



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2023/0543/FI (Finland)

## Government proposal to parliament for an act amending section 17 of the Alcohol Act

Date received : 18/09/2023

End of Standstill : 19/12/2023 (closed)

### Message

Message 001

Communication from the Commission - TRIS/(2023) 2642

Directive (EU) 2015/1535

Notification: 2023/0543/FI

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20232642.EN

1. MSG 001 IND 2023 0543 FI EN 18-09-2023 FI NOTIF

2. Finland

3A. Työ- ja elinkeinoministeriö

Työllisyys ja toimivat markkinat -osasto

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3B. Sosiaali- ja terveysministeriö

4. 2023/0543/FI - C50A - Foodstuffs

5. Government proposal to parliament for an act amending section 17 of the Alcohol Act

6. Alcoholic beverages



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7.

Directive 2006/123/EC on services in the internal market

Requirements which reserve access to particular providers

By legislation, the retail sale of alcoholic beverages is partly only allowed for the government-owned alcohol company and partly allowed for operators with a retail licence. The requirements for granting such a licence are non-discriminatory and would not be amended by the proposal. The granting of a licence for the retail sales of alcoholic beverages is not subject to any requirements relating to the nationality of the applicant or to the country of origin of the products. The requirements are related to matters such as the applicant being required to be an adult and considered reliable (for example, the applicant may not have been declared bankrupt or convicted for an offence related to the pursuit of business in the past five years) and requiring that the place of sale is approved (sections 13, 17 and 35 of the Alcohol Act)

The restrictions on the retail sale of alcoholic beverages are based on the fact that alcohol causes significant social, health-related and economic harm that the legislation seeks to reduce.

The legal requirements of the licence scheme were discussed in case C-198-14 Visnapuu (paragraph 119) and in a judgment of the Supreme Court of Finland (KKO 2018:46). The restrictions have been considered to comply with the requirements of EU law and fall within the discretion of the Member State.

8. In the proposal, section 17 of the Alcohol Act is proposed to be amended.

The government-owned alcohol company currently has an exclusive right to the retail sales of alcoholic beverages containing more than 5.5 per cent of ethyl alcohol by volume. The retail sale of alcoholic beverages containing more than 2.8 per cent and not more than 5.5 per cent of ethyl alcohol by volume is subject to a licence from the authorities.

The exclusive retail sale right of the alcohol company would be modified by allowing the licenced retail sales of fermented alcoholic beverages containing more than 5.5 per cent and not more than 8.0 per cent by volume in addition to the beverages referred to above.

The proposed Act is planned to enter into force at the beginning of 2024 at the earliest.

9. The proposal relates to the Government Programme of Prime Minister Petteri Orpo's Government, one of the aims of which is to open the market and increase competition. In this respect, it has been agreed that the Government will reform Finland's alcohol policy responsibly towards a more European direction and continue the overall reform of the Alcohol Act carried out in 2018.

10. Basic text references: 2016/0653/FIN

The basic texts have been provided in connection with an earlier notification:  
2016/0653/FIN

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No



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SPS aspects: No

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European Commission

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