



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Notification Number : 2023/0019/CZ (Czechia)

Draft Decree on tobacco-free nicotine pouches

Date received : 19/01/2023

End of Standstill : 20/04/2023 (closed)

Message

Message 002

Communication from the Commission - TRIS/(2023) 00159

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2023/0019/CZ

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késéseket - Ma' jiftaħx il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 202300159.EN)

1. MSG 002 IND 2023 0019 CZ EN 19-01-2023 CZ NOTIF

2. CZ

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128 01 Praha 2

4. 2023/0019/CZ - C00C

5. Draft Decree on tobacco-free nicotine pouches

6. tobacco-free nicotine pouches

7. -

8. The essence is the setting of requirements for tobacco-free nicotine pouches:

- composition, appearance, quality and characteristics requirements;

- labelling requirements, including prohibited elements and features;

and requirements for the manner of, deadlines for and scope of the notification obligation.



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A legal regulation will be created for products such as non-tobacco nicotine pouches when the amendment of Act No 65/2017 on health protection against harmful effects of addictive substances is passed and published, notification under Directive 2015/1535 (2022/840/CZ).

keywords: nicotine, addictive substances, health protection

The draft refers to:

- Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods, as amended.
- Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, as amended.
- Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, as amended.
- Commission Implementing Decision (EU) 2015/2186 of 25 November 2015 establishing a format for the submission and making available of information on tobacco products.

9. Tobacco-free nicotine pouches are a new type of product that is available on the market in the Czech Republic.

In addition to containing highly addictive nicotine, nicotine pouches also have a common principle of use with tobacco products that is similar to the use of tobacco intended for oral use.

The Food Act lays down obligations for manufacturers, importers, retailers and distributors of tobacco-free nicotine pouches. A decree is now being submitted, which regulates the tobacco-free nicotine pouches themselves.

10. reference(s) to basic text(s): Act No 65/2017 on health protection against harmful effects of addictive substances - Act No 65/2017 was submitted as the basic regulation to the TRIS database within the framework of notification 2022/840/CZ.

Act No 110/1997 on foodstuffs and tobacco products and amending certain related acts - Act No 110/1997 was submitted as the basic regulation to the TRIS database within the framework of notification 2022/722/CZ. The text is uploaded to the TRIS database is the version by 31 December 2023, by 19 May 2024 as well as the text effective as of 20 May 2024. the basic texts were forwarded within an earlier notification: 2022/840/CZ: 2022/722/CZ

11. No

12. -

13. No

14. No

15. Yes

16. Aspect of Technical barriers to trade (TBT)

NO - The Draft has no significant impact on international trade.

Sanitary and phytosanitary (SPS) aspect



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NO - The Draft has no significant impact on international trade.

No - The Draft is not a sanitary or phytosanitary measure

European Commission

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