

Draft:
Order amending the Order on the quality, labelling and age verification
system etc. of electronic cigarettes and refill containers etc.¹

Section 1

Order No 784 of 13 June 2023 on the quality, labelling and age verification system etc. of electronic cigarettes and refill containers etc. is amended as follows:

1. *The introduction* is worded as follows:

'The following is laid down pursuant to Sections 7(2), 8, 9(2), 15(4) and 33(2) of the Act on electronic cigarettes etc., cf. Consolidated Act No 1876 of 20 September 2021, as amended by Act No 738 of 13 June 2023 and Act No x of x. x 2024.'

2. In *Section 15*, the following are inserted as *paragraphs 2 and 3*:

'(2) Retailers of electronic cigarettes and refill containers with and without nicotine shall operate, in the case of distance selling, an age verification system that effectively verifies that no sale is made to buyers below the specified age limit. This can be done, for example, through user creation with a passport or other valid identification or by using a national eID solution, such as MitID.

(3) The requirement in paragraph 2 shall not apply to online platforms, including online platforms that allow consumers to conclude distance contracts with traders as referred to in Article 3(i) of Council Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC.'

Section 2

This Order shall enter into force on 1 October 2024.

Ministry of the Interior and Health, on x. x x

Sophie Løhde

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¹ A draft of this Order has been notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification).