

Message 001

Communication from the Commission - TRIS/(2025) 3743

Directive (EU) 2015/1535

Notification: 2025/0782/FI

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 - Nezahtuje 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 késések - 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: 20253743.EN

1. MSG 001 IND 2025 0782 FI EN 22-12-2025 FI NOTIF

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4. 2025/0782/FI - C50A - Foodstuffs

5. Government proposal to Parliament for an Act amending the Alcohol Act

6. Alcoholic beverages

7.

Directive (EC) N°2006/123 on services in the internal market

Requirements which reserve access to particular providers

Although the proposal to expand the retail sales right would open a new sales channel for certain domestic alcoholic beverage producers, to which producers established in other EU countries would not have access, the proposal would not place foreign operators at a disadvantage compared to domestic ones. Unlike Finnish producers, foreign operators are able to sell their products, manufactured outside Finland, to Finnish consumers under the distance selling procedure provided for in the draft legislation currently under consideration by Parliament. The previously referenced proposal was notified to the Commission in Notification 2025/0315/FI and will enter into force before the law currently being notified.

In the Government proposal concerning distance selling, the law would include clear provisions on cross-border distance sales. An operator established abroad would be allowed to sell beverages containing up to 80 percent alcohol by volume to Finland via distance selling. Distance selling would be permitted both when the seller uses a separate carrier and when the seller delivers the alcoholic beverages to the buyer themselves. Distance selling would provide foreign operators with effective access to the Finnish market. Foreign operators would have the right to deliver alcoholic beverages directly to the customer, giving them even broader opportunities to sell alcoholic beverages directly to Finnish buyers than local small-scale producers. In addition, operators established abroad may sell their products to Finnish consumers via Alko. The regulation does not prevent foreign producers or private individuals from owning Finnish alcoholic beverage producers or from establishing production in Finland and selling from their place of production. The proposed regulation cannot therefore be considered discriminatory against alcoholic beverages originating from other Member States or as an indirect preference for domestic production.

The aim of the Government Proposal is to implement the Government Programme of Prime Minister Petteri Orpo. In accordance with the Government Programme, the Government will reform alcohol policy responsibly in a European direction and continue the overall reform of the Alcohol Act carried out in 2018. The Government's objective is to promote fair and open competition and to create conditions for the growth of the domestic market.

The proposal would implement the commitment in Prime Minister Petteri Orpo's Government Programme, which allows all domestic small and craft breweries, small distilleries, and wineries to sell their products directly from the place of production to consumers under a retail sales license. In accordance with the Government Programme, the proposal would expand the retail sales rights of small producers of alcoholic beverages. The proposal would improve the operating conditions for domestic alcoholic beverage producers by broadening sales channels and enabling entirely new operators, such as small distilleries, to sell their products from the place of production under a retail sales license. The proposal particularly promotes rural and regional tourism and strengthens the vitality of rural areas. It enhances the ability of small alcohol producers to offer more diverse tourism, visiting, and service concepts at their production sites. The proposal would improve consumers' purchasing opportunities and freedom of choice, allowing them to purchase alcoholic beverages produced on-site at the end of a visit to the production facility. The proposal supports

the local economy in the vicinity of small alcohol producers.

The Alcohol Act would be amended to expand the retail sales rights of small producers of alcoholic beverages. The current law's exceptions for estate wines and craft beers would be repealed, and henceforth the law would define a single exception for small producers allowing retail sales from the place of production of beverages: those fermented on-site containing more than 8.0 percent alcohol by volume and those produced otherwise containing more than 5.5 percent alcohol by volume. The proposal would promote the equal treatment of alcoholic beverage producers regarding on-site sales, as previously only craft breweries have been allowed to sell craft beers of up to 12% alcohol by volume on-site, and estate wine producers up to 13% alcohol by volume. Henceforth, other small producers of alcoholic beverages, such as small distilleries, would also be able to sell their products directly from the place of production.

The right to retail sales would require a retail sales license granted to the alcoholic beverage producer under the current law, in order to ensure proper operation and effective supervisory control by authorities. Such a retail sales license could therefore only be obtained by holders of an alcoholic beverage production license. In practice, the licensing system ensures that traders operating in the alcohol sector are able to meet their obligations, are reached through supervision, and their illegal activities can be effectively addressed. The purpose of the Alcohol Act is to reduce the consumption of alcoholic substances by limiting and controlling the related economic activities in order to prevent the harm caused by alcohol to its users, to other people and to society as a whole. To achieve the purpose of the Alcohol Act, it is necessary that retail sales taking place at alcohol production sites fall within the scope of supervision and are subject to the same provisions as other retail sales, for example regarding permitted sales hours and prohibitions on transfers. If on-site sales at alcohol production sites were not supervised, a new sales channel would emerge alongside the retail licensing system, with no official oversight. From the perspective of the entire Alcohol Act licensing system, it is essential that on-site sales of alcoholic beverages are monitored and that authorities can intervene in the operations if necessary. The proposed regulation would thus implement the purpose of the Alcohol Act in a proportionate and effective manner.

The expanded right to retail sales would apply to producers manufacturing up to 100,000 litres of alcoholic beverages, converted to pure alcohol, in a calendar year. The intention is to allow only smaller, craft-style producers of alcoholic beverages to sell their own products on-site. These are typically small, highly local operators. In addition, the quantity of alcoholic beverages sold on-site during the calendar year would be limited where the alcohol content exceeds 5.5% or 8.0% by volume. From the production site, it would be possible to sell up to 25,000 litres of beverages, converted to pure alcohol, that are either fermented on-site containing more than 8% alcohol by volume or otherwise produced containing more than 5.5% alcohol by volume.

Another condition for the retail sales right would be that a typical portion of the alcoholic beverage production takes place at the production site. Mixing, diluting, filtering, or other similar simple processing of alcoholic beverages would not be considered part of typical production. This ensures that on-site sales remain very limited in scale. Furthermore, the retail sales right would be restricted so that a producer may only sell fermented beverages containing more than 8.0% alcohol by volume, and other beverages containing more than 5.5% alcohol by volume, at a single production site physically separate from other production sites.

The proposed expanded on-site retail sales right for alcoholic beverage producers would continue to differ in

nature from traditional retail sales. The purpose of the proposal is therefore not to create a large-scale retail channel competing with Alko's monopoly, as Alko would continue to maintain its monopoly based on the protection of public health. For this reason, the producers' right to sell on-site would be tied to the location or immediate vicinity of their production site, and producers would not have the right to deliver fermented beverages over 8% alcohol by volume or other beverages over 5.5% alcohol by volume directly to consumers' homes. Customers would therefore need to visit the production site in person if they wish to purchase alcoholic beverages covered by the exception from the producers.

8. The Proposal proposes amendments to the Alcohol Act. The Alcohol Act would allow small local producers to sell their products from their manufacturing sites under a retail licence. The current law's exceptions for estate wines and craft beers would be repealed, and henceforth the law would define a single exception for small producers allowing retail sales from the place of production of beverages: those fermented on-site containing more than 8.0 percent alcohol by volume and those produced otherwise containing more than 5.5 percent alcohol by volume. The expanded right to retail sales would apply to producers manufacturing up to 100,000 litres of alcoholic beverages, converted to pure alcohol, in a calendar year. The maximum annual production volume, calculated as pure alcohol, would mean that, for example, only about 830,000 litres per year of 12% alcohol beverages could be produced. Conversely, only up to 250,000 litres per year of strong beverages with 40% alcohol could be produced. The annual production limit, calculated as pure alcohol, would therefore depend on the alcohol strength of the beverages the producer manufactures. From the production site, it would be possible to sell up to 25,000 litres of beverages, converted to pure alcohol, that are either fermented on-site containing more than 8% alcohol by volume or otherwise produced containing more than 5.5% alcohol by volume. This would be a lower volume than the average annual sales of a single Alko store, which is about 30,000 litres of pure alcohol.

A condition for the retail sales right would be that a typical part of the alcoholic beverage's production takes place at the production site. Mixing, diluting, filtering, or other similar simple processing of alcoholic beverages would not be considered part of typical production. Furthermore, the retail sales right would be restricted so that a producer may only sell fermented beverages containing more than 8.0% alcohol by volume, and other beverages containing more than 5.5% alcohol by volume, at a single production site physically separate from other production sites.

The extended on-site sales right for alcoholic beverage producers proposed in the bill would require a retail sales licence granted to the alcoholic beverage producer in accordance with the current law. Thus, the general provisions on retail sales in the Alcohol Act would apply to sales from production sites. Operations would need to comply with age and intoxication controls; for example, alcoholic beverages could not be sold to minors or to persons who are heavily intoxicated. In addition, alcoholic beverages could be sold from shops located at or in the immediate vicinity of the production site during the general retail opening hours, i.e., between 9 a.m. and 9 p.m. The on-site sales right would apply only to direct sales from the production site for takeaway consumption; alcoholic beverages covered by the exception could not be sold for delivery.

With the legislative amendment, for example, small distilleries would have the opportunity to sell the spirits they produce directly to consumers from the production site with a retail sales licence. With the repeal of the current exceptions for country wines and craft beers under the existing law, for example, current country

wine producers could, under the proposed extended on-site sales right, in the future also sell wine made from grapes in addition to berry and fruit wines, as well as, for example, farm liqueurs, directly from the production site. The proposal particularly promotes rural and regional tourism and strengthens the vitality of rural areas. It enhances the ability of small alcohol producers to offer more diverse tourism, visiting, and service concepts at their production sites.

9. The aim of the government proposal is to promote rural and regional tourism in particular and to strengthen the vitality of rural areas. The prepared Proposal is part of the implementation of the Government Programme of Prime Minister Petteri Orpo's Government. In accordance with the Government Programme, the Government will reform alcohol policy responsibly in a European direction and continue the overall reform of the Alcohol Act carried out in 2018. The Government's objective is to promote fair and open competition. A number of legislative amendments related to opening up the market and increasing competition in alcohol trade were agreed in the Government Programme.

The proposal proposes to extend the retail sale rights of small producers of alcoholic beverages. The proposal would implement the commitment in Prime Minister Petteri Orpo's Government Programme, which allows all domestic small and craft breweries, small distilleries, and wineries to sell their products directly from the place of production to consumers under a retail sales license. The proposal would improve the operating conditions for domestic alcoholic beverage producers by broadening sales channels and enabling entirely new operators, such as small distilleries, to sell their products from the place of production under a retail sales license. The proposal would improve consumers' purchasing opportunities and freedom of choice, allowing them to purchase alcoholic beverages produced on-site at the end of a visit to the production facility.

The proposal would not place foreign operators at a disadvantage compared to domestic ones, as foreign operators would be able to sell their products through the distance selling procedure set out in the government bill currently under consideration by Parliament (Government proposal 131/2025, notification number 2025/0315/FI). The government bill currently under parliamentary consideration to amend the Alcohol Act would include clear provisions on distance selling in the law. An operator established abroad would be allowed to sell beverages containing up to 80 percent alcohol by volume to Finland via distance selling. Distance selling would be permitted both when the seller uses a separate carrier and when the seller delivers the alcoholic beverages to the buyer themselves. Foreign operators would have the right to deliver alcoholic beverages to the place of the customer's choice, and thus foreign operators are even better placed to sell alcoholic beverages to Finnish buyers than local small producers. In addition, operators established abroad may sell their products to Finnish consumers via Alko. In addition, the regulation does not prevent foreign operators from setting up their production in Finland and selling their production from the manufacturing site. The proposed regulation cannot therefore be considered discriminatory against alcoholic beverages originating from other Member States or as an indirect preference for domestic production.

The purpose of the proposal is not to create a large-scale retail channel to compete with Alko's monopoly, but to promote the operating conditions of small producers of alcoholic beverages and to increase travel and tourism. As a result, the small producers' right of sale would be tied to the place of manufacture. A further condition for the sale of the products would be that a typical part of the production would have taken place at the place of manufacture. The products for sale would typically be more expensive specialty items and therefore would not compete on price in cross-border distance sales or with products sold through Alko.

There is a very limited number of production sites in Finland (approximately 200). The share of alcohol over 5.5%/8.0% by volume sold from production sites is likely to be very small, and the proposal is not expected to have an impact on overall alcohol consumption. The right of small producers to sell on-site would be proportionate and justified from a public health perspective, as Alko would remain the primary retail channel, the purpose of which is to reduce alcohol consumption and related harms.

10. Basic text references: The basic texts have been provided in connection with an earlier notification: 2016/0653/FI

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

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