Clause on selected impacts

1. Basic information

Title of the document

Draft Decree of the Ministry of Agriculture and Rural Development of the Slovak Republic on certain milk products.

Submitter (and co-submitter)

Ministry of Agriculture and Rural Development of the Slovak Republic

Nature of the submitted document	☐	Document of a non-legislative nature
	☒	Document of a legislative nature
	☐	Transposition/implementation of EU law

In case of transposition/implementation, please provide a list of transposed/implemented legislation:

Start and end dates of the preliminary consultation exercise	*Start: 16 April 2025* *End: 29 April 2025*
Expected date of submission for the consultation exercise	*June 2025*
Expected start and end dates of final assessment**	
Expected date of submission to a session of the Government of the Slovak Republic*	

2. Definition of the issue

Please specify the basic issues that justify the elaboration of the submitted document (the reasons should indicate precisely the problem that exists and needs to be addressed by the submitted document).

The draft Decree responds to current market needs and practical requirements. The issue with the current Decree No 343/2016 of the Ministry of Agriculture and Rural Development of the Slovak Republic on certain milk products is that many of its provisions are complicated, unclear, and, in some cases, unnecessary in practice. Moreover, the current Decree does not establish criteria for products with reduced lactose content. Such products have already been on the market for some time. As no limits have been set for the lactose content in these products, nor are there any requirements for the labelling of such products, this causes complications in their assessment, in particular for the control authorities. The current legislation requires extensive revision.

3. Objectives and the desired outcome

Please specify the main objectives of the submitted document (what is the end goal that is to be achieved by adopting the document; the goal achieved must be different from that described in point 2. Definition of the issue).

The draft Decree has been prepared with a view to simplifying, improving and making the legislation less ambiguous compared with Decree No 343/2016 of the Ministry of Agriculture and Rural Development of the Slovak Republic on certain milk products, which this draft Decree repeals. Given the significant scope of changes compared to the current Decree, the submitter has opted to prepare a new Decree. Terms that are no longer relevant are being removed, and terms that are missing from the legislation but are required in practice are now being defined. By establishing requirements for the labelling of dairy products with reduced lactose content and defining limits for lactose content in these products, complications in their assessment by supervisory authorities will be eliminated. These provisions are also important for consumers who suffer from lactose intolerance, as this will reduce the risk that they will consume products that are unsuitable for them.

4. Stakeholders

Please specify the parties directly or indirectly affected by the changes in the submitted document:

Food business operators involved in the production of milk and dairy products, supervisory authorities (the State Veterinary and Food Administration and regional veterinary and food administrations), and consumers.

5. Alternative solutions

What alternative solutions leading to the stated objective have been identified and assessed to address the identified issue?

No alternative solutions were identified.

Zero option – please specify the consequences of not implementing the changes proposed in the submitted document and the alternative solutions/methods of achieving the objectives set out in point 3.

The ‘zero option’ would result in the status quo being maintained. Many provisions of the Decree would continue to be complicated and unclear. Furthermore, no limits would be established for lactose in products in which the lactose content has been reduced, which would pose a health risk, in particular for consumers who suffer from lactose intolerance.

6. Implementing legislation

Is the adoption/amendment of implementing legislation envisaged? ☐ **Yes** ☒ **No**

If so, please specify which areas will be governed by this legislation or which implementing legislation will be

affected:
7. Transposition/implementation of EU law
Please specify whether the draft legislation involves gold-plating according to the correlation table or whether gold-plating occurs in the context of implementation of EU law. ☐ **Yes** ☒ **No** *If so, please specify which impacts under point 9 are subject to gold-plating:*
8. Expediency review
Please specify the date by which the effectiveness and expediency of the submitted document should be reviewed. *Please specify the criteria on the basis of which the review will be conducted.* The expediency will be reviewed in the event of the adoption of relevant legally binding EU acts governing the labelling requirements for milk and dairy products, in particular with regard to reduced lactose content. Deadline: within one year of the adoption of the relevant legally binding EU acts. The criterion to be used as a basis for the review will be a comparison of the established limits for lactose applicable to products with reduced lactose content and to lactose-free products.

* to be completed only if the document is not included in the Work Plan of the Government of the Slovak Republic or the Plan of Legislative Tasks of the Government of the Slovak Republic.

** to be completed only if the final assessment of the selected impacts has been carried out in accordance with point 9.1 of the Uniform Methodology.

*** the assessment relates only to changes in Pillar I and Pillar II of the universal pension scheme with an identified long-term impact of at least 0.1% of GDP.

9. Selected impacts of the document						
Impacts on the general government budget	☐	**Positive**	☒	**None**	☐	**Negative**
of which impacts covered by the budget, in case of identified negative impact	☐	Yes	☐	No	☐	Partial
including impacts on the budgets of municipalities and higher territorial units	☐	**Positive**	☒	**None**	☐	**Negative**
of which impacts covered by the budget, in case of identified negative impact	☐	Yes	☐	No	☐	Partial
Impact on the long-term sustainability of public finances for selected measures ***	☐	Yes			☒	No
Impacts on the public expenditure limit	☐	**Positive**	☒	**None**	☐	**Negative**
Impacts on the business environment	☒	**Positive**	☐	**None**	☒	**Negative**
of which impacts on SMEs	☒	Positive	☐	None	☒	Negative
Bureaucracy and cost reduction mechanism is applied:	☐	Yes			☒	No
Social impacts	☐	**Positive**	☒	**None**	☐	**Negative**
Environmental impacts	☐	**Positive**	☒	**None**	☐	**Negative**
The document is assessed under Act No 24/2006 on environmental impact assessment and amending certain acts, as amended	☐	Yes			☒	No
Impacts related to information society	☐	**Positive**	☒	**None**	☐	**Negative**
Impacts on public administration services for the citizen, of which impacts of public administration services on the citizen	☐	**Positive**	☒	**None**	☐	**Negative**
impacts on service processes in public administration	☐	**Positive**	☒	**None**	☐	**Negative**
Impacts on marriage, parenthood and family	☐	**Positive**	☒	**None**	☐	**Negative**

10. Notes
If necessary, provide additional information on the identified impacts and their analyses. *If the submitted material has a marginal (negligible) impact on any of the areas covered in point 9 and for this reason it is marked as no impact, please provide the facts explaining why this impact is marginal (negligible).*

The information in this section is used to summarise the impacts or to comment on marginal impacts and not as a substitute for the preparation of appropriate analyses of selected impacts.
If the document is subject to assessment under Act No 24/2006 on environmental impact assessment and amending certain acts, as amended, please provide a link to this process.
Both positive and negative impacts on the business environment have been identified in the draft Decree, however, it should be noted that these impacts cannot be quantified financially.

11. Contact details of the author

Please provide the details of the person who can be contacted with regard to the assessment of selected impacts.

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12. Sources

Please specify the sources (statistics, surveys, cooperation with experts, etc.) on which you relied when preparing the document and drafting the clause and impact analyses. If the data needed to prepare the relevant analyses of selected impacts are unavailable, please indicate this fact.
Consultations with all stakeholders (Food Chamber of Slovakia, Slovak Agriculture and Food Chamber, Slovak Dairy Association, State Veterinary and Food Administration of the Slovak Republic).

13. Opinion of the Commission on the assessment of selected impacts from preliminary consultation exercise No 051/2025
(if carried out pursuant to point 8.1 of the Uniform Methodology)

☐ **Agree** ☒ **Agree with a proposal for revision** ☐ **Disagree**

Please provide comments from the Commission's opinion in Part II, together with your assessment:

Regarding the Clause on Selected Impacts:
The Commission recommends that, in Part 8 (Expediency review) of the Clause on Selected Impacts, the submitter add the date and criteria for assessing the expediency of the submitted document.
Grounds: Expediency reviews are scheduled after a certain period of time to assess whether, and on the basis of what criteria, the objective has been achieved.
Evaluation:
We accept this comment. In part 8. Expediency review, the date and criteria of assessment of expediency of the submitted document has been added.

Regarding the impacts on the general government budget:
From a formal point of view, the Commission notes that, if no impacts of the document on the general government budget and on the budgets of municipalities and higher territorial units has been identified, budgetary cover should not be indicated in point 9 of the Clause on Selected Impacts.
Evaluation:
We accept this comment. Point 9 of the Clause on Selected Impacts has been modified.

14. Opinion of the Commission on the assessment of selected impacts from final assessment no.......... (if carried out pursuant to point 9.1 of the Uniform Methodology)

☐ **Agree** ☐ **Agree with a proposal for revision** ☐ **Disagree**

Please provide comments from the Commission's opinion in Part II, together with your assessment: