



EUROPEAN COMMISSION

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

Message 103

Communication from the Commission - TRIS/(2025) 0057

Directive (EU) 2015/1535

Notification: 2024/0560/IT

Forwarding of the observations of a Member State (Sweden) (article 5, paragraph 2, of Directive (EU) 2015/1535). These observations do not have the effect of extending the standstill period.

MSG: 20250057.EN

1. MSG 103 IND 2024 0560 IT EN 08-04-2025 08-01-2025 SE COMMS 5.2 08-04-2025

2. Sweden

3A. Kommerskollegium

3B. Utrikesdepartementet

4. 2024/0560/IT - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5. article 5, paragraph 2, of Directive (EU) 2015/1535

6. Sweden is in favour of measures aimed at protecting consumers' interests and providing them with the information they need to make informed purchases. As a starting point, however, it is important that the internal market is not unnecessarily fragmented by diverging national regulatory frameworks.

National labelling requirements generally require companies to adapt their product to the national market. This may mean that companies have to repackage the products or create larger packages to accommodate the labelling. Labelling requirements can thus in themselves constitute measures that impede free movement in the EU's internal market in an unauthorised manner.

The draft means that companies exporting to Italy will have to adapt and label their products or completely remove them from the Italian market. Furthermore, it is unclear whether the draft requires the company to maintain the same price for the product for a period of six months, which could further complicate access to the Italian market.

Italy has justified the draft on the grounds that it is for the protection of consumers. In order to protect consumers, it is permissible to introduce measures restricting the free movement of goods where such measures are proportionate. This means that there must be no other, less intrusive measure that can achieve the same objective and that the measure must be appropriate. In this case, there is no information from Italy as to why no other, less intrusive, measures would be sufficient. It is also questionable whether the draft is appropriate as it could lead to larger packaging.

Furthermore, Italy has not explained how the draft relates to existing EU law, such as the Packaging Directive. Insofar as it is possible to take action within the existing regulatory framework, Sweden deems this to be a more appropriate way forward in order to provide consumers with reliable information.

European Commission

Contact point Directive (EU) 2015/1535



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