their State monopolies of commercial character to ensure that the conditions for the purchase or sale of goods do not discriminate against nationals of other Member States. In principle, Article 37 merely requires that the operation of monopolies must not discriminate against citizens of other countries and that the Article does not directly address the grounds on which the monopoly itself may be maintained. On the other hand, monopolies are always significant exceptions from the point of view of EU law, in which the principle is the free movement of goods. At the same time, when Finland joined the EU, alcohol monopolies other than a retail monopoly were abolished. The retail monopoly was specifically justified on public health grounds. Based on the case law of the Court of Justice of the European Union, it can be considered clear in itself that Member States may seek to combat the health-related and other societal harms of alcohol by restricting access to alcohol and granting exclusive rights. However, restrictions must be non-discriminatory and proportionate. They must also be suitable for securing the achievement of the objective pursued and must not, in terms of their limitation go beyond what is necessary. The objectives set must be responded to in a way that is consistent and systematic. If the size of the monopoly were to shrink so that it no longer plausibly protects public health, it could be possible that the justification for the monopoly would be challenged in breach of EU law. Since a monopoly on the retail sale of alcohol has been agreed upon at the time of Finland's accession to the EU, and since Article 37 TFEU nevertheless allows for the existence of monopolies, the threshold for challenging a monopoly from the perspective of EU law would be likely to be high.

The more popular distance sales becomes, the more it would weaken the market position of the Alko, the state alcohol monopoly. A possible reduction in sales of Alko and a preference for ordering from abroad are likely to be significantly affected by the extent to which the taxes for alcoholic beverages would be paid. If taxes required by law are paid on alcoholic beverages acquired from abroad, the price of the alcoholic beverage will not differ significantly from the price of alcoholic beverages purchased from Finland. In this case, consumers will not necessarily have a large incentive to acquire alcoholic beverages from abroad. As the legal status of distance sales has been unclear, and the authorities' instructions have not necessarily been clear to consumers, only a fraction of the proper taxes for alcoholic beverages ordered from abroad have been paid. It is possible that at least some of the parties engaged in distance selling will try to evade tax in order to allow them to sell alcoholic beverages cheaply to Finland. Some online buyers could therefore choose to make purchases from sources that are cheaper in terms of price due to tax evasion. On the other hand, for example, in Sweden, distance sales have been permitted under certain conditions since the summer of 2023, but according to preliminary data, it has not become a significant sales channel.

In Sweden, the Supreme Court ruled in summer 2023 (Winefinder, T 4709-22) that distance sales was permitted in Sweden. The judgment referred to the amended articles following the Rosengren judgment and Commission v Sweden, and to the government proposal which, according to the Court, shows that there was an intent to allow distance sales. The ruling is discussed in more detail in Chapter 5.2. Following the ruling, the Swedish Minister for Alcohol stated that the Swedish Government was examining the need for legislative amendments to protect Systembolaget's retail monopoly.<sup>7</sup> At present, however, there are no legislative projects on this issue in Sweden. According to preliminary data, there has been no large increase in foreign online purchases of alcohol in Sweden. The Winefinder ruling was issued in July 2023. In 2023, foreign online purchases of alcohol accounted for 1.9 % of total consumption, compared with 2.2 % of total consumption in 2022 in the case of distance sales. In the longer term, compared to 2019, the purchase of alcoholic drinks from foreign online stores has increased. Internet purchases from foreign online shops accounted for 1.2 % of total consumption in 2019 and 1.9 % in 2023.<sup>8</sup> For its part, the proportion of online purchases in total sales may have been influenced by the fact that in Sweden there has been effective fiscal surveillance and severe penalties for the evasion of alcohol tax. Furthermore, a significant proportion of Swedes are not aware of the changed legal situation and the fact that the purchase of alcoholic beverages from foreign online stores is permitted — according to a survey published in May 2024, 39 per cent did not know that the sale of alcohol online is legal for anyone other than Systembolaget or considered it illegal<sup>9</sup>.

<sup>7</sup> <https://www.expressen.se/nyheter/regeringen-vill-skydda-monopolet-efter-domen/>

<sup>8</sup> Trolldal B. Alcoholkonsumtionen i Sverige 2001-2023. Stockholm: Centralförbundet för alcoholol- och narkiskaupplynning (CAN); 2024. Rapport 231.

<sup>9</sup> E-handel av alkoholhaltiga drycker 2024. <https://www.svl.se/app/uploads/2024/05/svl-rapport-undersokning-e-handel-verian-maj-2024.pdf>

Clarification of the legal situation of distance sales in such a way that allows all alcoholic beverages to be sold at a distance could exert price pressure on Alko in any event. Currently, Alko does not face direct competition within Finland for the products covered by the exclusive rights regime. Clarification of the legal situation could make distance selling more popular, with resulting price pressures, particularly in the case of products subject to the monopoly, such as wines and spirits. However, in these cases the taxation is higher and the sales margin is, in principle, lower than in mild alcoholic beverages. For example, the taxes on the sales price of a bottle containing 0.7 litres of a 40% spirit sold in Alko account for 72% of the sales price, and the sales margin is 9%. Taking into account all categories of alcoholic beverages, the sales margin of the State Alcohol Monopoly is, on average, 17 per cent of the alcohol-taxed price of the product. If Alko were to reduce its own sales margin, this would reduce its profitability.

For its part, the position of Alko would be affected by the fact that its position would be different to that of distance sellers, as Alko has a legal obligation to treat sellers equally and in a non-discriminatory manner. Section 25 of the Alcohol Act requires that decisions by Alko concerning taking alcoholic beverages into retail trade, removing them from retail trade and the grounds for pricing them for retail trade must be made on a public and equal basis, regardless of the nationality or location of the producer or seller. The requirement for the non-discriminatory operation of the State Alcohol Monopoly shall also apply to the display of alcoholic beverages and other sales arrangements in the State Alcohol Monopoly store, as well as to any other presentation of alcoholic beverages to consumers. According to section 16 of the Government Decree on the implementation of the Alcohol Act (151/2018), Alko shall decide on the pricing of alcoholic beverages by groups of products so that the revenue and average expenses related to the sale of groups of products can be specified. Alko cannot therefore reduce the price of individual products, but the size of the sales margin applies to the entire product group. If the legal situation of cross-border distance selling were clarified so that the sale of monopoly products would also be possible without restrictions for other operators, sales of these products would no longer be subject solely to exclusive rights but would take place in a competitive retail market. Distance sellers could therefore engage in more effective price competition with individual alcoholic beverages.

In relation to the other Nordic alcohol monopolies, the coverage of products under Alko's monopoly is already the lowest of all. The legislative reform, which entered into force in June 2024, appears to have transferred Alko's sales to retail establishments significantly, and allowing distance selling to products under a monopoly could also transfer Alko's sales to distance selling to some extent. On the other hand, allowing distance sales of monopoly products undermines the grounds on which the monopoly is justified.

The impact of the legislative amendment on Alko is estimated to be minor due to the clarified legal status of distance sales in the Supreme Court's preliminary ruling (2025:71). However, without legislative amendment, Alko would not be able to sell its products for delivery to customers, unlike distance sellers established in other EU and EEA countries. The legislative amendment will therefore improve Alko's position in this respect.

#### *Impact on companies*

In general, the Proposal would increase the functioning of the market and competition by allowing the delivery of alcoholic beverages for all holders of delivery licences for alcoholic beverages. A delivery licence for alcoholic beverages could be obtained, under the conditions laid down in the draft Act, by all the holders of a retail licence, Alko and transport and catering services, for example. A delivery licence could also be obtained by a company established abroad. A prerequisite for the delivery of an alcoholic beverage would be that the alcoholic beverage is purchased from domestic retail sales, from an alcohol company or from cross-border distance sales. The proposal would therefore also increase the business opportunities of domestic operators who lawfully sell alcoholic beverages, as the buyer base could be extended to consumers who would not otherwise be on the spot at the point of sale. Alcohol beverage sellers established abroad would continue to be allowed to sell all alcoholic beverages, including those under Alko's exclusive monopoly, to Finland via distance sales, and foreign distance sellers would continue to not be required to have a licence or notify authorities of their activities. The proposal does not include any changes to the exclusive right of Alko. Therefore, domestic retailers would be able to sell by supply only alcoholic beverages containing a maximum of 8.0 per cent ethyl alcohol by volume and alcoholic beverages containing a maximum of 5.5 per cent ethyl alcohol by volume produced by fermentation.

Operators established abroad could continue to distance-sell alcoholic beverages to Finland that a retailer established in Finland is not permitted by law to sell, and for which it is not even possible to obtain a sales licence. It may become attractive for companies to set up in another EU country, where they can sell, for example, alcoholic beverages of more than 8% alcohol to consumers in Finland without the need for a licence or notification.

The amendment may especially increase the supply to Finland from alcohol sellers established in other European Union Member States who wish to operate legally but have so far refrained from distance selling alcoholic beverages to Finland due to the unclear legal situation regarding alcohol distance sales. Increased competition might be reflected in the pressure to lower the prices of alcoholic beverages, but on the other hand, this mechanism is subject to a high degree of uncertainty. From a point of view of equal conditions of competition, it would be important to effectively pay taxes on online purchases from other EU Member States.

Retail shops are the largest sales channel for alcohol in Finland. In 2024, 52 % of the reported alcohol consumption was purchased from retail sale outside the Alko, i.e. food businesses, kiosks and transport stations. E-commerce of food has become more popular in recent years, accounting for 30 % of grocery sales in 2024<sup>10</sup>. Currently, consumers are not able to order alcoholic beverages online when ordering food. The draft Act would allow consumers to order all their purchases from the retail shop online, which could contribute to the growth of e-commerce. The growing popularity of home delivery services shows that consumers are willing to pay for home delivery as it facilitates daily life. While some businesses in retail trade would probably deliver alcoholic beverages themselves, a significant number of companies could also rely on external delivery companies to deliver alcoholic beverages.

The draft Act could also increase business opportunities for restaurants. In particular, the delivery of alcoholic beverages could be taken advantage of by restaurants licensed for the retail sale of alcohol, which currently deliver food to customers as their own activity or which have concluded a delivery contract with another company. If the restaurants were to deliver the alcohol themselves to the customer, a delivery licence for alcoholic beverages would be required. If alcoholic beverages are delivered by another company, such as a food delivery service, that other company would be required to have a delivery licence for alcoholic beverages. From the point of view of the catering industry, enabling the delivery of alcoholic beverages would not merely be a reform favouring business. The sale of alcoholic beverages via delivery could partly be at the expense of serving sales. Therefore, the proposal could weaken, in particular, the position of restaurants with a serving licence, but not a retail licence. If, as a result of the proposal, alcohol consumption would increase in domestic conditions, this could in turn lead to a reduction in the sale of alcohol in restaurants.

Alcoholic beverage supplier acting on behalf of the licence holder for the delivery of alcoholic beverages should have completed alcoholic beverage delivery training (the alcoholic beverage delivery passport). The alcoholic beverages delivery passport would be similar in principle to the current alcohol passport. An alcoholic beverages delivery passport would entail low costs for companies delivering alcoholic beverages in the form of direct training costs and substitute schemes, for example. The direct cost of the delivery passport test is likely to be some dozens of euros per person taking the test. For example, the prices of the alcohol passport tests currently vary mainly between around EUR 30 and EUR 60.

Companies engaged in the delivery of alcoholic beverages would incur costs for applying for a delivery licence, in particular in the form of the licence fee charged by the Finnish Supervisory Agency.<sup>11</sup> Provisions on the licence fees charged by the Agency are laid down in the Government Decree on the fees of the Finnish Supervisory Agency, and the amount of the licence fee to be charged for applications for a licence to deliver alcoholic beverages would be determined later by government decree. In addition, licence holders

<sup>10</sup> The Finnish Grocery Trade Association. (26 March 2025). Sales and market shares in the grocery retail sector 2024. <https://www.pty.fi/blog/2025/03/26/paivittaisvarakaupan-myynti-ja-markkinaosuudet-2024/>

<sup>11</sup> The control of the retail sale, serving and advertising of alcoholic beverages is currently the responsibility of the National Supervisory Authority for Welfare and Health (Valvira) and the Regional State Administrative Agencies. On 19 June 2025, the Parliament approved the Government's proposal for a reform of the state's regional administration. Thus, the licensing and supervision duties of the Regional State Administrative Agencies and Valvira under the Alcohol Act will also be transferred to the Finnish Supervisory Agency.

would be charged an annual supervision fee. The costs of applying for a licence, as well as the annual supervision fees, could discourage some small operators from applying for a licence. In the legislative proposal, the amount of the supervision fee for the delivery of alcoholic beverages would vary according to the number of deliveries notified by the licence holder. The supervision fee would amount to at least a basic fee of EUR 100 and would increase by EUR 0.1 per delivery after 1 000 deliveries. Delivery licences for alcoholic beverages would be applied for by operators with a sufficient stock of alcoholic beverages and a sufficient level of income derived from them in relation to the costs of applying for the licence. Operators currently lawfully selling alcohol who would not themselves start delivering alcoholic beverages after the Proposal's entry into force would be able to use a transport or food delivery service with a licence to deliver alcohol. Currently, some food delivery services operating in Finland use self-employed persons for their deliveries, and it would be possible for self-employed persons to apply for a licence to deliver alcoholic beverages. However, the licence and supervision fees incurred by self-employed persons for applying for a licence could be high in proportion to the income generated by the activity. Therefore, it would be more likely that a platform service would apply for the licence and use self-employed persons in its operations.

The proposal would have positive effects on the operations of companies engaged in the export of alcoholic beverages within the EU internal market. The effects would particularly affect companies exporting spirits to other EEA countries. Under the current Act, the marketing of spirits is generally prohibited. Online marketing is permitted only in print or online retail trade or serving price lists as well as manufacturers' or wholesalers' product catalogues, provided that the available beverages are presented to consumers in a consistent manner; and Due to the country of origin principle, a producer of alcoholic beverages established in Finland cannot currently market strong alcoholic beverages in another European Economic Area State via the internet or social media, even if the marketing is mainly or exclusively directed at that State and not at Finland. The possibility of more extensive marketing to other EEA countries could improve the recognition of Finnish alcoholic beverage brands and improve the financial position of companies.

Alcohol packaging coming to Finland from distance selling, such as bottles and cans, is not part of the national Palpa recycling system maintained and financed by the drink industry and trade. However, packaging arriving in Finland often ends up in beverage packaging recycling system. Handling packaging of beverages ordered through distance selling could cause additional costs to domestic operators if non-deposit packaging is returned to return machines. The Waste Act (646/2011) lays down provisions on producer responsibility for packaging, which also applies to foreign distance sellers. The distance seller is also liable to pay the beverage packaging tax in Finland. However, the packages of alcoholic beverages imported by travellers are not part of the Palpa system either. The clarification of the legal situation of distance sales is not expected to significantly increase the volume of alcohol ordered to Finland. The purchase of alcoholic beverages from distance sales could, to some extent, replace passenger imports of alcohol.

#### *Impact on the activities of public authorities*

The control of the retail sale, serving and advertising of alcoholic beverages is currently the responsibility of the National Supervisory Authority for Welfare and Health (Valvira) and the Regional State Administrative Agencies. On 19 June 2025, the Parliament approved the Government's proposal for a reform of the state's regional administration. As a result of the reform of the central government's regional administration, Valvira and the Regional State Administrative Agencies will be dissolved, and their duties transferred to the newly established Finnish Supervisory Agency in early 2026. Thus, the licensing and supervision duties of the Regional State Administrative Agencies and Valvira under the Alcohol Act will also be transferred to the Finnish Supervisory Agency.

The draft Act would require the Finnish Supervisory Agency to also supervise the delivery of alcoholic beverages. Supplier of alcoholic beverages would apply for the licence for delivering alcoholic beverages from the Finnish Supervisory Agency. In addition, the Finnish Supervisory Agency would control the distance sales of alcoholic beverages. Regarding distance selling, supervision would focus on holders of delivery licences, as they would be responsible for delivery situations even in distance sales. The activities of distance sellers could be investigated if there were suspicions that the seller had not marked the shipment as containing alcoholic beverages or specifically spirits. In addition, the Finnish Supervisory Agency would guide and advise distance sellers and domestic delivery licence holders on the application of regulations

concerning distance selling. Distance sellers would not be subject to routine supervision, but could be monitored, for example, based on complaints or through spot checks.

In early 2024, Finland had around 4 200 valid alcohol retail licences and about 490 Alko shops or pick-up outlets and about 9 900 valid licences for serving alcohol. Approximately 1 400 holders of a serving licence also held a licence for the retail sale of alcohol. The legislative proposal would increase the number of sites supervised by alcohol authorities, thereby increasing the supervisory workload of these authorities. A large proportion of applicants for a licence to deliver alcoholic beverages may not necessarily already hold an alcohol retail licence. The delivery of alcoholic beverages as a new licensing process would significantly increase the work of the licensing authorities, at least upon the entry into force of the Act, but also as a regular and permanent form of licensing administration.

The proposed act would significantly increase the number of controlled subjects of the alcohol authorities and, at the same time, the supervisory work of the alcohol authorities. As some 14 500 serving areas or retail outlets have previously been supervised by the alcohol authorities, in future, there will be a virtually unlimited number of delivery points for alcoholic beverages. The official supervision of the delivery of alcoholic beverages would be carried out in part by means of test purchases, which is a completely new form of official control in Finland in connection with the sale of alcohol. This would require the creation of new practices. It would also lead to a temporary increase in the need for supervision. As a new task, the Finnish Supervisory Agency would be responsible for the supervision of educational organisations in relation to the delivery passport test.

In assessing the effects of the proposal on the alcohol administration and the projected revenue from supervision fees, it has been assumed that there would be approximately 100 to 300 holders of alcohol delivery licences. This assumption is subject to considerable uncertainty, as it is very difficult to predict how operators engaged in the delivery of alcoholic beverages would organise their activities in practice. Some of the current alcohol retail licence holders could arrange for the delivery of alcoholic beverages themselves, but a significant proportion would probably use an external transport company for the delivery of alcoholic beverages. For this reason, the Proposal is based on the assumption that the number of alcohol delivery licence holders will be significantly smaller than, for example, the number of alcohol retail licence holders.

In the future, the Finnish Supervisory Agency would be responsible for issuing alcohol delivery licences to applicants, supervising the holders of alcohol delivery licences, and supervising the distance sales of alcoholic beverages. The new tasks would also result in additional work for the Finnish Supervisory Agency. In the first year of application of the law, the tasks of the Finnish Supervisory Agency would focus in particular on the issuing licences to delivery licence applicants and on the preparation of common practices and guidelines necessary for the Agency's various tasks. Applying for a licence for the delivery of alcoholic beverages would begin five months after the Act enters into force, and companies could start delivering alcoholic beverages seven months after the Act enters into force.

The additional work resulting from issuing the licences would be financed with the licence fees charged by the Finnish Supervisory Agency from the licence applicants. As the number of delivery licence applicants is difficult to predict, the licence fee revenue of the Agency is uncertain. If the licence fee were assumed to correspond to, for example, the licence fee (EUR 950) for a serving licence where the licence applicant does not have premises to serve alcohol, then 100 to 300 licence applicants would generate a licence fee revenue of approximately EUR 100 000 to EUR 290 000. The additional work for the Finnish Supervisory Agency resulting from the licensing would be estimated at two person-years (EUR 160 000) in 2026. From 2027, there would be a decrease in the additional work caused by issuing licences, estimated at EUR 80 000 per person-year. The additional work for the Finnish Supervisory Agency due to the supervision of alcohol delivery licence holders is estimated at three person-years (EUR 240 000) in 2026 and four person-years (EUR 320 000) from 2027. In the first year of the Act, the additional supervision workload would be lower than from 2027 onwards, as businesses will only be able to deliver alcoholic beverages for a part of 2026. Supervision of distance sales would also entail additional work for the Finnish Supervisory Agency. From 2026, the additional work would be estimated at one person-year (EUR 80 000).

The Finnish Supervisory Agency would charge supervision fees from alcohol delivery licence holders, which would cover the costs incurred by the Agency in supervision of the alcohol delivery licences. A

corresponding supervision fee is levied on the holders of retail and serving licences. In the Proposal, the supervision fees would be determined on the basis of the number of deliveries made by the licence holder for the delivery of alcoholic beverages. All delivery licence holders would be charged a basic fee of EUR 100. After one thousand deliveries, the amount of the supervision fee would be EUR 0.1 per delivery in addition to the basic fee. For example, a licence holder making 10 000 deliveries per year would pay a supervision fee of EUR 1 000. The supervision fees to be collected are subject to significant uncertainty as regards the estimation of both the number of delivery licence holders and the number of deliveries by delivery licence holders. When assessing the amount of fees to be collected, it has been assumed that a large proportion of licence holders (around three-quarters) would be relatively small operators paying the basic fee. In addition, about a quarter of licence holders would be slightly larger operators with a delivery volume of some tens of thousands of deliveries per year. In addition to these, there would be a few large operators with an annual delivery volume of some hundreds of thousands of deliveries. Based on the assumptions described above, the annual revenue from supervision fees is estimated to be in the range of EUR 200 000 to EUR 350 000.

Revenue from the supervision fees for alcohol control will be credited to item 11.10.19 of the state budget. (other tax-like payments). The supervision fee revenue collected would make it possible to finance the additional resource needs of the Finnish Supervisory Agency arising from the supervision of alcohol delivery licence holders, as set out in the Government Proposal. Supervision fee revenue would not begin to accrue in 2026, as supervision fees would be charged retrospectively based on actual deliveries reported by the licence holder. This would mean that supervisory fees will be paid to the State for the first time in 2027.

The draft budget for 2026 takes into account an additional workload of EUR 240 000 resulting from the proposal. This would be EUR 80 000 less than the additional work estimated for the Finnish Supervisory Agency in connection with the supervisory tasks set out in the proposal. Thus, the Finnish Supervisory Agency should be able to carry out part of the proposed controls within its existing operational expenditure. The financing of new tasks incurred by the Finnish Supervisory Agency due to proposal, as well as the level of supervision fees to be charged to licence holders, should be reviewed after the amendment has entered into force, taking into account the final number of licence holders, the equivalence of the supervision fees collected with the required supervisory resources, and the experience gained in the practical implementation of the supervisory work.

In the 2025 draft budget, the Regional State Administrative Agencies were granted an additional appropriation of EUR 160 000 and Valvira an additional appropriation of EUR 80 000 for supervision related to the delivery of alcoholic beverages, in connection with the government proposal for an Act amending the Alcohol Act (HE 173/2024 vp) submitted to Parliament. However, the Government withdrew this Government Proposal in spring 2025, and neither the Regional State Administrative Agencies nor Valvira would be given any new supervisory tasks under the proposal in 2025. For this reason, the additional appropriation granted in the 2025 budget proposal should be removed from the Regional State Administrative Agencies' and Valvira's operating expenditure items.

In addition to the permanent additional resource need, Valvira was granted a one-time additional resource of EUR 375 000 in connection with the third supplementary budget proposal of 2024 for changes to the alcohol industry register, electronic services, and application forms. Changes to the alcohol trade register, e-services and application forms had to be initiated quickly so that, when the Act enters into force, compliance with the requirements of the system can be verified when operations begin. The one-off additional resource for operating expenditure item 33.02.05 (operating expenditure of the National Supervisory Authority for Welfare and Health (Valvira)) would be financed by funding from the central government budget. However, the costs caused by the changes to the information system would be allocated to licence and supervision fees in the coming years in line with the annual depreciation of investment expenditure.

The Proposal could also have implications for the police. Alcohol is the most common factor behind violence, accidents and accidents. Alcohol consumption, in particular episodic drinking, increases the risk of both committing and becoming a victim of a violent crime. In 2023, the police had approximately

22 4000 alcohol-related emergency calls<sup>12</sup>. The draft Act could increase public order related calls and criminal offences and thus the workload of the police. In particular, the emergency calls to private homes could increase if the use of alcohol in the home environment is increased as a result of the Proposal. However, alcohol-related emergency calls occur particularly during evening and night-time periods. Since the delivery of alcoholic beverages would only be allowed from 9 a.m. to 9 p.m., the draft Act is unlikely to have a significant impact on police call-outs during night time. In addition to the police, the proposal could also impact the activities of social services, as social emergency duty typically accompanies the police to incidents involving children or other individuals requiring care.

The Proposal would allow educational establishments to organise delivery passport tests, after passing which a person would receive a delivery passport certificate. The delivery passport would be an indication of the competence of the supplier of the alcoholic beverage. Educational establishments would be entitled to charge a fee for the test. In general, the number of persons taking the test would depend on the number of companies applying for a licence to deliver alcohol. For each undertaking applying for a delivery licence, the number of alcoholic beverage delivery drivers completing the test could range from a handful of individuals to thousands of persons. Demand for delivery passport tests is likely to be high immediately after the entry into force of the Act.

As a result of the proposal, the Finnish Supervisory Agency would have the right to obtain information from Finnish Customs on consignments of alcohol inspected by Finnish Customs for control purposes. Access to this information could be provided, for example, through an open API or a viewing connection. In addition, the Finnish Supervisory Agency would have the right to obtain information from the Tax Administration if it were necessary for supervisory purposes. Similarly, under Section 64(1) of the current Act, the Tax Authority has the right to obtain information on the financial position and business secrets of an individual and of an entity, provided that the information is for the purpose of carrying out the Tax Administration's assigned tasks. The proposal is not expected to impact the resources of Customs or the Tax Administration.

The proposal expands the scope of fines, which could have some impact on the operation of the Legal Register Centre, which is responsible for the enforcement of fines. However, the amount of the fines is not estimated to be significantly higher than currently, which is why the Proposal is not expected to impact the resources of the Legal Register Centre.

#### *Impact on the situation of households and consumers*

While the regular consumption of alcohol by Finns has decreased, weekly alcohol consumption still stood at 48 % for men and 22 % for women in 2023. The share of fully sober persons in 2023 was 12 % of the population<sup>13</sup>. The reform would benefit the significant proportion of Finns who consume alcohol, as the purchasing alcoholic beverages would not require visiting a physical point of sale. Consumers who have alcohol delivered by would save time and costs for shopping. The proposal would particularly benefit people who, for example, would have mobility problems or other obstacles or difficulties in moving outside the home. Ordering alcoholic beverages from domestic retail sales could also be linked to online grocery purchases. In addition, in e-commerce, consumers can more easily compare the prices of alcoholic beverages, which reduces the search costs of alcoholic beverages. Online stores also offer consumers a wider product selection. Clarifying the legal status of distance sales would give Finnish consumers access to the offerings of alcohol sellers established in other EU member states and EEA countries, as well as the possibility to have these products delivered to their homes. As a result, the proposal would improve consumers' purchasing opportunities and freedom of choice by allowing the acquisition of alcoholic beverages via distance sales from abroad.

A significant proportion of Finns would still continue to buy their alcoholic beverages by going to a physical point of sale. The costs of supplying alcoholic beverages purchased from cross-border distance

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<sup>12</sup> Alcohol-related emergency calls are defined here as assault, emergency calls to private homes, inappropriate public behaviour and violence, driving while intoxicated and other call-outs related to intoxicated persons.

<sup>13</sup> Suomalaisten alkoholinkäytöt 2023. THL statistical report 59/2023, 30 October 2023.

[https://www.julkari.fi/bitstream/handle/10024/147677/Tilastoraportti\\_59\\_2023\\_Suomalaisten\\_alkoholinkäytöt\\_2023\\_s.pdf?sequence=1&isAllowed=y](https://www.julkari.fi/bitstream/handle/10024/147677/Tilastoraportti_59_2023_Suomalaisten_alkoholinkäytöt_2023_s.pdf?sequence=1&isAllowed=y)

sales to Finland are likely to be higher than the transportation costs of beverages ordered from domestic retail sales or from the State Alcohol Monopoly. In addition, it is not possible to obtain beverages ordered from abroad by rapid delivery to home door, which prevents alcohol initiation purchases and impulsive alcohol consumption. In view of the above, it may be possible that distance selling of alcoholic beverages across borders would not become a significant purchasing channel among consumers in terms of volume in Finland. The delivery of alcoholic beverages ordered from domestic retail sales or from alcohol companies is likely to be the easiest and most affordable for consumers in densely populated areas where delivery can be arranged cheaply and quickly. In these areas, the distances to the nearest shop or Alko are still mostly short.

## 1.2 Other effects on people and society

### *Impacts on wellbeing and health*

In Finland, the number of people who die from alcohol-related diseases and poisonings is more than three times as high as in Sweden and Norway. Alcohol is also a determinant of many diseases. There is a significant increase in the risk of developing cancers of the oral cavity, larynx, throat, oesophagus and liver, and a mildly increased risk of breast and colorectal cancer. For example, alcohol increases the risk of breast cancer even at low levels of consumption and the risk increases in proportion to alcohol consumption. Although the overall consumption of alcoholic beverages as well as risk consumption has decreased steadily over the past decade, high-risk alcohol consumption in Finland remains widespread.

Academic literature shows that those who purchase alcohol online and have it delivered (the studies use the term *home delivery* meaning ‘*kotiinkuljeuts*’) include a higher-than-average share of high-risk alcohol users<sup>14</sup>. However, it is possible that high-risk alcohol consumers prefer to buy online more than other consumers, as opposed to online shopping in itself increasing the consumption of alcohol of those who have it delivered. However, the draft Act may have a negative impact on alcohol-related harm, especially for those who already consume alcohol at a high level.

For many people with alcohol problems, purchasing alcoholic beverages has required them to be fit to drive, which would no longer be necessary if alcoholic beverages can be delivered. If the compliance of alcoholic beverage deliveries with legislation cannot be sufficiently ensured, there is a risk that alcohol consumption by person suffering from alcohol addiction will increase if there is no longer a need to be sober when purchasing alcohol. In general, it is much more difficult to assess the state of intoxication at the time of delivery of an alcoholic beverage, as the person who hands them out is not able to observe the intoxicated person for signs of intoxication in the same way as in a shop.

Indeed, the delivery of alcoholic beverages may lead to prolonged drinking situations for some people and to drinking large quantities of alcohol at a time when orders are made<sup>15</sup>. In an Australian study, the above problem has been linked in particular to fast deliveries. Callinan et al. (2023)<sup>16</sup> stressed that fast deliveries increase the possibility of impulsive consuming alcohol consumption, and impulsiveness is a key factor of high-risk alcohol consumption and related harms. However, the draft law would limit the deliveries of alcoholic beverages between 9 a.m. and 9 p.m. This would prevent, in particular, impulsive ordering of alcoholic beverages very late in the evening. In Finland, episodic drinking (five or more doses consumed) usually happens in the evening. Of the times Finns (aged 20 to 79) drink until intoxication, in 74 % of the cases alcohol was also consumed outside the time between 9 a.m. and 9 p.m<sup>17</sup>.

Alcohol-related harms manifest in older people at a significantly lower number of units than in young people. The delivery of alcoholic beverages could make it easier to buy alcohol, especially for elderly people who are in poor health, thereby increasing their alcohol consumption and the resulting harms. Both

<sup>14</sup> Coomber K. ym. (2023) Characteristics of high- and low-risk drinkers who use online alcohol home delivery in Western Australia. *Drug and Alcohol Review*, 1-9.

<sup>15</sup> Colbert S ym. (2023) Cross-sectional survey of a convenience sample of Australians who use alcohol home delivery services. *Drug Alcohol Rev.* 42, 986–995

<sup>16</sup> Callinan S. ym. (2023) In order to assess the impact of home delivery expansion within Australia, researchers need regulators to collect and share data on sales. *Drug Alcohol Rev.* 42, 1309–1311.

<sup>17</sup> The data is based on a 2023 drinking habit study produced by THL

the alcohol-related harms caused by long-term alcohol consumption and accidents in the home could increase if the Proposal were to increase alcohol consumption among the elderly.

Alcohol marketing through both traditional and digital marketing techniques has been shown to increase alcohol consumption<sup>18</sup>, and it has been estimated that this is a causal effect, particularly among young people.<sup>19</sup> Research has shown that particularly attractive target groups for targeted marketing are, on the one hand, children and young people and, on the other hand, people who consume alcohol in a problematic manner or suffer from addiction and those who try to refrain from alcohol or reduce their consumption. On the other hand, alcohol-dependent persons often report more strongly their desire to drink alcohol when they face alcohol related triggers, such as alcohol advertising.<sup>20</sup> Restricting alcohol marketing is a measure recommended by the World Health Organization (WHO), based on extensive research evidence, to reduce alcohol-related harm.<sup>21</sup>

Allowing broader marketing of spirits would increase exposure to alcohol marketing, which could impact alcohol consumption and consequently alcohol-related harms. Marketing would still have to comply with regulations regarding what types of content are prohibited. Additionally, marketing of spirits would continue to be banned in other channels such as television, radio, and newspapers and magazines, as is the case currently.

#### *Impact on children and young people*

In Finland, the most typical alcohol-drinking situation is the home environment (own home or another's home or other private space)<sup>22</sup>. The Proposal could lead to an increase in alcohol consumption, especially in home conditions. There are approximately 89 000 minor children in Finland (approximately 8.7 % of all minors) whose second or both biological parents have, at some point before the child is of legal age, a serious substance abuse problem. At least 42,000 children (4 %) live in families where these problems are currently relevant. A large proportion (60 %) of the records of narcotics problems relate to alcohol use alone, the remainder is drug use or both alcohol and drug use. When adding together problems related to alcohol consumption only and alcohol and drugs use, between 80 % and 90 % of parental substance abuse problems resulting in registers are alcohol consumption in one way or another. The above figures only describe the serious substance abuse problems that have arisen in the registers. Register entries related to drug abuse problems include, for example, one of the main or side diagnostics related to problem alcohol or drugs, residential care for drug abuse or intoxicants as a cause of death. In reality, the number of children living with parents suffering from substance abuse problems is significantly higher.<sup>23</sup>

<sup>18</sup> Babor, T. F., Casswell, S., Graham, K., Huckle, T., Livingston, M., Österberg, E., Rehm, J., Room, R., Rossow, I., & Sornpaisarn, B. (2023). Alcohol: No ordinary commodity: Research and public policy (3. painos). Oxford University Press.; Smith, L.A., Foxcroft, D.R. (2009). The effect of alcohol advertising, marketing and portrayal on drinking behaviour in young people: systematic review of prospective cohort studies. *BMC Pub Health*, 9(51). <https://doi.org/10.1186/1471-2458-9-51>; Bryden, A., Roberts, B., McKee, M. and Petticrew, M. (2012) A systematic review of the influence on alcohol use of community level availability and marketing of alcohol, *Health & Place*, 18(2), pp. 349-357. doi:10.1016/j.healthplace.2011.11.003; Jernigan, D.H., Noel, J., Landon, J., Thornton, N., & Lobstein, T. (2017) Alcohol marketing and youth consumption: A systematic review of longitudinal studies published since 2008, *Addiction*, 112(S1), pp. 7-20.

<sup>19</sup> Sargent JD, Babor TF (2020). The relationship between exposure to alcohol marketing and underage drinking is causal. *J Stud Alcohol Drugs*. (Suppl. 19):113–24.

<sup>20</sup> Babor TF, Robaina K, Noel JK, Ritson EB (2017). Vulnerability to alcohol-related problems: a policy brief with implications for the regulation of alcohol marketing. *Addiction*. 112(Suppl. 1):94–101; Mainz V, Drüke B, Boecker M, Kessel R, Gauggel S, Forkmann T (2012). Influence of cue exposure on inhibitory control and brain activation in patients with alcohol dependence. *Front Hum Neurosci*. 6:92; Townshend J, Duka T (2001). Attentional bias associated with alcohol cues: differences between heavy and occasional social drinkers. *Psychopharmacology*. 157(1):67–74.

<sup>21</sup> WHO (2011). Scaling up action against noncommunicable diseases: how much will it cost? Geneva: World Health Organization (<https://iris.who.int/handle/10665/44706>).

<sup>22</sup> Mäkelä P. ym. (2023) Drinking in the home: what does it entail for younger and older Finns? *Drug and Alcohol Review* 42, 1004–1012.

Growing up with a parent who has a substance abuse problem poses a serious risk to the child's health and development. Drug abuse problems experienced in families are one of the risk factors that has been found to be linked to accumulation of social and health harms and transmission of disadvantages from one generation to another. It has also been found that people with substance abuse problems often accumulate other forms of disadvantage. They are less likely to have vocational education and training subsequent to basic education, and they are more likely to rely on income support. Additionally, they more frequently experience health and mental health problems and face a higher risk of premature death.<sup>24</sup>

The negative effects of alcohol on children and adolescents are not only related to children of severely substance-dependent parents. High-risk alcohol consumption is also common in many families. In families with risk consumption, there is also an increased risk of children and adolescents feeling of unsafe, fearfulness of different kinds and of their care being neglected. If the use of alcohol in home conditions is increased as a result of the Proposal, especially in families where one parent has a problem with alcohol or engages in risk-consumption of alcohol, children's wellbeing could also be reduced in those families.

Alcohol is a major determinant of domestic violence.<sup>25</sup> If the Proposal were to increase alcohol use, especially at home, the risk of increased domestic violence would also increase. The link between the increase in alcohol consumption and the increase in domestic violence also affects children. In the home, children may themselves be subjected to violence by a parent, or they may witness violence between parents or by one parent against the other parent.

In Finland, one of the key factors contributing to the decline in alcohol consumption among young people has been the difficulty in accessing alcohol that young people have experienced,<sup>26</sup> i.e. more effective age-limit controls in practice. Both private retail establishments and Alkos stepped up age control in the 2010s. Based on the experience of countries that currently allow the delivery of alcohol, the main problem of responsible sales and sales control in the delivery of alcoholic beverages is related to the checking of age limits and the supply of alcohol to minors. For example, in the Netherlands, regulatory controls carried out in early 2024 revealed that 70 % of sellers of alcoholic beverages did not check the age of the recipient at the time of delivery of the alcoholic beverage and handed the alcoholic beverage over to a minor test buyer<sup>27</sup>.

The current prohibitions on the hand-over of alcoholic beverages in retail and on-licence establishments would be extended to include the delivery of alcoholic beverages. Alcoholic beverages may therefore not be handed over to persons under the age of 18 years or, in the case of spirits, to persons under the age of 20. The proposal would set forth that, in the case of alcoholic beverage delivery, only a person delivering alcoholic beverages would be allowed to hand over the alcoholic beverage to the buyer or other consignee. A person delivering alcoholic beverages could only be someone who has satisfactorily passed an alcohol delivery passport test. The purpose of the delivery passport test is to ensure that the person delivering alcoholic beverages is aware of the legal requirements and is able to act in situations where they may not hand over the alcoholic beverages. In addition, the holder of a delivery licence should, in its self-monitoring

<sup>23</sup> Summary from Study 23/2024. How common are substance abuse problems in families? Finnish Institute for Health and Welfare (THL):

[https://www.julkari.fi/bitstream/handle/10024/149101/TUTI2024\\_023\\_Miten%20yleisi%C3%A4%20perheiden%20p%C3%A4ihdeongelmat%20ovat\\_s\\_korjattu%20290524.pdf?sequence=4&isAllowed=y](https://www.julkari.fi/bitstream/handle/10024/149101/TUTI2024_023_Miten%20yleisi%C3%A4%20perheiden%20p%C3%A4ihdeongelmat%20ovat_s_korjattu%20290524.pdf?sequence=4&isAllowed=y)

<sup>24</sup> Summary from Study 23/2024. How common are family substance abuse problems? Finnish Institute for Health and Welfare (THL):

[https://www.julkari.fi/bitstream/handle/10024/149101/TUTI2024\\_023\\_Miten%20yleisi%C3%A4%20perheiden%20p%C3%A4ihdeongelmat%20ovat\\_s\\_korjattu%20290524.pdf?sequence=4&isAllowed=y](https://www.julkari.fi/bitstream/handle/10024/149101/TUTI2024_023_Miten%20yleisi%C3%A4%20perheiden%20p%C3%A4ihdeongelmat%20ovat_s_korjattu%20290524.pdf?sequence=4&isAllowed=y)

<sup>25</sup> Ministry of Social Affairs and Health 2007. A vicious circle for the whole family. Interpersonal violence and alcohol. Reports of the Ministry of Social Affairs and Health 2007:27, p. 31. Online:

<https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/72104/Selv200727.pdf?sequence=1&isAllowed=y>

<sup>26</sup> Raitasalo K ym. (2018) What is going on in underage drinking? Reflections on Finnish ESPAD data. Drug and Alcohol Review 37, 76–84.

<sup>27</sup> Inspectieresultaten - Pilot leeftijds grenscontrole bij aflevering van alcoholhoudende dranken bij online netwerkop. Dutch Food and Consumer Product Safety Authority, 31 May 2024.

<https://www.rijksoverheid.nl/documenten/publicaties/2024/05/31/inspectieresultaten-pilot-leeftijds grenscontrole-bij-aflevering-van-alcoholhoudende-dranken-bij-online-verkoop>

process, ensure that persons that deliver alcoholic beverages have a clear procedure for hand-overs. Similarly to retail sales and alcohol service, the person delivering alcoholic beverages would also be criminally liable if, intentionally or through gross negligence, they hand over an alcoholic beverage to a minor. In addition, for the delivery of alcoholic beverages, the authority could make use of test purchases to monitor compliance with the hand-over prohibitions. These measures aim to ensure that alcoholic beverages are not handed over to minors. However, controlling hand-over situations would be more challenging than in retail and alcohol service, as hand-over situations could occur almost anywhere and the person delivering the alcoholic beverages would be working alone. It may become impossible to determine what happened in the hand-over situation after the fact. However, if age controls are not effectively implemented, the delivery of alcohol may increase the access to alcohol for young people in particular.

In Australia, fast deliveries were particularly common for people under the age of 25. In this way, fast deliveries can lead to prolonged drinking situations and an increase in the quantities of alcohol consumed at one time, especially for young people. However, the legislative proposal would not allow delivery after 9 p.m., which would prevent fast deliveries late in the evening and drinking episodes being prolonged late to the evening and or night-time. In about 60 % of the drinking episodes of young people (aged 20–34) in the home environment, alcohol was also consumed outside the time between 9 a.m. and 9 p.m. In 90 % of drinking sessions in the home among young people, and where binge-drinking took place, ended outside the hours between 9 a.m. and 9 p.m.

Allowing the marketing of spirits on websites and social media could increase children's and young people's exposure to alcohol advertising. Operators are continuously developing new marketing methods as part of their sales promotion efforts, and the internet and social media provide new kinds of opportunities for this.

#### *Impact on gender equality*

According to Statistics Finland's 2021 survey on the use of information and communications technology by the population, online shopping is roughly as common among men and women.<sup>28</sup> Nevertheless, the main effects of the legislative proposal can be estimated to affect women and men in different ways. In the case of men, the effects may be particularly visible as an increase in alcohol consumption and, consequently, in alcohol-related harms. The key risks of the Proposal related to the increase in alcohol-related harms are especially related to prolonged drinking sessions and to an increase in the number of units consumed at one time, which can be seen to be linked to express orders in particular. These risks can be estimated to be particularly pronounced in the case of individuals who intensively consume alcohol. As it is significantly more common for men than women to suffer from serious alcohol problems, it can be estimated that the Proposal may have a greater impact on men's health than on women's health.

Alcohol mortality is higher among men than among women. A total of 1 727 people died of alcohol-related diseases and alcohol poisoning in Finland in 2023. Of these, 1 283 were men and 444 were women.<sup>29</sup> According to the 2023 drinking habits survey, men consume alcohol more often than women. Among men, the proportion of people consuming alcohol on a weekly basis was 48 % and for women the proportion was 22 %. Men's binge drinking is also much more common than women's. The percentage of people getting drunk on a monthly basis was 32 % for men and 10 % for women.<sup>30</sup> The moderate risk limit for alcohol consumption (more than 14 units per week for men and more than 7 units per week for women) was exceeded by 15 % of men and 9 % of women.<sup>31</sup>

If home delivery were to increase alcohol-related harms, more men than women would likely experience these additional problems. The regulation, licensing and regulatory control of the alcoholic beverage deliveries can contribute to the realisation of risks. In particular, the extent to which the delivery of alcoholic beverages complies with the prohibition on serving alcohol to intoxicated persons is of particular

<sup>28</sup> Statistics Finland: Verkkokauppa murroksessa on 30 November 2021, [https://stat.fi/til/sutivi/2021/sutivi\\_2021-11-30\\_tie\\_001\\_fi.html](https://stat.fi/til/sutivi/2021/sutivi_2021-11-30_tie_001_fi.html)

<sup>29</sup> Statistics Finland: Causes of Death, [https://pxdata.stat.fi/PxWeb/pxweb/fi/StatFin/StatFin\\_ksyyt/statfin\\_ksyyt\\_pxt\\_11bx.px/](https://pxdata.stat.fi/PxWeb/pxweb/fi/StatFin/StatFin_ksyyt/statfin_ksyyt_pxt_11bx.px/), 11.3.2025.

<sup>30</sup> National Institute for Health and Welfare, Statistical Report 59/2023, Finnish alcohol consumption habits 2023. pp. 3-4.

<sup>31</sup> THL Statistical Report 59/2023, Finnish alcohol consumption habits 2023, p. 6.

importance for ensuring that the availability of alcohol to intoxicated persons is not improved as a result of the Proposal.

Alcohol is also an important driver of domestic violence. If the proposal were to increase alcohol use, especially in the home, the risk of a rise in domestic violence can also be estimated to increase. domestic violence is a common and serious occurrence in Finland. Most of the victims of domestic violence are women or girls. According to a recent statistical report, domestic violence and domestic violence offences involving 10 900 victims were reported to the authorities in 2021. Of adult victims, 75 % were women and 77 % of those suspected of domestic violence were men. However, far from all cases of domestic and domestic violence are reported to the authorities.<sup>32</sup> According to statistics, around a third of women have experienced physical violence, threats of physical violence or sexual violence from a partner at some point in their lives. Less than one-fifth of men have experienced such violence from a partner.<sup>33</sup>

Heavy alcohol consumption increases the risk of domestic violence and affects the recurrence, severity and consequences of violence. The perpetrator's inebriation increases the risk more than the victim's inebriation. Drinking large amounts is a more significant factor than the frequency of drinking. The consequences are more severe when the perpetrator or both parties to the violence are intoxicated.<sup>34</sup> The perpetrator of domestic violence is intoxicated in almost half of the situations involving violence and the consequences of alcohol-related domestic violence are often more serious than those of non-alcohol-related domestic violence.<sup>35</sup>

Domestic violence often takes place in homes or other private places. As the legislative proposal could have the effect of increasing drinking at home, it could also increase the risk of domestic violence. In particular, enabling express deliveries would increase this risk, as such orders can be placed on impulse and possibly while intoxicated. According to the Proposal, the delivery of alcoholic beverages would comply with the same prohibitions on the supply of alcoholic beverages as, for example, has been the case so far in retail sales. This means that alcoholic beverages should not be supplied to a clearly intoxicated person. The extent to which the prohibitions on supply are complied with is significant for the realisation of the risks.

In recent decades, Finnish homicides have been most likely to take place in private dwellings. Of the offences committed during the period under review, 68 % had been committed in private dwellings. Finnish homicides are closely related to alcohol consumption and situations involving alcohol use. The majority of homicides in Finland are related to situations involving alcohol use by middle-aged men who are not gainfully employed. Between 2010 and 2018, in 58 % of adult homicides, all parties were drunk at the time of the crime, while in 77 % of crimes at least one of the parties was drunk. The association with alcohol consumption was particularly strong in men: 72 % of adult males involved in homicides were drunk at the time of the crime. The men and women who committed the crimes and who were caught immediately after the act had on average a blood alcohol content of just under 2.0 per mille (2 %) and the victims well over 2.0 per mille (2 %). In the case of the culprits, the results cannot be generalised, as it is likely that the level of intoxication affected the risk of being caught. On the other hand, in the case of the victims, the level of intoxication had no effect on the survey results whereas it was likely to impact victim selection. In alcohol-related homicides, the victims' level of intoxication was usually higher than that of the perpetrators. Severe intoxication may have made it more difficult for victims to function in conflict situations – both mentally and physically. Of the male suspects who were drunk at the time of the crime, 67 % were intoxicated by alcohol alone and 33 % were under the influence of alcohol and some other (or several other) substance(s). The corresponding proportions for female suspects were 69 % and 31 %.<sup>36</sup>

<sup>32</sup> THL statistical report 43/2023, domestic violence 2021. 23 August 2024, p. 3.

<sup>33</sup> Statistics Finland: Gender-based violence and domestic violence in Finland 2021, p. 17.

<sup>34</sup> Finnish Institute for Health and Welfare: Alcohol as a risk factor for domestic violence, [https://www.julkari.fi/bitstream/handle/10024/116695/Alkoholi\\_1%c3%a4hisuhdev%c3%a4kivallan\\_riskitekij%C3%a4n%C3%a4\\_2014.pdf?sequence=1&isAllowed=y](https://www.julkari.fi/bitstream/handle/10024/116695/Alkoholi_1%c3%a4hisuhdev%c3%a4kivallan_riskitekij%C3%a4n%C3%a4_2014.pdf?sequence=1&isAllowed=y), 2014.

<sup>35</sup> Ministry of Social Affairs and Health 2007. A vicious circle for the whole family. Interpersonal violence and alcohol. Reports of the Ministry of Social Affairs and Health 2007:27, p. 31. Online: <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/72104/Selv200727.pdf?sequence=1&isAllowed=y>.

<sup>36</sup> Lehti, Martti (2020) Homicide Review 2020. University of Helsinki, Institute of Criminology and Legal Policy, Reviews; 41/2020.

### *Impact on occupational safety of suppliers of alcoholic beverages*

According to the proposal, the supplier of the alcoholic beverage would deliver the beverage to the customer. The 'supplier' would mean the holder of the delivery licence and the party carrying out the delivery arranged by them. At the time of delivery, the supplier would most likely be alone and handovers could take place in private premises. Alcoholic beverages could, for example, be ordered at the home of the purchaser, in which case delivery would take place at a home door. In these situations, there may be challenges and even threats endangering occupational safety of the supplier of alcoholic beverages.

The handover at the time of delivery would be quite different from the situation in a shop where often other colleagues and possibly security guards are present. The shop will often also have CCTV cameras and a button on it, which a seller can click to call for help. Since the supplier would be alone in these situations at a foreign location, the risks to occupational safety could be greater than, for example, in retail sales. In the delivery of alcoholic beverages, the customer would, for example, be able to persuade or exert pressure on the alcoholic beverage supplier to deliver them to the customer, even if, for example, they are intoxicated. In its most serious cases, a supplier of alcoholic beverages could even face the threat of violence.

### **Compliance with European Union law**

According to the proposal, the Alcohol Act would be amended to allow the supply of alcoholic beverages from domestic retail sales points, Alko and cross-border distance sales. A licence would be required for the supply of alcoholic beverages. This would mean that the retail licence holder and Alko would be obliged to deliver an alcoholic beverage to the supply licence holder, who would in turn be responsible for supplying the alcoholic beverage to the purchaser. There would be no direct obligation on the distance seller to supply the alcoholic beverage to the holder of the supply licence: it would be sufficient for the distance seller to have labelled the alcoholic beverage in the consignment. In international supply chains, sellers typically enter into a contract with a first-stage carrier, which in turn agrees on forwarding the package with the next party in the transport chain. Therefore, the distance seller's responsibility would be limited to marking the consignment stating that it contains alcohol. In addition, the distance seller should also mark the consignment if it contains spirits. When a consignment indicates that it contains alcoholic beverages, the information would be transmitted in the supply chain and the operator in Finland would be obliged to comply with the provisions of the Alcohol Act in a supply situation. The retail trade licence holder, Alko and the distance seller would also be able to apply for a supply licence for alcoholic beverages, in which case they could arrange to supply alcoholic beverages to the purchaser themselves.

The free movement of goods is the starting point in Union law. Therefore, the issue of whether a quantitative restriction on imports or a measure having equivalent effect in violation of Article 34 TFEU is relevant to be assessed in a different authorisation procedure and, if so, whether the restriction or measure is nevertheless permitted under Article 36 TFEU. Since cross-border distance sales are linked to a supply licence, it is necessary to assess the conformity of the supply licence with Union law.

The purpose of the Alcohol Act is to prevent harm caused by alcohol to its users, to other people and to society as a whole by restricting alcohol consumption and monitoring related business activities. Oversight of the provisions of the Alcohol Act is based on a comprehensive licensing system. In practice, the licensing system ensures that traders operating in the alcohol sector are able to meet their obligations and can be reached and monitored, and that any illegal activities can be effectively addressed. The starting point of the current Alcohol Act is that the supply of all alcoholic beverages sold in Finland is carried out from an establishment approved by the licensing authority. The requirement for retail outlets is justified by the fact that retail outlets can be subject to effective supervision. The CJEU and the Supreme Court have held that a licensing system that requires a retail outlet is compatible with EU law.

The proposal would amend the basic principle under the current Alcohol Act that alcoholic beverages should be delivered in approved retail outlets. In the future, alcoholic beverages could be delivered directly to the purchaser at the place designated by him or her. However, the delivery of alcoholic beverages would comply with time restrictions and prohibitions on delivery as is currently the case for retail sales. Thus, the delivery of alcoholic beverages would be allowed only at times defined by law, and, on the other hand, alcoholic beverages could not be delivered to persons under the age of 18 or to persons under the age of 20.

Alcoholic beverages could also not be delivered if the person were clearly intoxicated or if there were reasonable grounds to suspect illegal delivery or procurement of alcoholic beverages for other persons.

To achieve the purpose of the Alcohol Act, it would be necessary for the supply of alcoholic beverages to be subject to control and to similar provisions on, for example, permitted time limits for the supply of alcohol and prohibitions regarding delivery and retail sales. If the supply of alcohol were not subject to control, a new retail sales channel would be established alongside the retail licence system, one which would not be subject to any regulatory control. It would therefore be crucial for the entire licensing system under the Alcohol Act that the supply of alcoholic beverages is monitored and that action can be taken if necessary.

However, control over the supply of alcoholic beverages would be more challenging than control at retail outlets. Therefore, the supply of alcoholic beverages would be subject to certain conditions, which would not exist for sales at retail outlets. Alcoholic beverages could only be delivered in delivery by persons who have a certificate (delivery passport) in accordance with a model approved by the National Supervisory Authority for Welfare and Health (Valvira) demonstrating knowledge of the regulation governing delivery and the instructions for delivery. Delivery of alcoholic beverages in the delivery system differs from supplies carried out in retail outlets. The suppliers of alcoholic beverages would be in a supply situation on their own. It would be more likely that threatening situations could occur in handover situations if alcoholic beverages were not handed over, for example due to intoxication, or if the suppliers of alcoholic beverages could be persuaded to hand over alcoholic beverages, even if the recipient is, for example, a minor. It would therefore be very important for suppliers of alcoholic beverages to have sufficient knowledge of the legislation and of how to act in handover situations. Suppliers of alcoholic beverages would also be criminally liable if they were to supply alcoholic beverages in violation of the Alcohol Act. For these reasons, each alcoholic beverage supplier would have had to successfully complete a delivery passport test. The test questions would relate to the provisions of the Alcohol Act and, in particular, to prohibitions on delivery and the procedures to be followed in deliveries. The tests would be organised by an education provider referred to in the Act on Vocational Education and Training (531/2017), an educational institution referred to in section 2(1) of the Act on Liberal Adult Education (632/1998), a university of applied sciences referred to in the Polytechnics Act (932/2014) or a university referred to in the Universities Act (558/2009). The educational institution must offer delivery passport tests in Finnish, Swedish and English.

Since it is more difficult to control situations where alcoholic beverages are handed over than those taking place in retail outlets, the supervisory authorities would be given the power to carry out trial purchases. Allowing test purchases would be necessary to enable effective age control in the delivery of alcoholic beverages.

A requirement for a licence to supply alcoholic beverages could restrict trade between Member States, as it would prevent operators established in other Member States from freely importing alcoholic beverages for retail sale in Finland. This would constitute a measure having equivalent effect to a quantitative restriction on imports in violation of Article 34 TFEU. However, the case-law of the CJEU has held that national legal rules restricting or prohibiting certain sales arrangements, which, on the one hand, apply to all operators established in the territory of a Member State and, on the other hand, have the same legal and factual effect on the marketing of both domestic products and products imported from other Member States, do not restrict trade between Member States. In solution C-918/14 Visnapuu, the CJEU considered that, as regards the retail licensing system for alcoholic beverages containing up to 4.7 per cent ethyl alcohol by volume, it did not apply to all operators operating in the territory of a Member State, as the State Alcohol Monopoly was not obliged to obtain a retail licence. Consequently, it was not necessary to examine whether such a requirement had the same legal and factual effect on the marketing of both domestic products and products imported from other Member States, but instead constituted a measure having equivalent effect to a quantitative restriction on imports in violation of Article 34 TFEU.

The requirement for a supply licence would apply to all operators on Finnish territory who wish to deliver alcoholic beverages directly to the purchaser. The requirement would apply equally to alcoholic beverages supplied from domestic retail sales, Alko and cross-border distance sales. A delivery licence could be obtained by any operator who meets the general conditions for a licence laid down in section 13 of the Alcohol Act and the special conditions for a delivery licence for alcoholic beverages laid down in section 17a of the Alcohol Act. A distance seller could also apply for a supply licence, in which case he could

arrange for the alcoholic beverages to be delivered directly to the recipient. Under section 17a of the Act, the delivery authorisation would be granted if the applicant has drawn up a self-monitoring plan and an explanation of how it ensures that the alcoholic beverage drivers operating on its behalf hold a delivery passport referred to in section 57(3). For its part, the conditions of section 13 concern economic conditions. For example, an applicant may not be bankrupt or its members of the administrative bodies, the chief executive officer and partners in an open company or a limited partnership with general liability must meet the financial requirements and be legally competent.

Since the requirement for a delivery authorisation would apply equally to domestic products and to products purchased from other Member States, it would be possible that the system of delivery authorisations would not be considered contrary to Article 34. What is relevant to the assessment would be whether the requirement would actually place domestic and foreign operators in a different position. In principle, domestic and foreign operators would be in an equal position if they themselves wish to obtain a supply licence. The acquisition of a supply licence is not relevant as to whether the operator is a domestic or a non-domestic operator and whether obtaining a licence would not require, for example, a permanent establishment in Finland. Even if the supply licence concerns certain conditions, they would be available to both domestic and foreign operators on equal terms. For example, the delivery passport test for suppliers of alcoholic beverages should be organised in both Finnish, Swedish and English. In addition, it would be possible to draw up a self-supervision plan in English.

On the other hand, it could be possible that obtaining a delivery authorisation would be considered more difficult in practice for a distance seller than for a domestic operator. It could be argued that, for example, carrying out a supply passport test would be considered more challenging for foreign operators than for domestic operators. Supply passport tests would be organised by educational institutions in Finland. Educational institutions would determine, for example, the frequency with which they organise examinations. As a result, it could be somewhat more difficult for foreign operators to obtain a delivery passport. Furthermore, in the event that the distance seller arranges the transport and does not supply the alcoholic beverages themselves, the regulation would differ to some extent from the obligations of the domestic retailers and the State Alcohol Monopoly. Distance sellers would be subject to fewer obligations than domestic operators, since they would only be obliged to indicate on the consignment that it contains alcoholic beverages and potentially strong alcoholic beverages. Unlike domestic retailers or Alko, a distance seller is not obliged to conclude a contract separately with a delivery licence holder or to ensure that the alcoholic beverage is delivered to the alcoholic beverage supplier. When a consignment is correctly labelled as containing alcoholic beverages, it would be the responsibility of an entity operating in Finland to ensure that it does not deliver alcoholic beverages if it does not have authorisation to do so. Labelling alcohol supplies would be easily feasible, for example, in the electronic information system used by logistics companies already. Many international logistics companies already require the separate marking of alcohol shipments in their terms and conditions. Retail licence holders and alcohol companies would also be required to ensure that the shipment is marked as containing an alcoholic beverage. If a shipment contains spirits, the alcohol company shall also ensure that this is marked in the shipment.

More obligations apply to retail licence holders and Alko when alcoholic beverages are delivered from domestic sources, as domestic operators are responsible for ensuring that the alcoholic beverage is delivered to a delivery licence holder from retail sales or Alko. For distance sellers, the responsibility is limited to marking the shipment as containing alcoholic beverages, and possibly spirits. Especially considering that obligations are lighter for distance sellers than for domestic operators, the regulation would be proportionate to the intended objective. In ruling C-244/06 of the Court of Justice of the European Union, Dynamic Medien was a matter of German national law which, among other things, required age limit labelling on visual recordings to be sold by mail order to Germany. In order to obtain this label on visual recordings sold by mail order, they had to go through the national inspection and classification procedure in Germany. The labelling obligation applied not only to sellers established in Germany, but also to sellers established in other Member States. In this respect, the CJEU considered German legislation to constitute a measure having equivalent effect to the quantitative restrictions on imports referred to in Article 34 TFEU, since, according to the CJEU, this requirement constituted a less favourable treatment of imported products in a way that made it more difficult and costly to import image recordings from other Member States. However, according to the CJEU, this legislation could be justified on the basis of Article 36 TFEU in order to protect minors. The purpose of the proposed marking obligation for distance sellers in the Alcohol Act would be to ensure that suppliers can identify shipments containing alcohol

during delivery situations and thereby carry out age verification to prevent supplying alcoholic beverages to minors.

Even if, such as based on a requirement of the delivery passport test, the delivery licence requirement were regarded as placing foreign operators in a different position in practice, the delivery licence requirement would be justified under Article 36 of the TFEU. Above, the purpose of the Alcohol Act to reduce the harms caused by alcohol and the supporting licensing system have been outlined. The purpose of the supply authorisation is the protection of human health and the protection of minors. The protection of human health and life is the most important of the assets and interests protected by the Treaty on the Functioning of the European Union (TFEU) and it is for the Member States to decide on the level to which they intend to protect public health and the manner in which that level is to be achieved. It has already been pointed out above that if alcoholic beverages could be supplied without a licence, the activity would not be subject to supervision and it would not be possible to control compliance with the provisions of the Alcohol Act. Supplying alcoholic beverages freely would completely eliminate the other licensing system under the Alcohol Act. Therefore, the delivery licence requirement would be in line with Union law.