

Message 001

Communication from the Commission - TRIS/(2025) 2645

Directive (EU) 2015/1535

Notification: 2025/0543/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 - 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 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: 20252645.EN

1. MSG 001 IND 2025 0543 FI EN 26-09-2025 FI NOTIF

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4. 2025/0543/FI - C50A - Foodstuffs

5. Decree of the Ministry of Social Affairs and Health amending the Decree of the Ministry of Social Affairs

and Health on the Supervision of the Alcohol Act

6. Alcoholic beverages

7.

Requirements which reserve access to particular providers

The amendment to the Alcohol Act (notification 2025/0315/FI) would generally improve the functioning of the market and competition by enabling the supply of alcoholic beverages from cross-border distance sales, domestic retail sales points and Alko, Finland's national alcohol distribution monopoly.

Delivery of alcoholic beverages would require a delivery licence. The requirement would apply equally to beverages supplied from domestic retail sales, Alko and cross-border distance sales. A supply licence could be obtained by any operator who meets the conditions laid down in section 13 and in the new proposed section 17a of the Alcohol Act. A foreign distance seller could also apply for a supply licence, in which case he could arrange for the beverages to be delivered directly to the recipient. In the case of cross-border distance selling, only the last operator in the supply chain must have a supply licence. If distance sellers do not supply the beverage themselves, their only obligation is to mark the contents on the package.

The decree of the Ministry of Social Affairs and Health would provide more detailed provisions on the license holder's self-monitoring and on the completion of the supply license test. The provisions of the Decree would apply to all licence holders, both domestic and foreign. The proposal would therefore also provide more business opportunities for domestic operators lawfully selling alcoholic beverages.

The amendment of the Decree of the Ministry of Social Affairs and Health is related to an amendment to the Alcohol Act (notification 2025/0315/FI), the aim of which 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. One of the objectives of the amendment is to make any current unclear interpretation unambiguous as regards its meaning, so that Finns will have the right to buy alcohol in a distance selling process from companies operating in other EU countries. The Government's objective is to promote fair and open competition.

The legal position on cross-border distance selling has long been unclear, which is why it would be necessary to provide for distance selling clearly in the Act. Provisions on the supply of alcoholic beverages from cross-border distance sales, domestic retail sales points and alcohol companies directly to the recipient would be added to the Alcohol Act. The proposal would provide Finnish consumers with more scope and freedom of choice in their purchases of alcohol and promote the free movement of goods in the EU's internal market. The proposal would also improve the legal protection of citizens and businesses and facilitate the interpretation of the Alcohol Act by the authorities responsible for overseeing compliance with the Act.

The decree of the Ministry of Social Affairs and Health would provide more detailed provisions on the supply license test and the self-monitoring plan required from holders of a supply license. This would be necessary to ensure that the rights and obligations of license holders are defined sufficiently precisely in the legislation. According to the proposed act (notification 2025/0315/FI), the Alcohol Act would be amended to allow the delivery of alcoholic beverages from domestic retail, Alko, and cross-border distance sales. A licence would be required for the supply of alcoholic beverages. This would mean that the retail licence holder and Alko would be obliged to deliver an alcoholic beverage to the supply licence holder, who would in turn be responsible for supplying the alcoholic beverage to the purchaser. There would be no direct obligation on the distance seller to supply the alcoholic beverage to the holder of the supply licence: it would be sufficient for the distance seller to have labelled the alcoholic beverage in the consignment. In international supply chains,

sellers typically enter into a contract with a first-stage carrier, which in turn agrees on forwarding the package with the next party in the transport chain. Therefore, the distance seller's responsibility would be limited to marking the consignment stating that it contains alcohol. In addition, the distance seller should also mark the consignment if it contains spirits. When a consignment indicates that it contains alcoholic beverages, the information would be transmitted in the supply chain and the operator in Finland would be obliged to comply with the provisions of the Alcohol Act in a supply situation. The retail trade licence holder, Alko and the distance seller would also be able to apply for a supply licence for alcoholic beverages, in which case they could arrange to supply alcoholic beverages to the purchaser themselves.

The purpose of the Alcohol Act is to prevent harm caused by alcohol to its users, to other people and to society as a whole by restricting alcohol consumption and monitoring related business activities. Oversight of the provisions of the Alcohol Act is based on a comprehensive licensing system. In practice, the licensing system ensures that traders operating in the alcohol sector are able to meet their obligations and can be reached and monitored, and that any illegal activities can be effectively addressed.

To achieve the purpose of the Alcohol Act, it is essential that the delivery of alcoholic beverages be subject to supervision and that the supplier of alcoholic beverages has sufficient knowledge of the provisions of the Alcohol Act in connection with transfers. For this reason, the law requires that the supplier of alcoholic beverages holds a supply license and that the license holder has an adequate self-monitoring plan. The Decree would specify these conditions.

Directive (EC) No. 2006/123 on services in the internal market

8. The draft Decree would amend the Decree of the Ministry of Social Affairs and Health on the Supervision of the Alcohol Act (158/2018) following amendments to the Alcohol Act (Notification 2025/0315/FI).

The Alcohol Act (1102/2017) has been amended by Act xx/202x, which will enter into force on dd.mm.202x. The Act would be amended in line with the Government Programme so that it would allow the delivery of alcoholic beverages from domestic retail or from the state alcohol company to a location designated by the purchaser. In addition, the Act would be supplemented with provisions concerning the cross-border distance selling of alcoholic beverages. In both domestic deliveries and distance sales, alcoholic beverages may be handed over to the buyer or another recipient only by the supplier of the alcoholic beverage. For this purpose, in addition to the retail and serving licences, a new licence for the delivery of alcoholic beverages would be introduced to the Alcohol Act. In addition, the Act would allow the online marketing of spirits. In addition, a number of minor or technical amendments were made to the Act.

Section 56 of the Alcohol Act lays down provisions on the license holder's self-monitoring and the license holder's obligation to prepare a self-monitoring plan. According to subsection 4 of section 56 of the Alcohol Act, a decree of the Ministry of Social Affairs and Health shall lay down more detailed provisions on the preparation, content, and implementation of the self-monitoring plan.

Section 58 of the Alcohol Act provides for the granting of a certificate demonstrating knowledge of the Alcohol Act. According to subsection 4 of that section, a decree of the Ministry of Social Affairs and Health shall lay down more detailed provisions on the content and assessment of the examination referred to in subsections 1 and 2, as well as on equivalent training and qualifications, and on the acceptance of a certificate granted in the Åland Islands as a certificate referred to in subsection 1.

Section 62 of the Alcohol Act provides for the supervisory authority's right of inspection and access to information. According to subsection 4 of that section, the license holder must periodically provide the supervisory authorities with the notifications and information necessary for supervision and for assessing the risks of the license holder's sales and other activities. Further provisions on submitting declarations and

information are laid down by decree of the Ministry of Social Affairs and Health.

It is proposed that the decree be amended so as to also take into account the supervision of the supply license for alcoholic beverages. The current decree does not contain separate provisions concerning the supply license, which is why it needs to be supplemented in this respect.

The Alcohol Act (1102/2017) has been amended by Act 13/2025. As a result of this amendment, the tasks assigned to the National Supervisory Authority for Welfare and Health will, due to the state regional administration reform, be transferred to the new Licensing and Supervisory Authority as of 1 January 2026. Corresponding technical amendments are proposed to be made to the Decree.

9. The sections of the decree to be amended concern more detailed provisions on the license holder's self-monitoring and self-monitoring plan, the granting of a certificate demonstrating knowledge of the Alcohol Act, and the license holder's obligation to submit notifications and information to the supervisory authority.

It is proposed that the decree be amended so as to also take into account the supervision of the supply license for alcoholic beverages. The current decree does not contain separate provisions concerning the supply license, which is why it needs to be supplemented in this respect.

In addition, it is proposed that the decree be amended to take into account the changes made to the Alcohol Act by Act 452/2025. As a result of this amendment, the tasks assigned to the National Supervisory Authority for Welfare and Health will, due to the state regional administration reform, be transferred to the new Licensing and Supervisory Authority as of 1 January 2026. Corresponding technical amendments are proposed to be made to the Decree.

10. Basic text references: The basic texts have been provided in connection with an earlier notification: 2025/0315/FI

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

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