Message 115

Communication from the Commission - TRIS/(2024) 1059

Directive (EU) 2015/1535

Notification: 2024/0032/BE

Forwarding of a detailed opinion received by a Member State (Czechia) (article 6, paragraph 2, second indent of Directive (EU) 2015/1535). This detailed opinion extends the standstill period until 22-07-2024.

Detailed opinion - Avis circonstancié - Ausführliche Stellungnahme - Подробно становище - Podrobné stanovisko - Udførlig udtalelse - Εμπεριστατωμένη γνώμη - Dictamen circunstanciado - Üksikasjalik arvamus - Yksityiskohtainen lausunto - Detaljno mišljenje - Részletes vélemény - Parere circostanziato - Išsamiai išdėstyta nuomonė - Sīki izstrādāts atzinums - Opinjoni dettaljata - Uitvoerig gemotiveerde mening - Opinia szczegółowa - Parecer circunstanciado - Aviz detaliat - Podrobné stanovisko - Podrobno mnenje - Detaljerat yttrande

Extends the time limit of the status quo until 22-07-2024. - Prolonge le délai de statu quo jusqu'au 22-07-2024.- Die Laufzeit des Status quo wird verlängert bis 22-07-2024.- Удължаване на крайния срок на статуквото до 22-07-2024. - Prodlužuje lhůtu současného stavu do 22-07-2024. - Fristen for status quo forlænges til 22-07-2024. - Παρατείνει την προθεσμία του status quo 22-07-2024. - Amplía el plazo de statu quo hasta 22-07-2024. - Praeguse olukorra tähtaega pikendatakse kuni 22-07-2024. - Jatkaa status quon määräaikaa 22-07-2024 asti. - Produžuje se vremensko ograničenje statusa quo do 22-07-2024. - Meghosszabbítja a korábbi állapot határidejét 22-07-2024-ig. - Proroga il termine dello status quo fino al 22-07-2024. - Status quo terminas pratęsiamas iki 22-07-2024. - Pagarina “status quo” laika periodu līdz 22-07-2024. - Jestendi t-terminu tal-istatus quo sa 22-07-2024. - De status-quoperiode wordt verlengd tot 22-07-2024. - Przedłużenie status quo do 22-07-2024. - Prolonga o prazo do statu quo até 22-07-2024. - Prelungește termenul status quo-ului până la 22-07-2024. - Predlžuje sa lehota súčasného stavu do 22-07-2024. - Podaljša rok nespremenjenega stanja do 22-07-2024. - Förlänger tiden för status quo fram till 22-07-2024.

The Commission received this detailed opinion on the 19-04-2024. - La Commission a reçu cet avis circonstancié le 19-04-2024. - Die Kommission hat diese ausführliche Stellungnahme am 19-04-2024 empfangen. - Комисията получи настоящото подробно становище относно 19-04-2024. - Komise obdržela toto podrobné stanovisko dne 19-04-2024. - Kommissionen modtog denne udførlige udtalelse den 19-04-2024. - Η Επιτροπή έλαβε αυτή την εμπεριστατωμένη γνώμη στις 19-04-2024. - La Comisión recibió el dictamen circunstanciado el 19-04-2024. - Komisjon sai üksikasjaliku arvamuse 19-04-2024. - Komissio sai tämän yksityiskohtaisen lausunnon 19-04-2024. - Komisija je zaprimila ovo detaljno mišljenje dana 19-04-2024. - A Bizottság 19-04-2024-án/-én kapta meg ezt a részletes véleményt. - La Commissione ha ricevuto il parere circostanziato il 19-04-2024. - Komisija gavo šią išsamiai išdėstytą nuomonę 19-04-2024. - Komisija saņēma šo sīki izstrādāto atzinumu 19-04-2024. - Il-Kummissjoni rċeviet din l-opinjoni dettaljata dwar il-19-04-2024. - De Commissie heeft deze uitvoerig gemotiveerde mening op 19-04-2024 ontvangen. - Komisja otrzymała tę opinię szczegółową w dniu 19-04-2024. - A Comissão recebeu o presente parecer circunstanciado em 19-04-2024. - Comisia a primit avizul detaliat privind 19-04-2024. - Komisia dostala toto podrobné stanovisko dňa 19-04-2024. - Komisija je to podrobno mnenje prejela dne 19-04-2024. - Kommissionen mottog detta detaljerade yttrande om 19-04-2024. - Fuair an Coimisiún an tuairim mhionsonraithe sin maidir le 19-04-2024.

MSG: 20241059.EN

1. MSG 115 IND 2024 0032 BE EN 22-07-2024 19-04-2024 CZ DO 6.2(2) 22-07-2024

2. Czechia

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4. 2024/0032/BE - C50A - Foodstuffs

5. article 6, paragraph 2, second indent of Directive (EU) 2015/1535

6. The Czech Republic expresses its thanks for the information on the forthcoming regulation of Belgium 2024/0032/BE. However, the Czech Republic considers that the notified draft Royal Decree on the advertising of alcoholic beverages (hereinafter the 'draft') does not contain sufficient information on the proposed measures. In our view, the proposal is incomplete, lacking important information.

In particular, the draft decree lacks:

- Full clarification of the scope.
- Any details concerning the content of health information
- The date of its entry into force and the date of its application,
- Information on the specified transitional period (and its duration).

Undefined and wide-ranging scope beyond advertising:

- The definition of 'advertisement' set out in Article 1(1) of the proposal, and in particular the last sentence thereof ('the affixing of a brand or logo is also considered to be advertising') can be understood as covering absolutely all media, platforms and forms, from traditional advertising (TV, radio, printed and on-line publications) to branded glass, clothing or labels on bottles or cans. The scope is all-inclusive, goes beyond traditional advertising and is therefore not properly defined. The definition to be included in a revised decree should be clearly formulated, concrete and applicable.

Provisions concerning health information:

- Article 7 of the draft stipulates that 'All advertising of beverages containing alcohol must contain health information, the content and form of which shall be determined by the Minister. Only health information specified by the Minister may be included in the advertisement; any other health information, educational slogan or other formulation is prohibited.', which is, in our view, unreasonably restrictive.

This would create be a disproportionate and unjustified barrier to trade, as economic operators exporting to Belgium would have to redesign their labels and other materials on which the company's brand or logo appears, even if the information they currently share, either voluntarily or compulsorily, is similar to the intended information envisaged by the draft.

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