



EUROPEAN COMMISSION

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

Notification Number : 2020/0609/DK (Denmark)

Draft Order on a ban on advertising and visible location and display, etc. of electronic cigarettes and refill containers with and without nicotine.

Date received : 30/09/2020

End of Standstill : 31/12/2020 (closed)

Message

Message 002

Communication from the Commission - TRIS/(2020) 03586

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2020/0609/DK

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 - Atidējimai nepradedami - Nem nyitja meg a késéseket - Ma' jiftaħ 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: 202003586.EN)

1. MSG 002 IND 2020 0609 DK EN 30-09-2020 DK NOTIF

2. DK

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4. 2020/0609/DK - S00S

5. Draft Order on a ban on advertising and visible location and display, etc. of electronic cigarettes and refill containers with and without nicotine.

6. S00S - HEALTH, MEDICAL EQUIPMENT

7. -

8. The Order lays down detailed regulations relating to the proposal that electronic cigarettes and refill containers with and without nicotine shall not be visible to consumers



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at sales outlets, including on the internet, until a customer specifically asks about them. The sales outlets are free to choose the method to comply with the ban on display, but the Order among other things lays down that no direct or indirect advertising or information can be given on the fact that electronic cigarettes and refill containers with and without nicotine are sold at the sales outlet.

The Order also includes regulations on the content of the neutral lists that the sales outlet may provide with information on which products are sold and their prices.

The ban on display does not apply to physical shops which have specialised in the sale of electronic cigarettes and refill containers with and without nicotine, and the Order lays down specific regulations on this.

Finally, the Order includes separate regulations on the sale through digital solutions and online, as well as sale from self-service machines.

9. The Order is based on a Bill implementing the agreement on a national action plan against smoking by children and young people agreed on 18 December 2019 between the Government (Social Democrats) and Venstre (Danish Liberal Party), Radikale Venstre (Danish Social Liberal Party), Socialistisk Folkeparti (Socialist People's Party), Enhedslisten (Red-Green Alliance), Det Konservative Folkeparti (Conservative People's Party) and Alternativet (liberal green party). The agreement includes a wide range of initiatives intended to stop and prevent smoking and nicotine dependency among children and young people, and the agreement implements a number of the initiatives that patient associations and professionals have urged for several years.

With the proposal, the Danish Ministry of Health emphasises that smoking is extremely damaging to health. It is the combination of all the initiatives that is to effectively contribute to reducing the proportion of young people who smoke in Denmark and in the long term contribute to reducing health inequality.

10. Reference(s) to the basic text(s): The Order is issued on the basis of § 18 a in Act No 426 of 18 May 2016 on electronic cigarettes etc., as amended by § 2 in Act No 1558 of 18 December 2018 and § 3 in Act No xx of xx 2020 [Bill not yet adopted]

11. No

12. -

13. No

14. No

15. Yes

16. WTO aspect

No - the draft is neither a technical regulation nor a conformity assessment.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

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