



BACKGROUND:

On 1 July, the Latvian government notified under [TRIS 2024-0351-LV](#) the “Draft law ‘Amendments to the Handling of Alcoholic Beverages Law’”. The proposal covers areas such as packaging, labelling, marketing and availability of alcoholic beverages. The notification opened up a standstill period until 02 October 2024, during which Member States and/or the Commission can issue Comments or Detailed Opinions to the TRIS notification.

Whilst a number of the mandatory labelling particulars are already voluntarily implemented by brewers across Europe (88% of beer labels energy values; 95% of beer labels ingredients; many beers already include logos advising against consumption when pregnant or when driving), the proposals contain many provisions that are unclear, potentially in contradiction with existing EU legislation or in breach of the EU treaties, discriminating against beer brewers and creating disproportionate barriers to trade.

We invite the Commission and Member States to issue Detailed Opinions addressing the critical points.

CRITICAL POINTS:

- The draft law introduces restrictions on packaging format. From 1st of January 2028, the sale of alcoholic beverages of more than 5.8% abv will be prohibited in containers larger than 0.5L, and the sale of alcoholic beverages of less than 5.8% abv will be prohibited in containers larger than 1L. These provisions are disproportionate, do not respect the freedom of producers and restrict consumers' choice. Also, some sources have indicated parts of these provisions already exist in Latvian law. If that is the case, the Latvian government should also clarify the situation and explain why this is renotified or else what is changing.
- The provisions concerning the mandatory nutrition declaration must be clarified and renotified. The current proposal is incoherent, as it states the nutrition declaration can be limited to energy value only, but still ask for the full nutrition declaration (the Big 7) to be provided. The Latvian government should clarify whether the nutrition declaration needs to be provided in full or can be limited to the energy value only (as currently allowed by the Food Information to Consumers regulation 1169/2022/EU).
- The law introduces a discriminatory treatment of lower alcohol beverages with regard to exemptions from providing the mandatory nutrition declaration and the list of ingredients. The provisions state that “*alcoholic beverages produced in small distilleries*” would not have to bear the nutrition declaration and the list of ingredients, creating discrimination vis-à-vis other alcoholic beverages, including those produced in small breweries. The Commission should invite the Latvian government to ensure a level-playing field for all alcoholic beverages concerning this rule.
- The law seems to be in breach of EU law by stating that, in addition to the mandatory list of ingredients, “*information on substances or products causing allergies or intolerances shall be directly indicated on the packaging or attached label*”. Reg. 1169/2022/EU dictates that the allergen declaration should not be repeated on the labelling when it is already given through the list of ingredients.
- The provisions concerning the pregnancy and drink-driving pictograms should be clarified. It is currently impossible to assess whether the measure is proportionate or not as there are no clear instructions concerning the pictograms. In some countries (France and Lithuania, and soon Ireland), a pregnancy pictogram is already mandatory. Latvia should ensure mutual recognition of products bearing such pictograms without the need to redesign for the Latvian market.
- The draft text introduces a discriminatory treatment between physical retail outlets and online sales of alcoholic beverages since there must be a 6-hours delay between the time of sale and the time of delivery for online sales of alcoholic beverages (where there is no delay between order and delivery at physical retail outlets). In addition to being discriminatory between types of companies, it further restricts consumer freedom and choice. This provision should be deleted from the draft proposal of the Latvian government.
- In retail locations, there must be a “*prominent displayed sign*” that “*must warn that the consumption of alcoholic beverages has negative health effects, alcoholic beverages cannot be sold to minors and minors may not purchase, consume or possess alcoholic beverages.*” This will apply as of the 1st of June 2025. The Latvian government should clarify the content and format of this sign as it is currently impossible to assess whether this is a proportionate measure.