



Notification Number: 2016/178/F

Decree establishing the types and characteristics of objects directly encouraging excessive alcohol consumption that are forbidden for sale to minors

Date received : 18/04/2016

End of Standstill : 19/07/2016

Issue of comments by : Poland

Message

Message 002

Communication from the Commission - TRIS/(2016) 01172

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2016/0178/F

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201601172.EN)

1. Structured Information Line

MSG 002 IND 2016 0178 F EN 18-04-2016 F NOTIF

2. Member State

F

3. Department Responsible

Direction générale des entreprises – SQUALPI – Bureau de la réglementation des produits - Bât. Sieyès
-Teledoc 151 – 61, Bd Vincent Auriol - 75703 PARIS Cedex 13
d9834.france@finances.gouv.fr
tél : 01 44 97 24 55

3. Originating Department

Direction générale de la santé – Sous-direction de la santé des populations et de la prévention des maladies chroniques – Bureau des addictions et autres déterminant comportementaux de santé



14 avenue Duquesne 75007 Paris
Téléphone : 01.40.56.67.68
Télécopie : 01.40.56.73.95
laurence.lavy@sante.gouv.fr
laurie.chaumontet@sante.gouv.fr

4. Notification Number

2016/0178/F - C00A

5. Title

Decree establishing the types and characteristics of objects directly encouraging excessive alcohol consumption that are forbidden for sale to minors

6. Products Concerned

Objects directly encouraging excessive alcohol consumption

7. Notification Under Another Act

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8. Main Content

The draft Decree establishes the types and characteristics of objects directly encouraging excessive alcohol consumption that are forbidden to be sold or presented for sale to minors. These include games, clothes, fashion accessories, decorative elements, utensils or accessories for electronic equipment, or any other object whose graphics, presentation, visual aspect, name, logo, commercial name or slogan directly encourage excessive alcohol consumption.

This Decree is issued pursuant to Article 12 of Law No 2016-41 of 26 January 2016 for the modernisation of our health system.

9. Brief Statement of Grounds

In France, excessive alcohol consumption by minors continues to grow; in 2011, 28 % of 17-year-olds declared that they had been drunk at least three times during the course of the year, compared with 26 % in 2008. Furthermore, 10.5 % of 17-year-olds regularly consume alcohol. The proportion of the young adult population (18–25 years old) that had been drunk during the course of the year was 46 %. Those who had been drunk at least three times represented 29 %. These figures have been on the increase for the past 10 years (2014 INPES report).

Through this draft Decree, the French authorities envisage prohibiting the sale or presentation for sale to minors of objects directly encouraging excessive alcohol consumption. This commercial practice aimed at presenting a positive and festive image of drunkenness would thus be forbidden if it targeted minors, who are particularly receptive to a laudatory message regarding excessive alcohol consumption. From a health and social perspective, the dangers of excessive alcohol consumption are numerous and include immediate risks (alcoholic coma, behaviour dangerous to the person or others), as well as long-term risks (cancer, cirrhosis, addiction, etc.).

This measure thus aims to better protect young people by limiting their exposure to the positive, funny or playful image of drunkenness to which an object may directly contribute. The draft Decree thus participates in preventing excessive alcohol consumption by minors. It is entirely coherent with the guidelines established by



the European Union Action Plan on Youth Drinking and on Heavy Episodic Drinking (Binge Drinking) (2014–2016); moreover, the European Union remains the region with the world's highest alcohol consumption (WHO 2012).

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): - Article L. 3342-1 of the Public Health Code

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

Yes

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

Contact point Directive (EU) 2015/1535

Fax: +32 229 98043

email: grow-dir83-189-central@ec.europa.eu