Message 301

Communication from the Commission - TRIS/(2024) 2093

Directive (EU) 2015/1535

Notification: 2024/0351/LV

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 információ kérése - 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: 20242093.EN

1. MSG 301 IND 2024 0351 LV EN 02-10-2024 02-08-2024 COM INFOSUP COM 02-10-2024

2. Commission

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

4. 2024/0351/LV - 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 Latvian authorities notified to the Commission on 1 July 2024 the draft “Draft law ‘Amendments to the Handling of Alcoholic Beverages Law” (hereinafter, the “notified draft”).
In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the Latvian authorities are kindly invited to reply to the following request for supplementary information:
1. The Latvian 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) whether the notified draft would apply to providers of information society services established in the territory of other Member States than Latvia;
b) what would be the obligations applicable to those service providers resulting from the notified draft;
c) whether the Latvian authorities have identified those providers or what would be the basis for identifying them;
d) how do the Latvian 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, in particular but not exclusively points 3, 5 and 7, 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 harmonization effect;

b) the concrete obligations for intermediary services as defined in Regulation (EU) 2022/2065 resulting from the notified draft;
c)
3. The Latvian authorities are kindly requested to clarify whether the modification in Section 5 supplementing Article 11 in the notified draft, which prohibits the advertising of prices and discounts for alcoholic beverages on “websites and online platforms”, applies to video-sharing platform providers in the meaning of Article 1(1)(da) in the Audiovisual Media Services Directive 2010/13/EU.

4. In the affirmative, the Latvian authorities are asked to clarify whether the prohibition is addressed to video-sharing platform providers regardless of whether the audiovisual commercial communication in question is marketed, sold or arranged by the video-sharing platform or not.

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

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