

Message 001

Communication from the Commission - TRIS/(2025) 1997

Directive (EU) 2015/1535

Notification: 2025/0406/BG

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 késésekét - Non fa decorrere la mora - Atidējimai 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: 20251997.EN

1. MSG 001 IND 2025 0406 BG EN 25-07-2025 BG NOTIF

2. Bulgaria

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4. 2025/0406/BG - X60M - Tobacco

5. Draft Act amending and supplementing the Tobacco, Tobacco Products and Related Products Act

6. Tobacco, tobacco products and related products

7.

8. A draft Act amending the Law on Tobacco, Tobacco Products and Related Products has been drawn up in connection with the procedure closed by the European Commission under Notification 2025/0362/BG.

The growing popularity of products other than tobacco products, smokeless tobacco products, novel tobacco products and heated tobacco products poses a serious risk to public health. The ban will limit the ever-increasing marketing of single-use e-cigarettes, with or without nicotine, whose liquids contain flavourings / additives that impart a taste and smell resembling fruit, confectionery, such as desserts and pastries, or other sweet foods, or any drinks that are particularly attractive and seductive to children and adolescents.

The project will also be notified in accordance with Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC.

9. The legislative initiative is related to the need to ensure a high level of protection of public health of citizens, especially children, by introducing a complete ban on the placing on the market of single-use electronic cigarettes containing or not containing nicotine – ‘vapes’.

The ever-increasing marketing of e-cigarettes whose liquids contain flavourings / flavouring additives that impart a taste and smell resembling fruit, confectionery such as desserts and pastries, or other sweet foods, or any drinks are particularly attractive and seductive for children and adolescents. This trend is particularly dangerous given the health risks associated with the use of these products due to the potential for exposure to high levels of nicotine and other substances of unclear origin, including narcotic drugs and their analogues. The most recent data on induced acute intoxications after children’s use of these products, including those with fatal outcomes, are extremely alarming.

WHO and STOP published on 22 May 2024 the report ‘Addiction of the Next Generation’, where it is noted that, despite significant progress in the overall reduction of smoking in the world, the use of e-cigarettes is increasing, especially among young people – almost threefold.

Disposable and refillable e-cigarettes, whether or not containing nicotine, resemble tobacco products and thus generate habits and perceptions in young people that smoking is a harmless and pleasant habit. Any product resembling a smoking product other than a tobacco product, regardless of its composition and mode of consumption, shall create in children and adolescents a positive attitude towards these products, including tobacco products. The harms of such products are both direct and indirect. In addition to formation of harmful habits, the composition of new products that are introduced on a daily basis and that are widely used by both adults and children is also questionable. The apparent ‘lack of harmful substances’ or ‘reduced harm’ encourages people to use these products in unmeasured quantities and for a prolonged period of time without interruption, and thus also increases their harm to health. The legislative change is in fulfilment of the constitutional duty of the state to protect the health of citizens, in particular that of children.

Also the proposed amendments to the Child Protection Act introduce a ban on the use, marketing and sale to children of all nicotine-containing products and energy drinks.

According to the opinion of the European Food Safety Authority, when consuming two or more energy drinks a day, due to increased intake through them of caffeine in combination with other ingredients with a stimulating effect, adverse effects on the body are possible: increased nervousness, anxiety, tremor, insomnia, headache, palpitations, respiratory disorders, erosive changes of the mucous membrane of the

gastrointestinal tract, dehydration due to loss of water and salts from the body. Children and adolescents are a riskier group due to the occurrence of the adverse effects of caffeine in much lower doses in them compared with their occurrence in adults.

Taurine and d-glucoronolactone are biologically active substances, often included in the composition of energy drinks, which are natural ingredients of food and are normal metabolites of metabolism in the body. With high intake, taurine may have adverse effects mainly on brain activity, and d-glucoronolactone on kidney activity. Their energizing effect is not associated with high energy value, but with a stimulating effect on the functions of the body of the biologically active substances, vitamins and plant extracts included in their composition.

10. References of the Basic Texts: 2021/0650/BG,2025/0362/BG

Basic texts have been forwarded within the framework of previous notifications:

2021/0650/BG

2025/0362/BG

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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