

A C T

of 2025,

on the conditions of sale of energy drinks

The National Council of the Slovak Republic has passed the following Act:

§ 1

Subject matter

This Act governs

- a) the conditions for the sale and serving of energy drinks;
- b) the obligations of natural persons authorised conduct business and legal entities in the sale and serving of energy drinks;
- c) the powers of administrative authorities and the penalties to be imposed in the enforcement of measures under this Act.

§ 2

Energy drink

For the purposes of this Act, ‘energy drink’ means a packaged sweetened non-alcoholic beverage intended for direct consumption¹⁾ which contains caffeine, regardless of from what source, in a proportion in excess of 150 mg/l.

¹⁾ § 2(a)(1) of Act No 251/2024 on the tax on sweetened non-alcoholic beverages and on amendments to certain acts.

§ 3

Measures for the sale and serving of energy drinks

- (1) It is prohibited to sell or serve energy drinks to persons under the age of 16.
- (2) It is prohibited to sell energy drinks or serve energy drinks
 - a) through a vending machine, unless the seller operating the vending machine ensures verification of the buyer's age;
 - b) on children's playgrounds and in schools and school facilities pursuant to separate legislation;²⁾
 - c) in stores selling goods intended primarily for children;
 - d) at public assemblies³⁾, public cultural events⁴⁾, and public sporting events⁵⁾ intended for persons under 16 years of age.

§ 4

Certain conditions for the sale and serving of energy drinks

- (1) Anyone who sells or serves energy drinks shall inform the public of the prohibition under § 3(1) by means of an easily legible and clearly visible notice placed at the point of sale or serving, with the following wording: 'It is prohibited to sell or serve energy drinks to persons under the age of 16'.
- (2) Anyone who sells or serves energy drinks subject to the prohibition under § 3(1) shall verify that the person to whom they are selling or serving an energy drink has reached the age of 16.
- (3) Distance selling of energy drinks is only permitted if the seller uses an age verification system that can verify at the time of sale that the buyer has reached the age of 16 years. For the purposes of this Act, 'age verification system' means a computing system that unambiguously confirms the buyer's age by electronic means. The seller shall provide detailed information on the age verification system and its functioning at the request of the control authority pursuant to § 5(1).

§ 5

Control

- (1) Compliance with this Act shall be controlled by authorities responsible for the official control of foodstuffs⁶⁾ within the scope of their competence under separate legislation.⁷⁾

²⁾Act No 245/2008 on education and training (the Schools Act) and on amendments to certain acts, as amended.

³⁾ Act No 84/1990 on the right of assembly, as amended.

⁴⁾ Act No 96/1991 of the Slovak National Council on public cultural events, as amended.

⁵⁾ Act No 1/2014 on the organisation of public sports events and on amendments to certain acts, as amended.

⁶⁾ § 21(1)(b) to (d) of Act No 152/1995 of the National Council of the Slovak Republic on foodstuffs, as amended by Act No 195/2007.

⁷⁾ § 23(1) and (2) of Act No 152/1995 of the National Council of the Slovak Republic, as amended.

- (2) In monitoring compliance with the obligations under this Act, the authorities responsible for the official control of foodstuffs are authorised to carry out test purchases of energy drinks by persons under the age of 16.

§ 6

Administrative offences

- (1) The control authority pursuant to § 5(1) shall impose a fine ranging from EUR 150 to EUR 5 000 on a natural person authorised to carry on business or a legal entity that violates the prohibition under § 3 or the obligation under § 4(2) or (3).
- (2) The control authority pursuant to § 5(1) shall impose a fine ranging from EUR 100 to EUR 1 000 on a natural person authorised to carry on business or a legal entity that violates the obligation under § 4(1).
- (3) The fine referred to in Paragraphs (1) and (2) may be imposed within one year of the date on which the prohibition or obligation was breached.
- (4) When imposing the fine referred to in Paragraphs (1) and (2), account shall be taken in particular of the gravity, extent and duration of the breach of the obligation.
- (5) The proceeds from the fines referred to in Paragraphs (1) and (2) shall constitute revenue of the State budget.
- (6) Unless otherwise provided in Paragraphs (1) to (5), the Administrative Procedure Code shall apply to the imposition of fines.

§ 7

Final provision

This Act has been adopted in accordance with a legally binding act of the European Union in the field of technical regulations.⁸⁾

§ 8

Entry into force

This Act shall enter into force on 1 May 2026.

⁸⁾ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codified version) (OJ L 241, 17. 9. 2015).