



## EUROPEAN COMMISSION

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

Single Market Enforcement

Notification of Regulatory Barriers

Message 301

Communication from the Commission - TRIS/(2024) 2094

Directive (EU) 2015/1535

Notification: 2024/0388/SE

Request for supplementary information from the Commission.

Request for supplementary information - Demande d'informations complémentaires - Žádost o doplňující informace - Ersuchen um ergänzende Informationen - Искане за допълнителна информация - Žádost o dodatečné informace - Anmodning om supplerende oplysninger - Αίτηση συμπληρωματικών πληροφοριών - Solicitud de información complementaria - Lisateabe edastamise palve - Lisätietopyyntö - Zahtjev za dodatne informacije - Kiegészítő információkérése - Domanda di informazioni complementari - Prašymas pateikti papildomos informacijos - Papildu informācijas pieprasījums - Talba għal tagħrif addizzjonali - Verzoek om aanvullende inlichtingen - Prośba o uzupełnienie informacji - Pedido de informações complementares - Solicitare de informații suplimentare - Žiadosť o ďalšie informácie - Zahteva za dodatne informacije - Begäran om kompletterande upplysningar - Iarraidh ar fhaisnéis fhorlíontach

MSG: 20242094.EN

1. MSG 301 IND 2024 0388 SE EN 08-10-2024 02-08-2024 COM INFOSUP COM 08-10-2024

2. Commission

3. DG GROW/E/3 - N105 04/63

4. 2024/0388/SE - C51A - Beverages

5.

6. Within the framework of the notification procedure under Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, the Swedish authorities notified to the Commission on 5 July 2024 the draft "Draft Act amending the Alcohol Act (2010:1622)" (hereinafter, the "notified draft").

In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the Swedish authorities are kindly invited to reply to the following request for supplementary information:

1. The Swedish authorities are kindly invited to clarify whether the provisions in the notified draft are intended to apply to providers of information society services as per the meaning of Directive 2000/31/EC.

In the affirmative, the Commission services would like to receive further information on:

a) what would be, in view of the Swedish authorities, the interplay between the notified draft and Article 4 of Directive 2000/31/EC;

b) whether the notified draft would apply to providers of information society services established in the territory of other Member States than Sweden;

c) what would be the obligations applicable to those service providers resulting from the notified draft;

d) whether the Swedish authorities have identified those providers or what would be the basis for identifying them;

e) how do the Swedish authorities intend to comply with the requirements set out in Article 3(4) of Directive 2000/31/EC, in particular in view of the CJEU judgement in case C-376/22.

2. The Commission services would welcome more information on whether the provisions of the notified draft are also intended to apply to providers of intermediary services, as defined in Article 3(g) of the Regulation (EU) 2022/2065.

In the event of an affirmative reply, the Commission services would welcome a clarification on:

a) the intended interplay between the notified draft and the Regulation (EU) 2022/2065, in view of its maximum



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harmonization effect;

b) the concrete obligations for intermediary services as defined in Regulation (EU) 2022/2065 resulting from the notified draft;

The Swedish authorities are kindly invited to reply by 13 August 2024.

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