

Message 001

Communication from the Commission - TRIS/(2026) 0178

Directive (EU) 2015/1535

Notification: 2026/0016/PL

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20260178.EN

1. MSG 001 IND 2026 0016 PL EN 16-01-2026 PL NOTIF

2. Poland

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4. 2026/0016/PL - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5. Draft act amending the Act on Upbringing in Sobriety and Counteracting Alcoholism and the Broadcasting Act

6. Containers in which alcoholic beverages are sold with a nominal capacity of no more than 300 ml will have to be made exclusively of glass or metal.

7.

Regulation (EU) No 1169/2011 on the provision of food information to consumers: Articles 40, 43, 44 and 45
Pursuant to art. 39(1) of Regulation No. 1169/2011, Member States may, in accordance with the procedure laid down in art. 45 of that Regulation, require the provision of additional mandatory particulars in relation to specific types or categories of food, provided that such requirement is justified on at least one of the following grounds:

- a) protection of public health;
- b) protection of consumers;
- c) prevention of fraud;
- d) protection of industrial and commercial property rights, indications of origin, registered designations of origin, and the prevention of unfair competition.

The proposed amendment consists of:

- introduction of an obligation that the appearance of the containers in which alcoholic beverages are sold and the appearance and content of information placed on them may not:

- 1) encourage consumption of alcoholic beverages by persons under 18 years of age;
- 2) associate alcohol consumption with physical fitness or driving vehicles;
- 3) contain statements that alcohol has medicinal properties, is a stimulant, a sedative or a means of resolving personal conflicts;
- 4) encourage excessive consumption of alcohol;
- 5) portray abstinence or moderate alcohol consumption in a negative manner;
- 6) emphasise alcohol content of alcoholic beverages as a feature that positively affects the quality of the alcoholic beverage;
- 7) evoke associations of an alcoholic beverage with:
 - a) sexual attractiveness,
 - b) relaxing or rest,
 - c) studying or work,
 - d) success in professional or private life;
- 8) raise doubts or be misleading as regards the identification of spirit drinks;
- 9) make it impossible for alcoholic beverages drinks to be distinguished from other foodstuffs, in particular from foodstuffs intended for children.

- introduction of an obligation for alcoholic beverages in authorised packaging must bear graphical indications providing information on:

- 1) harmful effects of alcohol on pregnant women;
- 2) prohibition of driving after consumption of alcohol;
- 3) prohibition of consumption of alcohol by minors.

- prohibition of placing on the market, sale and serving of food products whose name, trade mark, graphic shape or packaging bears a similarity to or is identical to the designation of an alcoholic beverage,

- prohibition of marketing, sale and serving of alcoholic beverages whose name, trade mark, graphic shape or packaging bears a similarity or is identical to the designation of a non-alcoholic food product.

Introduction of these obligations is justified by the protection of public health and consumer protection. It will

therefore be subject to notification in accordance with the procedure laid down in Article 45 of Regulation No 1169/2011.

8. The draft act provides for an amendment to the Act of 26 October 1982 on Upbringing in Sobriety and Counteracting Alcoholism and the introduction of requirements on:

- the material of which containers with alcohol with a nominal volume of an alcoholic beverage of no more than 300 ml may be made, - they will have to be made exclusively of glass or metal (paragraph 1a added in Article 13 of the Act - Article 1(6) of the draft).
- the appearance of all packaging in which alcoholic beverages are sold - detailed requirements will be introduced regarding the information that may be placed on such packaging so that it does not encourage alcohol consumption (paragraph 1b added to Article 13 of the Act - Article 1(6) of the draft),
- the use of graphic symbols on packaging containing alcoholic beverages to inform of:
harmful effects of alcohol on pregnant women, the prohibition of driving after consuming alcohol, and prohibition of the consumption of alcohol by minors. The content and form of these indications will be laid down in a regulation of the minister responsible for health (paragraphs 1c and 1d added to Article 13 of the Act – Article 1(6) of the draft),
- prohibition on the marketing, sale and serving of foodstuffs whose name, trade mark, graphic shape or packaging is similar or identical to the designation of an alcoholic beverage (new Article 14[1] – Article 1(11) of the draft),
- prohibition on the marketing, sale and serving of alcoholic beverages whose name, trade mark, graphic shape or packaging is similar or identical to the designation of a food product not containing alcohol (new Article 14 [2] – Article 1(11) of the draft).

9. High consumption of alcoholic beverages has a number of negative social and economic consequences. A significant proportion of them are linked to the widespread availability of alcohol and alcohol-related advertising based on the promotion of alcohol consumption. Children and young people are particularly at risk. Therefore, it is necessary to introduce restrictive rules on the requirements that must be met by the packaging of alcoholic beverages, so that they do not encourage the consumption of alcohol and at the same time clearly convey information on the negative effects of its consumption. Alcohol may not be promoted indirectly either, by making non-alcoholic beverages resemble alcoholic beverages. The proposed requirements for alcohol packaging will protect consumers, especially children and young people, from the risks associated with unfair practices in the sale, promotion and advertising of alcoholic beverages.

10. References to basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

SPS aspects: No

European Commission

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