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/(2024) 2691

Directive (EU) 2015/1535

Notification: 2024/0351/LV

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

MSG: 20242691.EN

1. MSG 103 IND 2024 0351 LV EN 03-01-2025 02-10-2024 PL COMMS 5.2 03-01-2025

2. Poland

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3B. Ministerstwo Rolnictwa i Rozwoju Wsi, Departament Rynków Rolnych i Transformacji Energetycznej Obszarów Wiejskich,
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4. 2024/0351/LV - C51A - Beverages

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

6. With regard to the draft provisions amending the Handling of Alcoholic Beverages Law, notified under number 2024/0351/LV, Poland makes the following comment:

The proposed Article 71 of the draft, setting out additional labelling requirements for alcoholic beverages, shall constitute a barrier to trade in alcoholic beverages as alcoholic beverages imported from other Member States into Latvia shall have to bear information on the list of ingredients and nutrition declaration on the label. Such a requirement goes beyond the rules that are currently harmonised at the EU level in Regulation No 1169/2011. According to Article 16(4) of Regulation No 1169/2011, the indication of the list of ingredients and the nutrition declaration shall not be mandatory for beverages containing more than 1.2 % by volume of alcohol. Specific EU legislation lays down such requirements uniformly in the EU only for wines and aromatised wine products.

The labelling of alcoholic beverages shall fulfil the consumer’s right to product information. Knowing both the composition and energy value of alcoholic beverages shall allow consumers to better monitor their diet and facilitate a healthy lifestyle. However, the objective of consumer protection should be pursued at the EU level, inter alia, through harmonised requirements for all operators marketing alcoholic beverages.

The introduction of additional mandatory information on the labelling of alcoholic beverages by Latvia shall result in an exception to the rules laid down in Regulation No 1169/2011. It should be noted that the European Commission has committed to review its policy on the promotion of alcoholic beverages and to propose an obligation to include the list of ingredients and nutritional information on alcoholic beverage labels before the end of 2022, and health warnings on alcoholic beverage labels before the end of 2023. It is therefore appropriate to wait for the EC’s legislative proposal which shall set uniform rules in all Member States.

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