



EUROPEAN COMMISSION

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

Message 981

Communication from the Commission - TRIS/(2025) 1558

Procedure for the provision of information EC - EFTA

Notification: 2025/9005/NO

Internal forwarding of the observations of a Member State (Spain).

MSG: 20251558.EN

1. MSG 981 IND 2025 9005 NO EN 18-06-2025 16-06-2025 ES PROJ.7 18-06-2025

2. Spain

3A. Ministerio de Asuntos Exteriores, UE y Cooperación  
DG de Coordinación del MI y Otras Políticas Comunitarias  
SGde Asuntos Industriales, Energéticos, de Transportes y Comunicaciones, y de Medio Ambiente  
d83-189@maec.es

3B. Comisión Interministerial para la Ordenación Alimentaria  
Agencia Española de Seguridad Alimentaria y Nutrición.  
Ministerio de Derechos Sociales, Consumo y Agenda 2030

4. 2025/9005/NO - C50A - Foodstuffs

5.

6. Within the framework of Directive 2015/1535, on 18 March 2025, the Norwegian Government notified its draft 'Regulation prohibiting the sale of energy drinks to children under 16 years of age'.

Examination of the draft has led the Spanish authorities to issue the comments set out below pursuant to Article 5(2) of the aforementioned Directive.

Spain requests the following of the Norwegian authorities:

1. that they clarify why the draft establishes a definition of energy drink, including the minimum caffeine content that must be included in its composition, given that there is no harmonised definition in European Union legislation and that other Member States of the European Union have national legislation that establishes definitions with different composition criteria to those formulated in the draft for this type of product;
2. on the basis of the above, it being noted that the draft does not include a mutual recognition clause, the Norwegian authorities are urged to introduce such a clause to prevent this regulation from becoming an unnecessary obstacle to intra-Union trade in the foods covered by the draft.

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European Commission  
Contact point Directive (EU) 2015/1535  
email: grow-dir2015-1535-central@ec.europa.eu