Message 931

Communication from the Commission - TRIS/(2024) 2844

Procedure for the provision of information EC - EFTA

Notification: 2024/9015/NO

Request for supplementary information from the European Union

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: 20242844.EN

1. MSG 931 IND 2024 9015 NO EN 03-01-2025 17-10-2024 COM INFOSUP COM 03-01-2025

2. Commission

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

4. 2024/9015/NO - X40M - Labelling and advertising

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 Norwegian authorities notified to the Commission on 2 October 2024 the draft “Amendment to the Food Act and proposal for new Regulations on the prohibition of the marketing of certain foods and beverages aimed at children” (hereinafter, the “notified draft”).
In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the Norwegian authorities are kindly invited to reply to the following request for supplementary information:

1. The Norwegian authorities are kindly requested to clarify whether the proposed ban:
a. Would apply to audiovisual commercial communications as defined in Article 1(1)(h) of the Audiovisual Media Services Directive 2010/13/EU, as revised by Directive (EU) 2018/1808, and
b. Would apply to providers of video-sharing platform services or on-demand audiovisual media services as defined in Article 1(1)(aa) and Article 1(1)(g) of the Audiovisual Media Services Directive 2010/13/EU, as revised by Directive (EU) 2018/1808.

2. In the affirmative, the Norwegian authorities are requested to clarify whether:
a. The proposed ban is also applicable to providers of video-sharing platform services or on-demand audiovisual media services not established in the territory of Norway; and
b. The proposed ban is addressed to video-sharing platform providers regardless of whether the concerned audiovisual commercial communication is marketed, sold or arranged by the video-sharing platform or not.

3. The Norwegian 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 Member States other than Norway;
b. what would be the obligations applicable to those service providers resulting from the notified draft;
c. whether the Norwegian authorities have identified those providers or what would be the basis for identifying them;
d. how do the Norwegian 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;

The Norwegian authorities are kindly invited to reply by 30 October 2024.

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