

**Government Decree No 162/2025 of 23 June 2025
amending Government Decree No 210/2009 of 29 September 2009 on the
conditions for performing commercial activities, with regard to the
protection of children and young people's health**

- [1] Children's health is key to the future of society, and it is our primary responsibility to ensure that children have the right conditions for healthy development. Nutritional health trends in recent years have highlighted the serious health risks associated with energy drink consumption, which is becoming increasingly popular among young people.
- [2] The regulation aims to protect young people from the harmful effects of the excessive consumption of energy drinks. To this end, the Government Decree lays down the composition of energy drinks which cannot be sold or served to persons under the age of eighteen.
- [3] On the basis of the authorisation granted in Section 55(5) of Act CLV of 1997 on consumer protection, with regard to Section 2, in accordance with the authorisation granted in Section 12(1)(a) of Act CLXIV of 2005 on trade, and acting within the scope of its duties as defined in Article 15(1) of the Fundamental Law, the Government hereby lays down the following:

Section 1 In Government Decree No 210/2009 of 29 September 2009 on the conditions for performing commercial activities (hereinafter referred to as Government Decree No 210/2009 of 29 September 2009), the following Section 20/B shall be inserted:

'Section 20/B According to Section 16/A(1a) of Act CLV of 1997 on consumer protection (hereinafter: Consumer Protection Act), energy drinks classified under heading 2009 or 2202 as non-alcoholic beverages may not be sold or served to persons under the age of eighteen if they

- a) – with the exception of products under heading 2202 99 11, 2202 99 15, 2202 99 91, 2202 99 95 and 2202 99 99 – contain more than 15 mg/100 ml of any compound that belongs to the methylxanthine group (hereinafter: methylxanthine), or
- b) contain methylxanthine and any of the following substances:
 - ba) ginseng,
 - bb) L-arginine,
 - bc) inositol,
 - bd) glucuronolactone,
 - be) taurine.'

Section 2 In Government Decree No 210/2009 of 29 September 2009, point (a) of paragraph 1 of Section 26 shall be replaced by the following:

(The consumer protection authority will proceed)

'(a) as laid down in the rules of the Consumer Protection Act, in the event of a breach of the provisions of Section 18(1) (a)-(f) and (h)-(i), Section 18(2) and (3), Sections 19–20/B and Section 23, and'

Section 3 In Government Decree No 210/2009 of 29 September 2009, Section 32 shall be replaced by the following:

'Section 32 The drafts of Section 13(1), Section 19 and Section 20(3), as well as the draft of Section 20/B have been notified in advance, as stipulated in Articles 5-7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.'

Section 4 In Government Decree No 210/2009 of 29 September 2009, the following Section 34 shall be inserted:

'Section 34 The draft of Section 20/B has been notified in advance in accordance with Article 39(5) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.'

Section 5 In Section 30 of Government Decree No 210/2009 of 29 September 2009, the words 'In Sections 19 and 20(3)' are replaced by the words 'In this Decree'.

Section 6 This decree shall enter into force on the day following its publication.

Section 7 This decree serves to comply with Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

Section 8 The draft of this decree has been the subject of prior notification, as stipulated in Article 39(5) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

Section 9 The requirement for the prior notification of this draft decree, as stipulated in Articles 5 to 7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, has been met.

Viktor Orbán, m.p.
the Prime Minister
