

Message 001

Communication from the Commission - TRIS/(2025) 2639

Directive (EU) 2015/1535

Notification: 2025/0541/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: 20252639.EN

1. MSG 001 IND 2025 0541 FI EN 26-09-2025 FI NOTIF

2. Finland

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4. 2025/0541/FI - C50A - Foodstuffs

5. Government Decree amending the Government Decree on the implementation of 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

Amending 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.

The delivery of alcoholic beverages would require a supply 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 sections 13 of the Alcohol Act and the Act's new section 17a. The content of the supply licence application would be laid down by Government Decree. A foreign distance seller could also apply for a supply licence, in which case they 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 proposal would therefore also provide more business opportunities for domestic operators lawfully selling alcoholic beverages. Foreign operators would have the right to sell all alcoholic beverages.

The amendment to the Government Decree 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 aim 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.

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 content of the supply licence application for alcoholic beverages would be laid down by Government Decree. The current Decree lays down provisions on the content of different forms of licences under the Alcohol Act, such as applications for retail licences. If a new form of licence (a supply licence for alcoholic beverages) were added to the Act, it would be necessary to lay down in the Decree the content required for the application for that licence. The application for a supply licence should include the location and contact details of the applicant's place of business or, if there is no place of business, the applicant's place of residence. In addition, the application should contain the statement referred to in section 17a(1)(2) of the Alcohol Act, i.e. an explanation of how the applicant ensures that the suppliers of alcoholic beverages acting on its behalf are in possession of the delivery passport referred to in section 57(3) of 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.

According to the Proposal (notification 2025/0315/FI), the Alcohol Act would be amended to allow the supply of alcoholic beverages from domestic retail sales points, 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 would be necessary for the supply of alcoholic beverages to be subject to control and to similar provisions on, for example, permitted time limits for the supply of alcohol and prohibitions regarding delivery and retail sales. If the supply of alcohol were not subject to control, a new retail sales channel would be established alongside the retail licence system, one which would not be subject to any regulatory control. It would therefore be crucial for the entire licensing system under the Alcohol Act that the supply of alcoholic beverages is monitored and that action can be taken if necessary.

8. The Proposal would amend the Government Decree on the implementation of the Alcohol Act (151/2018). Due to the amendment (notification 2025/0315/FI) to the Alcohol Act (1102/2017), the Government Decree issued pursuant to the Act would be amended to reflect the new regulation. The amendment to the Act would allow alcohol company Alko Oy and Finnish operators with a retail licence to sell alcoholic beverages online and enable other retail distribution and collection concepts for them, such as supplying alcoholic beverages, in accordance with the Government Programme of Prime Minister Petteri Orpo. In addition, the amendment to the Act would clarify cross-border distance selling and amend the marketing regulation. A supply licence for alcoholic beverages would be introduced into the Act as a new form of licence, in addition to the retail licence and the alcohol serving licence. A new section would be added to the Act for the content of the application for a supply licence for alcoholic beverages. In addition, a number of minor or technical amendments would be made to the Act.

Section 8 of the Alcohol Act provides for an application for a licence within the meaning of that Act. In accordance with Sub-section 2 of the Section, further provisions and statements relevant to the consideration of the application shall be laid down by Government Decree.

Section 11 of the Act provides for notification of changes to the licencing authority if the licence holder substantially changes the nature or scope of its activities. In accordance with sub-section 5 of the section, further provisions on the information required for applications for amendments to licences and approvals, as well as for declarations of amendments, shall be laid down by Government decree.

Section 20 of the Act provides for the approval of event, meeting and banquet and other similar venues as

licensed premises. In accordance with sub-section 3 of the section, further provisions on accepting facilities and premises as well as the event notification are laid down by government decree.

Section 44 of the Act provides for a derogation from the licensing hours by means of an extension application or an extension licence. In accordance with sub-section 3 of the section, further provisions on the notice and statements to be enclosed with it shall be given by government decree.

9. The application for a supply licence should include the location and contact details of the applicant's place of business or, if the applicant has no place of business, the applicant's place of residence. The application should also include an explanation of how the applicant ensures that the suppliers of alcoholic beverages acting on their behalf have a delivery passport within the meaning of the Alcohol Act. In addition, the licensing authority would have the right to require the applicant to provide any additional information necessary to ensure control or security in order to assess the necessity of any conditions and restrictions imposed on the supply licence. The current Act provides for the right of the licensing authority to require the applicant to provide the necessary clarifications, including as regards the assessment of the necessity of any conditions and restrictions imposed on the retail and alcohol serving licences.

The sections of the Government Decree on the content of applications for a retail licence and applications from alcohol companies would be amended. As a result of the amendment to the Alcohol Act, in the future, pick-up points from which alcoholic beverages can be handed over for delivery could be defined in the retail licence under section 17 of the Act. If the retail licence holder or the applicant intends to use pick-up points for the delivery of alcoholic beverages, the application for a retail licence should include the location and contact details of these pick-up points. A similar requirement would also apply to the content of the application of an alcohol company referred to in section 26(1) of the Act. The application of an alcohol company within the meaning of section 26(1) of the Act should include the location and contact details of a pick-up point within the meaning of section 26(1) of the Act if the alcohol company intends to use pick-up points for the supply of alcoholic beverages. The proposed regulation would not change the legal state with regard to the already existing ordering and pick-up of alcoholic beverages, where customers can pick up alcoholic beverages ordered online from a retail outlet.

As regards the general content of the application provided for in section 1 of the Act, it would be proposed to repeal sub-sections 2 and 3 of the current section, which lay down the information the applicant must include in the licence application if the applicant is a legal person. These articles would be repealed as unnecessary, as with the new alcohol trade register, the licensing authority will receive the necessary information directly from the Finnish Patent and Registration Office, and it will not be necessary to request this information from the applicant.

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

European Commission

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