



Folkhälsomyndigheten

Impact Assessment of Draft Regulation amending the Public Health Agency of Sweden's Regulations and general advice on farm sales

1. Summary

According to the Alcohol Act (2010:1622), anyone who has a permit to sell alcoholic beverages on their premises is responsible for providing information about the harmful effects of alcohol in connection with any visitor events that are to be held.

The Public Health Agency of Sweden has stipulated, by means of regulations, that information must be provided orally at the start of a visitor event. This is stated in Section 6 of the Public Health Agency of Sweden's Regulations and general advice on farm sales, HSLF-FS 2025:14.

The Public Health Agency of Sweden now intends to amend these regulations so that there is also a requirement to provide written material to visitors. The Public Health Agency of Sweden considers that such an amendment helps ensure that visitors receive equivalent information and that the requirements of the Alcohol Act are maintained, while at the same time simplifying for both permit holders and the supervisory authorities.

2. Why is a change to the regulations necessary?

The Alcohol Act contains rules on farm sales of alcoholic beverages. According to Chapter 5a, Section 16 of the Alcohol Act, anyone who has a permit for farm sales is responsible for providing information about the harmful effects of alcohol. Such information is to be provided in connection with the visitor events to be carried out. The Public Health Agency of Sweden has supplemented the provisions of the Alcohol Act concerning farm sales with regulations, inter alia with regard to the information on the harmful effects of alcohol that permit holders must provide to their visitors.

In the Public Health Agency of Sweden's Regulations and general advice on farm sales, there is a requirement for permit holders to provide oral information about the harmful effects of alcohol to their visitors in connection with visitor events for farm sales of alcoholic beverages. In connection with this regulation, the Public Health Agency of Sweden produced an information sheet on the harmful effects of

alcohol which can be provided to visitors. The use of the information sheet is voluntary for permit holders. The material can be ordered from the Agency at cost price, and it is available both in Swedish and in English.

The Public Health Agency of Sweden considers that a combination of oral and written information is most appropriate for communication regarding the harmful effects of alcohol in connection with farm sales of alcoholic beverages at visitor events. To ensure that permit holders provide visitors with equivalent and fact-based information to a sufficient extent and that the provisions of the Alcohol Act are upheld, the Public Health Agency of Sweden considers it appropriate to introduce a requirement to provide the written information material produced by the Public Health Agency of Sweden. Therefore, the Public Health Agency of Sweden intends to introduce a requirement for the permit holder to also provide written information material to visitors.

3. Legal conditions

Authorisations on which the proposal is based

Section 16(7) of the Alcohol Ordinance (2010:1636) states that the Public Health Agency of Sweden may issue more detailed regulations on the information on the harmful effects of alcohol to be provided in connection with visitor events.

Relation of the proposal to EU law

The Public Health Agency of Sweden's proposal to introduce a requirement to provide written material to visitors is not covered by harmonised rules under EU law. Thus, Member States are free to legislate on these matters, provided that, among other things, the general rules of the TFEU on the free movement of goods, services, persons and capital are respected.

The Agency considers that the proposal is non-discriminatory since it will apply regardless of whether it is a Swedish trader or a trader from another Member State who wishes to establish themselves in Sweden in order to conduct farm sales of alcoholic beverages. The proposal does not involve any measures that would otherwise impede the exercise of the four freedoms. The purpose of the regulations is to facilitate traders' compliance with the legal requirements set out in the Alcohol Act concerning farm sales and thereby protect people's health, as well.

According to 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, Member States are required to notify the Commission of any proposals for new regulations containing requirements for the characteristics of a product. The Public Health Agency of Sweden considers that the provision on information material is a technical regulation that must be notified in accordance with the Directive.

According to Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, Member States shall notify the European Commission of new requirements or amendments to existing requirements on service activities. The Public Health Agency of Sweden considers that the proposed regulation is of such a nature that it must be notified under the Services Directive because it contains requirements for service activities.

A notification of the regulation, in accordance with the Services Directive, will be made, if and when, the regulation is adopted.

Mutual recognition

Anyone who wants to sell alcoholic beverages on a farm in Sweden must, among other things, inform their visitors about the harmful effects of alcohol. The rules in the Alcohol Act and supplementary ordinances and regulations are adapted to Swedish circumstances. The written information, which the Public Health Agency of Sweden proposes should be mandatory, includes a reference to where in Sweden you can get support if you are concerned about your own or someone else's alcohol consumption. If there is an equivalent requirement for written information in another Member State, it is not adapted to Swedish rules. Therefore, the introduction of a mutual recognition clause would be inappropriate, as it would result in traders being able to use information about the harmful effects of alcohol that does not comply with Swedish rules on farm sales of alcoholic beverages.

4. Consultation

During the preparation of the original proposal for the Public Health Agency of Sweden's Regulations and general advice on farm sales, the Agency consulted industry organisations for beverage producers and the hospitality industry, as well as individual companies. The Public Health Agency of Sweden has conducted three study visits to companies that manufacture one or more of the alcoholic beverages beer, cider and spirits. Consultations have also been held with Systembolaget (the Swedish Alcohol Retailing Monopoly), certain county administrative boards and a number of municipalities. The Agency has also been in contact with the National Board of Trade Sweden, the Swedish Agency for Economic and Regional Growth, and the Swedish Consumer Agency.

5. Description of alternative solutions and the impact if no regulation is made

Not taking any action

The Alcohol Act stipulates that the permit holder must ensure that information about the harmful effects of alcohol is provided in connection with the visitor event during the farm sale. In the preparatory work (Bill 2024/25:86), further guidance on what the information should contain is not provided. Section 6 of the Public Health Agency of Sweden's Regulations and general advice on farm sales, HSLF-FS 2025:14, states that the permit holder is responsible for stating, at the start of the visitor event, that alcohol may have harmful effects.

Thus, there is currently a clear requirement for the permit holder to provide information about the harmful effects of alcohol, while there is no requirement regarding the contents of the information. This means that the information provided may vary between different permit holders. Without regulating the content of the information, it will be up to each municipality, within the framework of authorisation and supervision, to assess whether the information provided to visitors is sufficient. This means that the municipalities' assessments may also vary.

Support through guidance

The Public Health Agency of Sweden has a supervisory guidance role in relation to the municipalities with regard to the Alcohol Act. The guidance given by the Agency is not binding, either for municipalities or permit holders. This means that, despite clear guidance, assessments can vary widely. The major advantage of choosing guidance instead of regulations or general advice is that the material can be revised quickly. Permit holders would also have the possibility to adapt the information to their own activities and target group. Even if the Public Health Agency of Sweden chooses to regulate information material on the harmful effects of alcohol, these rules can be supplemented with more detailed guidance, if necessary.

Governance through general advice

An alternative is to produce general advice linked to the provisions of the law. The advantage of such a solution is that it provides on-binding guidance on what the authority considers necessary to meet the requirements of the law. General advice give the permit holders greater scope to design the information according to their individual circumstances. The disadvantage is that it may entail a varied content. General advice allows for adjustments in individual cases, but provides less clear guidance for the municipalities and increases the risk of unwanted differences in the municipalities' assessments of permits and supervision.

Governance through regulations

There are several advantages to regulating the information on harmful effects through regulations. One advantage is that the contents and scope are governed by binding rules. For permit holders, it is beneficial not to have to take a position on what constitutes facts about the harmful effects of alcohol and what should be included in the information. For municipalities, it is advantageous to have clear regulations to refer to when assessing applications for permits and conducting inspections. The requirement to provide information about the harmful effects of alcohol is also an expression of the purpose of the Alcohol Act as protective legislation, whereby the sale of alcoholic beverages must be conducted in a responsible manner in order to protect public health.

The disadvantages of governance through regulations are that it leaves less room for individual adaptation and that it becomes more time-consuming and cumbersome to revise the requirements if such needs arise at a later stage.

Which option is considered most appropriate for information about the harmful effects of alcohol

The Public Health Agency of Sweden has considered various ways of providing information about the harmful effects of alcohol. For example, that certain messages are mentioned orally in connection with the visitor event, that a film is played, that certain posters or banners are displayed, or that information signs are placed next to the products at the point of sale. All these variants have advantages and disadvantages. Materials that are placed on walls or film material have been judged to be less suitable as the event may be carried out outdoors and there is no requirement to have access to technical aids.

If the Public Health Agency of Sweden does not regulate what information should be provided and the forms for this, it is up to the farm sales operator to decide what information should be provided and to what extent. Whether this information is to be regarded as sufficient would then be examined by the municipality in each individual case within the framework of authorisation and supervision. This would also require each permit holder to produce and evaluate information on the harmful effects of alcohol. The Public Health Agency of Sweden does not consider that governance solely by means of general advice or guidance to municipalities and those who run farm sales is sufficient for the municipalities to have the tools to make an equivalent assessment regardless of the municipality in which farm sales take place and to enable the same information to be provided to all visitors.

The Public Health Agency of Sweden has produced an information sheet that permit holders can use to provide information about the harmful effects of alcohol. Based on the number of copies ordered and of downloads of the material, the Agency considers that the material is currently not widely used. This indicates that the guidance currently provided by the Public Health Agency of Sweden on the use of the Agency's information on the harmful effects of alcohol has not had any significant impact.

In order to ensure that, as far as possible, fact-based information is provided to a sufficient extent, the Public Health Agency of Sweden considers that regulations are needed in this area.

6. Essence of the proposal

The proposal means that, in addition to oral information, the permit holders must also ensure that visitors receive the written information material about the harmful effects of alcohol produced by the Public Health Agency of Sweden. The provision entails that the visitor should be offered the material during the visit. This means, for example, that the visitors should not have to request more information themselves. An advantage of written information, in the form of, for example, a leaflet, is that visitors can bring it with them and read the information at a later occasion.

The Public Health Agency of Sweden considers a combination of oral and written information to be the most effective.

In consultation with representatives of industry organisations and individual producers, it has emerged that they perceive the requirement to provide information about the harmful effects of alcohol as a challenge, among other things because it is perceived as difficult to reliably convey a message about risks and harmful effects at the same time as they present their product. The industry representatives and manufacturers we have been in contact with regarding this issue have all been positive about the Public Health Agency of Sweden being responsible for the content of the information, while farm sales operators are responsible for providing the Public Health Agency of Sweden's information material. Among other things, it has been pointed out that such an arrangement gives greater weight to the information and makes it easier for them to refer to any existing material.

7. Who will be affected by the regulation?

Those primarily affected by the rules are producers of alcoholic beverages who already have, or intend to apply for, a permit for farm sales of alcoholic beverages.

In the Bill (2024/25:86), it has been calculated, on the basis of the data available and the replies to a questionnaire, that 743 manufacturers will be affected in 2025. At present, 139 permits have been issued.

The majority of the companies affected are small businesses, as is also evident from the impact assessment in the Bill. There, it is stated that 90 per cent of the beverage producers in Sweden are companies with 0 to 4 employees. Of beverage companies, 41 per cent are reported to be located in rural or urban areas with less than 3 000 inhabitants.

In addition to alcoholic beverage producers, municipalities are also affected by the rules, as it is the municipalities that are responsible for reviewing permit applications and exercising supervision based on, among other things, the Public Health Agency of Sweden's regulations. The county administrative boards are also affected, as they supervise the municipalities' handling of the legal framework and provide information and guidance on it.

8. Impacts of the regulation

Impact on the State

The Public Health Agency of Sweden is responsible for the information material and is responsible for the production and management of the material. This involves a certain amount of ongoing work, which entails a cost for the Agency.

Consequences for municipalities

The revision of the regulations is expected to make it easier for municipalities to assess whether the information provided is sufficient.

Impact on companies

The Public Health Agency of Sweden believes that this makes it easier for companies, as they do not need to keep themselves up to date with the latest knowledge about the harmful effects of alcohol. This reduces the administrative burden, which is likely to result in savings. At the same time, the proposal means that permit holders must have the Public Health Agency's material available, which entails a cost for producing the printed material. The Public Health Agency of Sweden has raised the issue with a number of affected companies. These have assessed that it is less burdensome to bear only such a printing cost than to develop information themselves and produce their own information material.

Summary of estimated time required and costs for companies

The time and cost will vary depending on individual circumstances. As a starting point, we estimate that approximately one hour of work may be required to prepare for the provision of the written material. We have estimated that this entails a cost of SEK 400, which is based on data from the industry and from wage statistics. In addition to this, there is a cost for either ordering the material from the Public Health Agency of Sweden or printing the material in some other way. The Public Health Agency of Sweden provides the material at cost price, currently SEK 1,06 per copy plus freight.

Since the price of the visitor event may not be set lower than the cost price under Chapter 5a, Section 15 of the Alcohol Act, which includes the costs of providing the information material, these costs should be covered by revenue from visitors.

9. Other impacts

The Public Health Agency of Sweden has not identified any other consequences.

10. Impact on municipal self-government

The change proposed by the Public Health Agency of Sweden is expected to facilitate the municipalities' permit assessments and supervision processes. It is our judgement that the regulations do not constitute a restriction on municipal self-government.

Therefore, there is no reason to further investigate the consequences in accordance with Section 8 of the Ordinance (2024:183) on Impact Assessments.

11. Assessment of entry into force and need for specific information initiatives

The amendment should enter into force as soon as possible in order to complement already existing rules on information on the harmful effects of alcohol in connection with farm sales of alcoholic beverages.

The main parties affected by the amendment are those with a farm sales permit and municipalities. Target group-specific information will be published on the Public Health Agency of Sweden's website. Information on the new provision will also be provided in the Public Health Agency of Sweden's digital information letter addressed to the municipalities and via targeted mailings to relevant industry organisations.

12. Follow-up and evaluation

Farm sales are a new phenomenon in Swedish alcohol policy. The Public Health Agency of Sweden will continuously monitor the regulations and their impact. It is very important to be able to monitor, early on, how the regulations are used and received by the parties concerned. The Bill states that the Public Health Agency of Sweden shall conduct an evaluation of the introduction of the possibility of farm sales of alcoholic beverages. Therefore, the regulations will also be followed up on and evaluated within the framework of that assignment.

Ongoing monitoring will include analysis of municipal decisions, collaboration with county administrative boards, review of any applications for exemptions, analysis of future practices, external monitoring, and continuous dialogue with relevant authorities, industry organisations and companies.