



EUROPEAN COMMISSION

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

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0351/LV (Latvia)

Draft law 'Amendments to the Handling of Alcoholic Beverages Law'

Date received : 01/07/2024

End of Standstill : 02/10/2024 (02/01/2025) (closed)

Message

Message 001

Communication from the Commission - TRIS/(2024) 1700

Directive (EU) 2015/1535

Notification: 2024/0351/LV

Notification of a draft text from a Member State

Notification – Notificación – 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 - Nezahtuje 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 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: 20241700.EN

1. MSG 001 IND 2024 0351 LV EN 01-07-2024 LV NOTIF

2. Latvia

3A. Ekonomikas ministrija

3B. Veselības ministrija, tālrunis: +371 67717480, e-pasts: vm@vm.gov.lv (elena.zviedre@vm.gov.lv)

4. 2024/0351/LV - C51A - Beverages

5. Draft law 'Amendments to the Handling of Alcoholic Beverages Law'

6. Alcohol, alcohol trade

7.

Regulation (EC) 1924/2006 concerning nutrition and health claims made on foods: Article 23

Regulation (EC) 1924/2006 requires that the majority of prepacked foods must have a nutrition and energy value. In turn, mandatory information on nutritional value, incl. the energy value according to Article 41 of Regulation 1169/2011 cannot be applied to alcoholic beverages whose alcohol content exceeds 1.2 percent by volume, and Member States themselves



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can apply national legislation on the list of ingredients to alcoholic beverages.

8. The requirements of the draft law, which are to be brought into line with the European Commission:

- Include on the labelling of alcoholic beverages information in the form of pictograms that encourage citizens not to use alcohol during pregnancy and when driving;
- Include information on ingredients, nutritional value, including energy value, on the labelling of alcoholic beverages, which would inform consumers about the food;
- Alcoholic beverages purchased on the website or mobile application are allowed to be delivered to the buyer at the earliest after six hours from the time of ordering.

Additional requirements included in the draft law:

- Require that information be provided at retail outlets with a warning that alcoholic beverages should not be consumed by minors and that their use has a negative impact on health;
- Ban on offering alcoholic beverages free of charge in gaming arcades and casinos and banning their sale, use, transfer to gaming machines, gaming desks and other gambling equipment;
- Limit the selling time for alcohol (Monday to Saturday, 10:00 a.m. to 8:00 p.m.; Sundays, 10:00 a.m. to 6:00 p.m.)
- Prohibit the marketing of alcoholic beverages containing more than 22 % alcohol, with a capacity not exceeding 0.2 litres, filled in plastic (PET) packaging;
- Ban the advertising of prices and discounts for alcoholic beverages in printed media and printed materials, cinemas and the internet;
- Ban promotion measures (sales, etc.), including “2 for the price of 1” or “buy more bottles of alcoholic beverages at a lower price”, etc., and ban the promotion of discounted purchases of alcoholic beverages as part of the loyalty scheme.

9. The draft law aims to protect the interests of public health, in particular children and young people, by introducing evidence-based complex measures that not only limit the advertising and accessibility of alcoholic beverages, but also to ensure public awareness of the health effects of alcohol consumption. By introducing the requirements contained in the draft law, the aim is to reduce the consumption of registered absolute alcohol in litres per population aged 15 years and over, to reduce the proportion of at-risk users over the past year, and to reduce long-term alcohol-related illnesses and mortality from alcohol consumption (e.g., liver cirrhosis, traffic accidents, drowning, injuries, suicides).

According to data from the OECD ‘Health at a glance 2023’ report, recorded alcohol consumption in Latvia is the highest among the countries of both the European Union and the Organisation for Economic Cooperation and Development, at 12.1 litres per inhabitant, excluding tourist consumption [<https://www.oecd.org/health/health-at-a-glance/>]. The at-risk consumption of alcohol among the Latvian working-age population is also relatively high (40%) [Centre for Disease Prevention and Control. Study on the health behaviour of Latvian citizens. (Have used 6 doses of alcohol per in one drinking session):

http://petijumi.mk.gov.lv/sites/default/files/title_file/Latvijas_iedziv_veselibu_ietekmejoso_paradumu_petijums_2018_Zinojums.pdf] and above the World Health Organisation (WHO) European region average (30.4%). At the same time, alcohol consumption in Latvia generates significant monetary costs, estimated in a study carried out in Latvia in 2023 at between 1.3% and 1.8% of GDP [<https://esparveselibu.lv/sites/default/files/2023-10/Gala%20zinojums.pdf>], which is approximately twice as much as the income from alcohol excise duty.

In view of the available statistical data for Latvia, a comprehensive policy shall be implemented and a framework developed that restricts the advertising and marketing of alcoholic beverages, restricts the physical availability of alcohol, and provides additional information to consumers on its composition and harmfulness.

Placing additional labelling of alcoholic beverages on alcoholic beverages produced in Latvia and introduced from other countries would give consumers the right to know the nutritional value, energy value, and product ingredients of alcoholic beverages, similar to those applicable to wines in the European Union and to food products. This would enable consumers to make informed choices as to what drinks to use and in what quantities, and to alert certain groups of the public to whom the consumption of alcoholic beverages is dangerous to health. Such and similar requirements are already in place in other EU Member States.

Only the display of warning pictograms will apply to beverages produced in small alcoholic beverage breweries. The



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expected transition period is around 3 years. The requirement would enter into force on 1 January 2028. Beverages produced before that date will be able to be distributed until the end of their stocks or the expiry date determined by the manufacturer.

Although it is initially planned that, as part of Europe's Beating Cancer Plan, the European Commission will review and encourage the development of common labelling requirements for alcoholic beverages in 2022 and 2023, such legislation has not yet started and Latvia, as a Member State, is entitled to draw up independent regulations under European law. The supply of alcoholic beverages purchased on a website or mobile application to the buyer at the earliest six hours after ordering would reduce the physical accessibility of alcoholic beverages and the impulsive purchase of alcohol. This requirement should be brought into line the European Commission, as it may have an impact on organisational processes of traders in neighbouring countries of Latvia that alcoholic beverages bought online can be delivered within six hours. According to the WHO recommendations to reduce alcohol consumption and its consequences, limiting the availability of alcoholic beverages is one of the recommended directions for a more effective reduction of alcohol consumption and its consequences. Limiting the purchase of alcohol is one of the solutions to reduce the high consumption of alcohol among the population. At the same time, the WHO's European Alcohol Action Plan 2022-2025 [WHO Europe region, 2022, European framework for action on alcohol

2022-2022https://www.drugsandalcohol.ie/37045/13/WHO_72nd_meeting_Framework_on_Alcohol-220604.pdf] highlights the need to focus on strategies to limit the availability of alcoholic beverages, given the rapid development of distance sales of alcoholic beverages in the Member States.

Until 2020, the sale of alcoholic beverages through a distance contract was prohibited in Latvia, but during COVID-19, to reduce people's gatherings in retail outlets, it was allowed, thus making alcohol more accessible to the public. In Latvia, narcologists have drawn attention to the fact that the sale of alcohol on the internet has posed a significant risk in terms of increasing the availability of alcoholic beverages, resulting in particular in the behaviour of at-risk users of alcohol. Moreover, it should be noted that a European study on the impact of the COVID-19 pandemic on alcohol consumption concluded that Latvia was the only country among the 18 countries in the European region included in the study where the frequency of alcohol consumption increased during the COVID-19 pandemic. In particular, alcohol consumption increased among people who already had alcohol-related problems before the pandemic [Kilian C., Neufeld M., Manthey J., et al. (2022) Self-reported changes in alcohol and tobacco use during COVID-19: findings from the eastern part of the WHO European Region]. Although no studies have been carried out in Latvia on the impact of certain legislative changes on alcohol consumption, in other countries such studies have been carried out in recent years, including studies on the impact of distance sales of alcoholic beverages on people's drinking habits. Studies show that the purchase of alcohol via the internet during the COVID-19 pandemic was associated with increased alcohol consumption and associated risks [Huckle, T., Parker, K., Romeo, J.S., & Casswell, S. (2021). Online alcohol delivery is associated with heavier drinking during the first New Zealand COVID-19 pandemic restrictions. *Drug and alcohol review*, 40(5), 826-834]. Other evaluations [Duthie, C., Pocock, T., Curl, A., et al. (2023). Online on-demand delivery services of food and alcohol: A scoping review of public health impacts. *SSM-Population Health*, 101349] also indicate that alcohol sales on the internet could contribute to alcohol overconsumption and the associated risks.

The requirement is subject to a transitional period with the date of entry into force on 1 June 2025.

10. References to the primary text:

11. No

12.

13. No

14. No

15. Yes

16.



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TBT aspects:

The draft is a technical regulation or a conformity assessment

The draft has significant impact on international trade

SPS aspects: No

European Commission

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