



9 June 2026

Recipient: European Commission, contact point under Directive (EU) 2015/1535

Subject: Notification 2025/0315/FI – Amendment of the Alcohol Act (supply of alcoholic beverages, distance selling and marketing); amendments made to the proposal during parliamentary processing and the obligation to notify them

The Finnish Association for Substance Abuse Prevention EHYT has noted the amendments concerning the cross-border sale of alcoholic beverages currently under consideration by the Finnish Parliament in Government Proposal HE 131/2025 vp for an Act amending the Alcohol Act. EHYT has already, on 3 September 2025, submitted a stakeholder contribution regarding this proposal under notification 2025/0315/FI through the TRIS system.

This proposal was notified to the European Commission on 24 June 2025 in accordance with Transparency Directive 2015/1535. The standstill period under the Directive ended on 25 September 2025. The Commission issued a request for supplementary information on 10 July 2025, to which Finland replied on 4 August 2025, and submitted comments on the notified draft proposal on 22 September 2025.

Following its own hearings, the Social Affairs and Health Committee of the Finnish Parliament has proposed several amendments to the bill notified to the Commission that significantly affect the EU law assessment of the proposal:

- Change to the percentage limits: under the draft notified to the Commission, beverages containing up to 80 per cent by volume of ethyl alcohol could have been purchased in cross-border distance selling. In the Committee's report, cross-border distance selling would instead be restricted to the same limits as domestic retail sales, i.e. only to fermented beverages containing up to 8.0 per cent by volume of ethyl alcohol and to beverages manufactured in other ways containing up to 5.5 per cent by volume of ethyl alcohol. This amendment therefore differs substantially from what was notified to the Commission.
- In addition, amendments would be made to the obligations of distance sellers in the notified draft, such as registration and labelling obligations.

There is a risk that the amendments proposed by the Committee will be brought before the plenary session at the Finnish Parliament contrary to Union notification legislation, without those amendments having been notified. It is the duty of Parliament to ensure that all bills brought before the plenary session have been prepared in accordance with EU legislation.

We emphasise that the timely notification of national legislative amendments is a legal obligation of the Member State. Directive (EU) 2015/1535 requires Member States to notify the Commission and the other Member States of all draft technical regulations before their adoption:

- Notification must be made at a sufficiently early stage so that any comments received can be genuinely taken into account.



- Notification triggers a standstill period during which the Member State may not adopt the regulation. This ensures that feedback at EU level can be addressed before the national regulation is locked in.
- Early notification prevents situations in which the Commission is obliged to launch infringement proceedings or to require the amendment of the regulation after the fact.

We further note that, according to the settled case-law of the Court of Justice of the European Union (e.g. Case C-194/94 CIA Security and Case C-443/98 Unilever), a technical regulation that has not been notified cannot be relied upon against individuals. A failure to comply with the notification obligation may therefore result in the provision being rendered effectively unenforceable, and may cause significant legal uncertainty.

EHYT respectfully requests that the European Commission draw the attention of the Finnish authorities to the notification obligation described above and express its position on whether the amendments proposed by the Committee require a new notification under Transparency Directive 2015/1535.

Respectfully,

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