



EUROPEAN COMMISSION

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

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0516/FI (Finland)

Decree of the Ministry of Social Affairs and Health amending the Decree of the Ministry of Social Affairs and Health on the labelling and other appearance of tobacco and related products and their unit packets

Date received : 16/09/2024

End of Standstill : 17/12/2024 (closed)

Message

Message 001

Communication from the Commission - TRIS/(2024) 2477

Directive (EU) 2015/1535

Notification: 2024/0516/FI

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 - Ne zahajuje 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 késésekét - Non fa decorrere la mora - Atidėjimai 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: 20242477.EN

1. MSG 001 IND 2024 0516 FI EN 16-09-2024 FI NOTIF

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4. 2024/0516/FI - X00M - GOODS AND MISCELLANEOUS PRODUCTS

5. Decree of the Ministry of Social Affairs and Health amending the Decree of the Ministry of Social Affairs and Health on the labelling and other appearance of tobacco and related products and their unit packets

6. Tobacco products, electronic cigarettes, refill containers, nicotine-containing liquids, liquids other than nicotine-containing liquids for use in electronic cigarettes

7.

8. The Tobacco Act (549/2016) has been amended by Act xx/2024, which enters into force on xx.xx.202x. A definition of smokeless nicotine product which covers nicotine pouches and products closely resembling these was added to the Act. Nicotine pouches also meet the definition of tobacco substitutes.

Under section 39a, subsection 1, paragraph 5 of the Tobacco Act, the unit packet of a smokeless nicotine product must carry health warnings in Finnish and Swedish. According to section 39a, subsection 5, further provisions may be laid down by a decree of the Ministry of Social Affairs and Health concerning the text, font and font size, colour, surface area, location and other specifications for the health warning referred to in subsection 1, paragraph 5.

Section 39a, subsection 1 of the Tobacco Act will enter into force six months after the entry into force of Act xx/2024, i.e. [date] [month] 202x.

It is proposed to add a new section 14a on the health warning for unit packets of smokeless nicotine products to the Decree of the Ministry of Social Affairs and Health on the labelling and other appearance of tobacco and related products and their unit packets (591/2016).

In addition, it is proposed that section 20, subsection 3 of the Decree be amended to take smokeless nicotine products and their warning labels into account.

9. It is proposed to add a new section 14a which would provide for the warning label on the unit packets of smokeless nicotine products. According to the section, the provisions of sections 11 to 14 on the warning label required for the unit packets of electronic cigarettes and refill containers would also apply to the warning label required for unit packets of smokeless nicotine products under section 39a, subsection 1, paragraph 5 of the Tobacco Act (549/2016).

The warning label for smokeless nicotine products would correspond to that required for the unit packets of electronic cigarettes and refill containers, as the products do not contain tobacco plant but do contain nicotine.

It is proposed that section 20, subsection 3 of the Decree be amended so that the warning label on the unit packets of smokeless nicotine products should also not be obscured and should be fully visible. In addition, it should not obscure the price label or the text relating to the retail price referred to in section 11 of the Act on the Excise Duty on Tobacco.

In that regard, the rules on the warning labels of smokeless nicotine products would be similar to those relating to the warning labels for tobacco products, since both product groups are subject to tobacco excise duty both as a value-added tax based on the retail price and as a tax per unit of product.



10. Basic text references: The basic texts have been provided in connection with an earlier notification:
2024/0210/FI

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

SPS aspects: No

European Commission

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