EUROPEAN COMMISSION
CABINET OF ANTONIO TAJANI

The Head of Cabinet
Antonio PRETO

SAAPUNUT
22. 12. 2010

Brussels, 15. 12. 2010
SZ/cdw - entr.c.3(2010)901613

Dear Mr Rantahalvari,

Thank you for your letter of 7 October 2010 regarding the Finnish farm fruit liqueur case. I take note of the possible proposed changes to the draft amendments to the Alcohol Act (1143/1994) put forward by the Minister responsible for alcohol policy, which would consist of setting the maximum amount of farm fruit liqueur sold directly by producers at 5,000 litres per year leading to a market share of less than 5%.

I am delighted with the fruitful dialogue that took place in accordance with the procedure laid down in Directive 98/34/EC between your authorities and the Commission services in the process of analysing the amendments to the Alcohol Act (notification 2009/181/FIN).

Please allow me to remind that, pursuant to Directive 98/34/EC where comments are made, the notifying State shall take them into account as far as possible in the subsequent preparation of the technical regulation that may be adopted without further delay. I understand that the changes you propose aim at satisfying the Commission's request. However, there is still a possibility that the setting of a lower maximum amount could prove to be contrary to EU law.

Thus, I should underline that, as usual, the Commission must reserve its rights, as guardian of the Treaty, to re-examine the situation if there are complaints or serious evidences that the application of this legislation contravenes EU law.

Yours faithfully,

Antonio PRETO

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