Message 001

Communication from the Commission - TRIS/(2025) 2667

Directive (EU) 2015/1535

Notification: 2025/0548/CZ

Notification of a draft text from a Member State

Notification – Notification – Notifzierung – 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 késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx 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: 20252667.EN

1. MSG 001 IND 2025 0548 CZ EN 30-09-2025 CZ NOTIF

2. Czechia

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4. 2025/0548/CZ - X60M - Tobacco

5. Draft Decree amending Decree No 37/2017 on electronic cigarettes, their refill containers and herbal products intended for smoking

6. The draft responds to the worrying increase in the use of electronic cigarettes and similar products among adolescents, especially between the ages of 13 and 15, e.g. by prohibiting products from being similar to toys.

7.

8. Decree No 37/2017 regulates the requirements for electronic cigarettes and nicotine and non-nicotine refills, as well as for disposable and refillable electronic cigarettes and requirements for herbal products intended for smoking (hereinafter 'tobacco-related products').
Electronic cigarette refill containers may contain only substances that do not pose a risk to human health in heated or unheated form, and nicotine, which they may contain a maximum of 20 mg/ml. Liquid refills for electronic cigarettes must not contain vitamins or other ingredients that give the impression that the liquid refill is beneficial to health or that it presents a reduced health risk; caffeine, taurine or other additives and stimulants that are associated with energy and vitality; ingredients whose properties cause colouration of emissions; and ingredients that have carcinogenic, mutagenic or toxic to reproduction properties in unburnt form. There are no other restrictions on the composition of e-liquids.
The draft responds to the fact that not only have chemicals and mixtures begun to be added to e-liquids that make these products palatable by suppressing the unpleasant taste of nicotine, but also substances and mixtures that are newly emerging, nicotine salts, the amount of which is not regulated by the current legislation.
The packaging of tobacco-related products is often very attractive not only for adults, but also for children and young people, who are usually unaware of the impact of products on their health and mental development, not only now but primarily also in the future.

The draft relates to:
- Article 34 et seq. of the Treaty on the Functioning of the European Union (hereinafter 'TFEU') concerning the free movement of goods;
- Articles 20 to 22 and Article 24(1) of 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, as amended;
- Commission Implementing Decision (EU) 2016/586 of 14 April 2016 on technical standards for the refill mechanism of electronic cigarettes;
- Commission Implementing Decision (EU) 2015/2183 of 24 November 2015 establishing a common format for the notification of electronic cigarettes and refill containers;
- Commission Implementing Decision (EU) 2015/2186 of 25 November 2015 establishing a format for the submission and making available of information on tobacco products.

Keywords:
electronic cigarettes, e-liquids, smoking, herbal products intended for smoking, smoking accessories

Standard: ČSN EN 17647 (569557)

General principles for manufacturing, filling and holding e-liquids for pre-filled containers or products

9. The aim is to reduce the visual and sensory appeal of harmful products to children, while at the same time maintaining as much as possible the existing range of flavours in e-liquids for smokers of combustible products, due to the Harm Reduction principle. The national legislation also aims to ensure that consumers are better informed about the composition of products and the amount of addictive substance, and that certain requirements that have led to confusion and unnecessary activity are better defined in the business environment and in the supervisory sphere.

10. References to basic texts: 2016/0573/CZ, 2025/0475/CZ

The basic texts were forwarded with an earlier notification:
2016/0573/CZ
2025/0475/CZ

11. Yes

12. The amended decree bans cannabinoids and their derivatives in e-liquids, which, among other things, responds to the fact that in the last 8 days there have been intoxications with new synthetic cannabinoids in the Czech Republic, requiring the hospitalization of 9 people aged 13-17. The draft further specifies the method of securing the products against manipulation by children so that the requirement is better enforceable, at the same time it imposes requirements on the packaging of the products in order to make them less attractive to children and young people, prohibiting, for example, the product or its packaging from reminiscent of a toy. It is essential for the draft amendment to the implementing decree to enter into force as soon as possible in order to limit the threat of a serious threat to public health, in particular to children and adolescents, to a minimum.

13. No

14. No

15. Yes

16.
TBT aspects: No

SPS aspects: No

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