



EUROPEAN COMMISSION

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

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0225/DK (Denmark)

Order amending the Order on the quality, labelling and age verification system etc. of electronic cigarettes and refill containers etc.

Date received : 26/04/2024

End of Standstill : 29/07/2024 (closed)

Message

Message 001

Communication from the Commission - TRIS/(2024) 1119

Directive (EU) 2015/1535

Notification: 2024/0225/DK

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 - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéset - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ 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: 20241119.EN

1. MSG 001 IND 2024 0225 DK EN 26-04-2024 DK NOTIF

2. Denmark

3A. Erhvervsstyrelsen

Langelinie Allé 17

2100 København Ø

Danmark

+45 35 29 10 00

notifikationer@erst.dk

3B. Indenrigs- og Sundhedsministeriet

Slotsholmsgade 10-12

1216 København K

Danmark

+45 72 26 90 00



EUROPEAN COMMISSION

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

sum@sum.dk

4. 2024/0225/DK - S00S - HEALTH, MEDICAL EQUIPMENT

5. Order amending the Order on the quality, labelling and age verification system etc. of electronic cigarettes and refill containers etc.

6. The draft concerns electronic cigarettes and refill containers with and without nicotine.

7.

8. The Order amends the Order on the quality, labelling and age verification system etc. of electronic cigarettes and refill containers etc. This amendment follows notification 2024/64/DK, in which Denmark has notified a draft Act which, inter alia, concerns putting into force the requirements for more efficient electronic age verification in the case of distance sales of electronic cigarettes and refill containers with and without nicotine.

The Order lays down the detailed requirements for this electronic age verification. The requirements follow directly from the comments on the draft Act and thus no new requirements are laid down other than what is already stated in the draft Act.

The Order merely states that in future there will be a requirement for effective electronic age verification, that there is a methodological freedom in relation to how it is ensured and that the requirement will not cover online platforms, as defined in Article 3(i) of the Digital Services Act.

Point 7 Notification pursuant to a Union act
Additional information necessary for the assessment

Directive of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC

Point 10 Reference documents and basic texts

The Order on the quality, labelling and age verification system etc. of electronic cigarettes and refill containers etc. is laid down pursuant to Sections 7(2), 8, 9(2), 15(5) and 33(2) of the Act on electronic cigarettes etc.

Basic texts have been forwarded as part of an earlier notification:

2016/114/DK:

2020/228/DK:

9. The amending Order is an implementation of the agreement of 14 November 2023 on a prevention plan targeting the use of tobacco, nicotine and alcohol by children and young people, concluded between the government (the Social Democratic Party, the Liberal Party of Denmark and the Moderates), the Socialist People's Party, the Denmark Democrats, the Conservative People's Party and The Alternative.

The agreement contains 30 initiatives, and together they are intended to contribute to reducing the consumption of



EUROPEAN COMMISSION

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

tobacco, nicotine and alcohol by children and young people and to support more inclusive communities.

The amending Order implements parts of the prevention agreement. The remaining initiatives, which are to be transposed into legislation, will be implemented via other draft acts. The initiatives implemented in this amending Order are intended to ensure better enforcement of the existing age limits for electronic cigarettes and refill containers with and without nicotine.

10. References in the basic text: No basic text(s) are available

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu