

Decree

No .../2024 of the Minister for Agriculture of ... 2024 on amending

Ministry of Agriculture Decree No 36/2014 of 17 December 2014 on the provision of food information

Pursuant to the authorisation granted under Section 76(2)(26) of Act XLVI of 2008 on the food chain and its official supervision, and acting within the scope of my duties as defined in Section 54(3) of Government Decree No 182/2022 of 24 May 2022 on the duties and powers of members of the Government, I hereby order the following:

Section 1

The following sub-heading 2/G is added to Ministry of Agriculture Decree No 36/2014 of 17 December 2014 on the provision of food information (hereinafter: Decree):

‘2/G Requirements for energy drinks

Section 7/I (1) Non-alcoholic beverages with the composition specified in Section 20/C of Government Decree No 210/2009 of 29 September 2009 on the conditions of carrying out commercial activities (hereinafter referred to as Government Decree No 210/2009 of 29 September 2009) may only be marketed under the name including the term ‘energy drink’.

(2) The term ‘energy drink’ shall also appear in the principal field of vision of the product so that the x-height in accordance with Annex IV to Regulation (EU) No 1169/2011 of the European Parliament and of the Council is at least 3 mm.

(3) The term ‘energy drink’ and the designation containing it may only be used to designate non-alcoholic beverages with the composition specified in Section 20/C of Government Decree No 210/2009 of 29 September 2009.’

Section 2

The following paragraph (3) is added to Section 9/B of the Decree:

‘(3) Products under a name not complying with Section 7/I of Ministry of Agriculture Decree No .../2024 of ... 2024 amending Ministry of Agriculture Decree No 36/2014 of 17 December 2014 on the provision of food information (hereinafter: Amending Decree 3) may continue to be marketed under a name not complying with Section 7/I of Amending Decree 3 for 12 months after the entry into force of Amending Decree 3.’

Section 3

The following Section 14 is added to the Decree:

‘Section 14 The draft of subheading 2/G and of Section 9/B(3) of this Decree, as laid down in Amending Decree 3, have been notified in advance in accordance with Articles 5 to 7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.’

Section 4

This Decree shall enter into force on the thirtieth day following its publication.

Section 5

The requirement for the prior notification of this draft Decree, as stipulated under Articles 5 to 7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, has been met.