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Alcohol Act

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RT I 2002, 3, 7
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Amended by the following acts

Reception	Publication	Enforcement
19.06.2002	RT I 2002, 63, 387	01.09.2002
04.12.2002	RT I 2003, 2, 17	01.04.2003
17.12.2003	RT I 2003, 88, 591	01.01.2004
11.02.2004	RT I 2004, 13, 86	15.04.2004
10.03.2004	RT I 2004, 18, 131	15.04.2004
19.05.2004	RT I 2004, 45, 317	27.05.2004, partially 01.01.2005
08.12.2004	RT I 2004, 88, 600	02.01.2005
13.04.2005	RT I 2005, 24, 181	01.11.2005
20.04.2006	RT I 2006, 21, 162	01.06.2006
01.06.2006	RT I 2006, 28, 211	01.07.2006, partially 01.01.2007
07.12.2006	RT I 2006, 58, 439	01.01.2007
21.12.2006	RT I 2007, 4, 19	01.09.2007
24.01.2007	RT I 2007, 12, 66	01.01.2008
24.01.2007	RT I 2007, 13, 69	15.03.2007
14.02.2007	RT I 2007, 22, 114	01.07.2007
31.01.2008	RT I 2008, 8, 58	15.05.2008
19.06.2008	RT I 2008, 30, 190	14.07.2008
19.06.2008	RT I 2008, 35, 213	01.01.2009
06.11.2008	RT I 2008, 49, 272	01.01.2009
19.11.2009	RT I 2009, 59, 387	20.12.2009
26.11.2009	RT I 2009, 62, 405	01.01.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011 shall enter into force on the day specified in the decision of the Council of the European Union on the annulment of the exception established for the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council of the European Union 13.07.2010. a decision No. 2010/416/EU (OJ L 196, 28.07.2010, pp. 24–26).
09.06.2010	RT I 2010, 41, 240	01.09.2010
17.06.2010	RT I 2010, 44, 262	01.09.2010
23.02.2011	RT I, 18.03.2011, 1	01.07.2011
23.02.2011	RT I, 25.03.2011, 1	01.01.2014; effective date changed 01.07.2014 [RT I, 22.12.2013, 1]
08.12.2011	RT I, 29.12.2011, 1	01.01.2012
22.02.2012	RT I, 08.03.2012, 1	01.04.2012, partially 01.07.2012
19.06.2013	RT I, 10.07.2013, 1	15.07.2013, partially 01.01.2014; effective date partially changed 01.07.2014 [RT I, 22.12.2013, 1]
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015, partially 13.07.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, titles of ministers replaced on the basis of § 107 ³ subsection 4 of the Government of the Republic Act.
28.01.2015	RT I, 20.02.2015, 1	01.07.2015
11.06.2015	RT I, 30.06.2015, 4	01.09.2015, on the basis of § 107 ⁴ subsection 2 of the Government of the Republic Act, the word "Ministry of Agriculture" was replaced by the word "Ministry of Rural Affairs" in the corresponding case
31.05.2017	RT I, 16.06.2017, 1	01.07.2017
14.06.2017	RT I, 04.07.2017, 1	01.01.2018
20.12.2017	RT I, 09.01.2018, 2	19.01.2018, partially 01.06.2018 and 01.06.2019
21.11.2018	RT I, 12.12.2018, 3	01.01.2019

Reception	Publication	Enforcement
20.02.2019	RT I, 13.03.2019, 2	15.03.2019
10.06.2020	RT I, 01.07.2020, 1	01.01.2021
17.06.2020	RT I, 10.07.2020, 5	20.07.2020
16.12.2020	RT I, 04.01.2021, 1	01.05.2021
20.06.2023	RT I, 30.06.2023, 1	01.07.2023; On the basis of § 105.19 subsection 7 of the Act on the Government of the Republic, the word "Ministry of Rural Affairs" throughout the text is replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case.

Chapter 1 general settings

§ 1. Scope of the Act

(1) This Act stipulates special requirements for the handling of alcohol, restrictions on the consumption of alcoholic beverages, the organization of state supervision of compliance with special requirements and restrictions, and liability for violations of the law.
[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(2) Special requirements are requirements that apply to operations performed with alcohol in addition to those stipulated in other legislation.

(3) This Act does not extend to:

1) medicine containing ethanol within the meaning of the Medicines Act;

[RT I 2008, 30, 190 - entry into force. 14.07.2008]

2) synthetic alcohol, ester aldehyde fraction, puskari oil and denatured alcohol, unless these substances are treated as alcohol within the meaning of this Act;

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

3) alcohol exempted from excise duty on the basis of § 27 (1) points 1, 1¹ and 9–18 of the Alcohol, Tobacco, Fuel and Electricity Excise Act;

[RT I 2008, 49, 272 - entry into force. 01.01.2009]

4) to an alcoholic beverage, which is delivered to Estonia by a passenger in the luggage moving with him for non-commercial use;

[RT I 2008, 30, 190 - entry into force. 14.07.2008]

5) to an alcoholic beverage that is sent from a foreign country to a natural person of at least eighteen years of age for use in Estonia for non-commercial purposes or that is sent by a natural person to a foreign country for non-commercial purposes;

[RT I 2008, 49, 272 - entry into force. 01.01.2009]

6) alcohol, which is sent by mail for the purpose of comparative tests to a laboratory authorized by a foreign laboratory for the corresponding analyzes in Estonia or by a laboratory authorized for the corresponding analyzes in Estonia to a foreign laboratory;

7) [repealed - RT I 2004, 45, 317 - entry into force. 27.05.2004] 8) to an alcoholic beverage that is produced under the conditions provided for in subsection 6 of § 21 of the Alcohol, Tobacco, Fuel and Electricity Excise Act. [RT I 2008, 49, 272 - entry into force. 01.01.2009]

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(3¹) The provisions of the Administrative Procedure Act apply to the administrative procedure provided for in this Act, taking into account the specifics of this Act.

[RT I 2004, 45, 317 - entry into force. 27.05.2004]

(4) For the purposes of this Act, an authorized laboratory is an accredited laboratory for alcohol analysis that has received the right to operate as an authorized laboratory. The procedure for granting, changing, suspending and revoking the right to operate as an authorized laboratory is established by the Government of the Republic .

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(4¹) A laboratory located in another member state of the European Union, which has been granted the right to perform alcohol analyzes by another member state, and a laboratory located in a non-EU country whose right to perform alcohol analyzes has been notified by the European Commission are also considered authorized laboratories.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(5) In this Act, the European Union, a member state and a country outside the Union are considered within the meaning of § 1 1 of the

Alcohol, Tobacco, Fuel and Electricity Excise Act .

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(6) Union alcohol is considered in this Act to be alcohol that has the status of a Union good according to Regulation (EU) No. 952/2013 of the European Parliament and of the Council establishing the Union Customs Code (OJ L 269, 10.10.2013, pp. 1–101) (hereinafter *the Customs Code*), within the meaning of Article 5, Clause 23.

[RT I, 16.06.2017, 1 - enters into force. 01.07.2017]

(7) Delivery to Estonia is defined in this Act as the release of alcohol delivered to Estonia from a non-Union country into free circulation within the meaning of the Customs Code or the delivery of alcohol to Estonia from another member state.

[RT I, 16.06.2017, 1 - enters into force. 01.07.2017]

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(8) Allowing alcohol to be consumed is considered in this Act within the meaning of § 4¹ of the Alcohol, Tobacco, Fuel and Electricity Excise Act .

[RT I 2008, 49, 272 - entry into force. 01.01.2009]

§ 2. Alcohol

- (1) Alcohol is a food group consisting of spirits and alcoholic beverages.
- (2) Spirit is a liquid obtained from raw materials of agricultural origin during fermentation and subsequent processing with an ethanol content of 96% or more by volume.
- (3) Alcoholic beverage is beer with an ethanol content of more than 0.5 percent by volume and other liquids intended for drinking with an ethanol content of more than 1.2 percent by volume.
- (4) Beer is a beverage made from malt or malt and unmalted material, hops and water by yeast fermentation, which may be pasteurized.
- (5) A strong alcoholic beverage is an alcoholic beverage with an ethanol content of more than 22 percent by volume.
- (6) Light alcoholic beverage is an alcoholic beverage with an ethanol content of up to 22 (inclusive) percent by volume.
- (7) An alcoholic beverage with a low ethanol content is an alcoholic beverage with an ethanol content of up to 6 (inclusive) percent by volume.
- (8) Ethanol content is the strength of alcohol in percent by volume, which expresses the ratio of the volume of ethanol measured at a temperature of 20 °C to the total volume of alcohol at the same temperature.

§ 3. Handling of alcohol

- (1) Handling of alcohol is considered to be the following operations performed in relation to this food group:
- 1) manufacturing, processing and bottling, or packaging (hereinafter *production*);
 - 2) import within the meaning of § 10 of the Alcohol, Tobacco, Fuel and Electricity Excise Act (hereinafter *import*);
[RT I 2008, 49, 272 - entry into force. 01.01.2009]
 - 3) export within the meaning of § 11 of the Alcohol, Tobacco, Fuel and Electricity Excise Act (hereinafter *export*);
[RT I 2008, 49, 272 - entry into force. 01.01.2009]
 - 4) offer for sale or sale from one entrepreneur to another entrepreneur or to another person who is not a consumer within the meaning of the Consumer Protection Act (hereinafter *wholesale*);
[RT I 2004, 13, 86 - entered into force. 15.04.2004]
 - 5) offering for sale, selling or entering into any contract under the law of debt or making it available or transferring it to the consumer on any legal basis within the scope of economic activity within the meaning of the Consumer Protection Act (hereinafter *retail sale*);
[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]
 - 6) keeping, storing or forwarding for commercial purposes.
- (2) The actions specified in point 6 of subsection 1 of this section have a commercial purpose if they are aimed at the sale, processing, packaging or use of alcohol in the possession of a person as a barter.
- (3) It is prohibited to keep or store alcohol at the point of sale of an enterprise or institution operating in the field of wholesale trade, retail trade or catering, and in the warehouse or other storage space belonging to it, regardless of the nature of the alcohol and the purpose of the storage or storage, if there is no usable alcohol in the place of business indicated in the data of the register of economic activities definition in accordance with the provisions of subsections 2 and 4–7 of § 2 of this Act.
[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]
- (4) The provisions of subsection 3 of this section do not apply to alcohol, which is used as a raw material in the preparation of food, except in the case provided for in subsection 40 of this Act.
[RT I 2008, 8, 58 - entered into force. 15.05.2008]

Chapter 2 SPECIAL REQUIREMENTS FOR HANDLING ALCOHOL

Section 1 Alcohol allowed for handling

§ 4. Alcohol allowed for handling

- (1) In addition to other requirements established by legislation, the handled alcohol must:
- 1) meet the requirements for defining, describing and presenting alcohol for sale;
 - 2) be entered in the national alcohol register;
 - 3) [invalidated - RT I 2004, 45, 317 - entry into force. 27.05.2004]
 - 4) comply with the indicators stated in the protocol or certificate of test results submitted when entering the national alcohol register (hereinafter *the test protocol*);
 - 5) correspond to the product sample submitted when entering the national alcohol register in terms of consumer packaging and its labeling;
 - 6) be tax marked in the cases provided for in the Alcohol, Tobacco, Fuel and Electricity Excise Act. [RT I 2008, 30, 190 - entry into force. 14.07.2008]
- (2) The requirements for defining, describing and presenting alcohol for sale shall be established by the Government of the Republic .
- (3) The list of data contained in the test protocol shall be established by the minister responsible for the field .
[RT I 2004, 45, 317 - entry into force. 27.05.2004]
- (4) The provisions of points 1-5 of subsection 1 of this section do not apply to:
- 1) alcohol permitted for limited handling, if the conditions restricting the handling of this alcohol are followed;
 - 2) to alcohol, which is subject to a customs procedure different from the customs procedure specified in Clause 3 (1) point 2 of § 3 of this Act, in compliance with the conditions stipulated by the legislation restricting the handling of this alcohol;
[RT I 2004, 45, 317 - entry into force. 27.05.2004]

- 3) to alcohol on board or to be delivered on board a watercraft or aircraft used for international passenger transport;
[RT I 2004, 45, 317 - entry into force. 27.05.2004]
- 4) Union alcohol delivered to Estonia, which is not permitted for consumption and which is not used in production;
[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]
- 5) for union alcohol in the cases specified in subsections 2 and 3 of § 6 of this Act;
[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]
- 6) delivered to Estonia for alcohol permitted for consumption in another member state, the destination member state of which is not Estonia;
[RT I 2004, 45, 317 - entry into force. 27.05.2004]
- 7) Alcohol delivered to Estonia for its presentation at a fair, exhibition or other similar event.
[RT I 2009, 59, 387 - entry into force. 20.12.2009]

§ 5. Exceptions to the labeling of consumer packaging of alcoholic beverages

- (1) For the purposes of this Act, the consumer packaging of an alcoholic beverage is the sales packaging that directly surrounds the alcoholic beverage delivered to the consumer.
- (2) The labeling of the consumer package of an alcoholic beverage may be in a foreign language, if true Estonian information based on the original text is made available during the sale of the product.
- (3) If handling the consumer packaging of an alcoholic beverage requires special user skills, it must be equipped with an Estonian user manual.
- (4) If an enterprise carrying out the wholesale of an alcoholic beverage in a consumer package has the written consent of the producer of that alcoholic beverage to specify or otherwise supplement the manufacturer's labeling of the consumer packaging of the alcoholic beverage, the entrepreneur may do so under the condition that:
- 1) the manufacturer's labeling is not covered with additional labeling, it is not removed, corrected or other actions are taken in relation to it that would give grounds to believe that the marking is counterfeit;
 - 2) the additional labeling does not contradict the requirements stipulated in the legislation or the manufacturer's labeling;
 - 3) [invalidated - RT I, 20.02.2015, 1 - entered into force. 01.07.2015]
- (5) A tax label affixed to the consumer package or a label for the deposit amount of the package written on the consumer package shall not be considered as labeling of the consumer package of an alcoholic beverage.
[RT I 2006, 28, 211 - entry into force. 01.07.2006]
- (6) The labeling requirements for consumer packaging established by national legislation shall not be applied to an alcoholic beverage produced for export, if the labeling of the consumer packaging of the alcoholic beverage meets the requirements of a country outside the Union.
[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

Section 2

Alcohol permitted for limited handling and alcohol not permitted for handling

§ 6. Alcohol permitted for limited handling

- (1) An entrepreneur meeting the conditions set forth in § 9 subsection 2 of this Act may produce alcohol in the course of trials before entering it in the national alcohol register, in order to perform the actions necessary for the further handling of this alcohol or to request that these actions be performed.
- (2) An entrepreneur operating in the field of retail or wholesale trade or catering, for which there is a definition of the corresponding alcohol in the data of the economic activity register, may import or deliver to Estonia from another member state alcohol not entered in the national alcohol register, if it is:
- [RT I, 25.03.2011, 1 - effective . 01.07.2014 (entering into force amended - RT I, 22.12.2013, 1)]
- 1) with a product sample, which is submitted to a laboratory authorized for the corresponding analyzes in Estonia for testing;
 - 2) with alcohol sealed in any container, not packaged in a consumer package, which is submitted to a laboratory authorized for the corresponding analyzes in Estonia for testing;
 - 3) with a product sample, which is submitted to the authorized processor of the national alcohol register for registration.
- (3) An entrepreneur operating in the field of retail or wholesale trade or catering, whose data in the register of economic activity contains the definition of the corresponding alcohol, may receive from a foreign entrepreneur and transfer to him an alcoholic beverage not entered in the national alcohol register for inspection and, if necessary, to introduce it to a third party, while the quantity of goods and its transport packaging the total weight must not exceed 20 kg.
[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]
- (4) [Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]
- (5) [Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]
- (6) Alcohol not entered in the national alcohol register, which has been imported or delivered to Estonia from another member state in accordance with subsections 2 and 3 of this section, may only be used for the purposes stated in the customs declaration:
- 1) if the alcohol has been imported;
 - 2) for the purpose stated in the delivery note, if the alcohol has been delivered to Estonia from another member state.
- (7) The export and wholesale of such an alcoholic beverage, which is produced in accordance with the provisions of § 35 subsection 1 of the Alcohol, Tobacco, Fuel and Electricity Excise Act, is prohibited. The retail sale of said alcoholic beverage is permitted only by the manufacturer of this alcoholic beverage.
[RT I 2009, 59, 387 - entry into force. 20.12.2009]

§ 7. Alcohol prohibited for handling

(1) It is prohibited to handle:

- 1) alcohol that does not meet the requirements set forth in § 4 subsection 1 of this Act;
- 2) alcohol permitted for limited handling contrary to the conditions restricting the handling of this alcohol;
- 3) spirits, the packaging of which is identical or, until replaced, similar to the consumer packaging of an alcoholic beverage;
- 4) an alcoholic beverage in a consumer package with an ethanol content of more than 80 percent by volume;
- 5) busker;
- 6) [invalidated - RT I 2009, 59, 387 - entry into force. 20.12.2009] 7) synthetic alcohol, ester aldehyde fraction, puskar oil and denatured alcohol, if these substances are treated as alcohol within the meaning of this Act. [RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(2) Puskar is a strong alcoholic drink obtained by distilling the mixed liquid produced by yeast alcoholic fermentation at home and contains puskar oils.

(3) [Repealed - RT I 2009, 59, 387 - entry into force. 20.12.2009]

(4) The entrepreneur must ensure that there is no alcohol that is not permitted for handling in the premises or territory of his company, regardless of the ownership of this alcohol or the purpose of keeping or storing it.

(5) There is a large amount of alcohol not permitted for handling, if the estimated excise duty corresponding to the quantity of alcohol not permitted for handling exceeds twenty-five times or more the excise amount specified in subsection 6 of § 46 of the Alcohol, Tobacco, Fuel and Electricity Excise Act.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

(6) It is prohibited to own or possess a pushcart device, if the relevant device is found, the police must be informed about it immediately. The pushcart device can be exhibited in the state and municipal museum as a museum, and with the consent of the Police and Border Guard Board in the collection of a private museum. The Police and Border Guard Board has the right to refuse to give consent if it would lead to a significant risk of illegal alcohol handling.

[RT I, 29.12.2011, 1 - enters into force. 01.01.2012]

Section 3 **National alcohol register**

§ 8. General principles of operation of the national alcohol register

(1) The main tasks of maintaining the state alcohol register (hereinafter referred to as *the alcohol register* in this section) are:

- 1) entering alcohol into the alcohol register (making a register entry) in the cases provided for in this Act;
- 2) processing of information about alcohol entered in the alcohol register;
- 3) storage of product samples taken for storage in the alcohol register;
- 4) comparing the product sample of an alcoholic beverage taken during state supervision with the product sample or other material stored in the alcohol register.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

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(1)) The purpose of the alcohol register is to publish information about alcohol produced in Estonia and delivered to Estonia, and to enable record keeping and supervision of the handling of said alcohol.

[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

(2) The by-laws of the alcohol register shall be established by a regulation of the minister responsible for the field .

[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

(3) The responsible processor of the alcohol register is the Ministry of Regional Affairs and Agriculture, and the authorized processor is designated in the bylaws of the alcohol register.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

(4) The following shall be entered in the alcohol register:

- 1) the names and contact details of the applicant, the producer of alcohol and the distributor or receiver in Estonia;
- 2) data on the name, type, ethanol content and consumer packaging of alcohol and other relevant data;
- 3) data on batch numbers, quantities and recipients of wine intended for export, wholesale and retail sale and other relevant data.

[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

§ 9. Request to make a register entry

(1) In the case of alcohol produced in Estonia, the alcohol producer applies to enter this alcohol in the alcohol register. If there are several producers, the applicant is the company that allows alcohol to be consumed in its own name.

(2) The applicant specified in subsection 1 of this section must have an excise warehouse operating license provided for in § 38 of the Alcohol, Tobacco, Fuel and Electricity Excise Act, and the company where the alcohol was produced must meet the requirements set forth in the Food Act.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

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(2)) In the case of Union alcohol in a consumer package delivered to Estonia, the person on whose behalf the alcohol is allowed for consumption applies to enter this alcohol in the alcohol register.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

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(2)) In the case of Union alcohol not packed in consumer packaging delivered to Estonia, the person on whose behalf the alcohol is admitted for consumption or the person who uses it in the production of alcohol applies to enter this alcohol in the alcohol register.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(2) In the case of alcohol permitted for consumption in another member state and delivered to Estonia for commercial purposes, the recipient of the alcohol applies to enter this alcohol in the alcohol register.

(3) In the case of imported alcohol, the importer of alcohol applies to enter this alcohol in the alcohol register.

(4) [Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

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(4) A state fee shall be paid for the review of an application for entering alcohol into the register at the rate provided for in the State Fee Act.

[RT I 2006, 58, 439 - entry into force. 01.01.2007]

(5) The minister responsible for the field shall establish the formal requirements for the application for registration in the alcohol register .

(6) If a relevant service is open in the data exchange layer of the state information systems, a digital signature need not be added to the request specified in this Act, which is submitted through the data exchange layer of the state information systems.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

§ 10. Material accompanying the application for making a register entry

(1) In order to enter an alcoholic beverage in a consumer package into the alcohol register, the following must be submitted to the authorized processor of the alcohol register together with the corresponding application:

1) [invalidated - RT I, 20.02.2015, 1 - entered into force. 01.07.2015] 2) [invalidated - RT I 2004, 45, 317 - entry into force. 27.05.2004] 3) test protocol issued by an authorized laboratory; [RT I 2009, 59, 387 - entry into force. 20.12.2009] 4) samples or color photos of labels used on consumer packaging of alcoholic beverages; [RT I 2009, 59, 387 - entry into force. 20.12.2009] 5) the original customs declaration accepted by the customs regarding the import of a product sample, whereas the customs declaration must contain a note that this product sample must be submitted for registration (in the case of imported alcoholic beverages); 6) in the case of Union alcohol delivered to Estonia, the delivery note provided for in § 45 of the Alcohol, Tobacco, Fuel and Electricity Excise Act; [RT I, 20.02.2015, 1 - enters into force. 01.07.2015] 7) with the written consent of the manufacturer, specify or otherwise supplement the manufacturer's labeling of the consumer package of an alcoholic beverage (in the case of an alcoholic beverage with additional labeling in a consumer package). [RT I 2004, 45, 317 - entry into force. 27.05.2004]

(2) In order to enter alcohol not packaged in consumer packaging into the alcohol register, the following must be submitted to the authorized processor of the alcohol register together with the corresponding application:

1) [invalidated - RT I 2004, 45, 317 - entry into force. 27.05.2004] 2) test protocol issued by an authorized laboratory; [RT I 2009, 59, 387 - entry into force. 20.12.2009] 3) in the case of imported alcohol, a customs declaration; [RT I 2004, 45, 317 - entry into force. 27.05.2004] 4) In the case of Union alcohol delivered to Estonia, the delivery note provided for in § 45 of the Alcohol, Tobacco, Fuel and Electricity Excise Act. [RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

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(2) In order to enter a wine product in the alcohol register, instead of the test protocol specified in point 3 of paragraph 1 and point 2 of paragraph 2 of this section, accompanying documents may be submitted, which are established by:

1) Commission Regulation (EC) No. 555/2008, which stipulates the Council Regulation on the common organization of the wine market (EC) No. 479/2008 detailed implementing rules in the wine sector in relation to support programmes, trade with third countries, production capacity and controls (OJ L 170, 30.06.2008, pp. 1-80);

2) Commission Regulation (EC) No. 436/2009 establishing detailed implementing rules for Council Regulation (EC) No. 479/2008 in relation to the plantation register, the submission of mandatory declarations and the collection of information necessary for market monitoring, the accompanying documents for the transport of products and the registers kept in the wine sector (OJ L 128, 27.05.2009, p. 15–53).

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

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(2) The customs declaration specified in points 5 and 6 of subsection 1 and points 3 and 4 of subsection 2 of this section or the delivery note specified in § 45 of the Alcohol, Tobacco, Fuel and Electricity Excise Act do not have to be submitted together with the application if the said documents are available to the authorized processor of the alcohol register through the appropriate electronic system of the Tax and Customs Board.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(3) In addition to the material subject to mandatory submission, the applicant may submit other documents and samples to the authorized processor of the alcohol register if this may be necessary for the review of the application or if the additional material

facilitates the performance of state supervision.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(4) The original of the paper document submitted with the corresponding application for entering alcohol into the alcohol register shall be returned to the person who submitted it immediately after the employee of the authorized processor of the alcohol register has made an officially certified copy of the original document.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

§ 11. Making a register entry

(1) Entry of alcohol into the alcohol register must be decided within ten working days from the date of receipt of the relevant application and the material to be submitted.

(2) The authorized processor of the alcohol register may, in order to decide on making a register entry:

1) ask for detailed information about the written or oral information provided by the applicant and make inquiries to check the correctness of the information provided;

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1) request a product sample from the applicant to check the correctness of the data;

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

2) demand from the applicant an Estonian translation of the foreign language labeling of the product sample submitted by him or the foreign language document submitted by him.

(3) The entry of alcohol into the alcohol register is evidenced by a statement drawn up by the authorized processor of the alcohol register, which is issued immediately after the entry is made to the company that applied for the entry of alcohol into the alcohol register.

(4) In the case of a request to make a register entry, the applicant for making a register entry is responsible for the correctness of the data provided by the applicant.

§ 12. Refusal to make a register entry

(1) The authorized processor of the alcohol register refuses to enter alcohol into the alcohol register if the applicant:

1) does not have a valid excise warehouse license or if the alcohol was produced by an enterprise operating in Estonia that does not have a food handling license or has not submitted an economic activity report on food handling;

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

2) [invalid - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (entry into force amended - RT I, 22.12.2013, 1)] 3) does not submit the documents or other material provided for in § 10 subsection 1 or 2 of this Act; 4) requests to enter such alcohol in the alcohol register that does not meet the requirements established for alcohol permitted for handling; 5) has submitted a product sample that is visibly deformed or damaged; 6) submits a forged or fictitious document or if the submitted document is not correct or identifiable with the given product sample; 7) has failed to comply with the requirement of the authorized processor of the alcohol register to submit the translation specified in clause 11 (2) point 2 of this Act; 8) has not paid the state fee. [RT I 2004, 45, 317 - entry into force. 27.05.2004]

(2) The entrepreneur who submitted the application shall be informed of the refusal to make a register entry in writing and with reasons no later than on the working day following the day of the refusal to make a register entry.

(3) [Repealed - RT I 2009, 59, 387 - entry into force. 20.12.2009]

(4) [Repealed - RT I 2009, 59, 387 - entry into force. 20.12.2009]

(5) In case of refusal to enter an alcoholic beverage in the alcohol register, the product sample shall be returned to the entrepreneur after 30 days from the day of refusal to enter the register. In the case of contesting the refusal to enter an alcoholic beverage in the alcohol register, the product sample is returned to the entrepreneur after the final resolution of the complaint (except in the case of entry of an alcoholic beverage in the alcohol register in the application of § 13 (1) or (3) of this Act). The return of the product sample is indicated in the corresponding application.

(6) Refusal to make a register entry does not deprive the applicant of the right to re-apply for the entry of this alcohol into the alcohol register.

§ 13. Samples of alcoholic beverages entered in the alcohol register

(1) [Repealed - RT I, 20.02.2015, 1 - entered into force. 01.07.2015]

(2) [Repealed - RT I 2009, 59, 387 - entry into force. 20.12.2009]

(3) If the entrepreneur, at whose request the alcoholic beverage has been entered in the alcohol register, finds that it is necessary to store a product sample of the alcoholic beverage entered in the alcohol register in the alcohol register for the purpose of facilitating state supervision, he may submit it to the authorized processor of the alcohol register for storage in the alcohol register at any time.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(4) At the proposal of the law enforcement body, the authorized processor of the alcohol register, for the purpose of facilitating state supervision, requires the producer of an alcoholic beverage or the supplier to Estonia to immediately submit one product sample for preservation in the alcohol register.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(5) The product sample submitted in the cases specified in subsections 3 and 4 of this section shall be returned to the company that submitted the product sample when the need for its storage ends. The return takes place either at the initiative of the entrepreneur who submitted the product sample or the authorized processor of the alcohol register. One or more law enforcement agencies may be asked for an opinion on the need for further storage of the product sample. If the provisions of subsection 4 of this section have been applied to the product sample, it is mandatory to ask for an opinion from the law enforcement body, on whose proposal the product sample was taken for preservation. An act is drawn up on the return of the product sample.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(6) If the health or property of other persons is endangered due to the spoilage of the stored product sample, the authorized processor of the alcohol register has the right to destroy the spoiled product sample. An act is drawn up on the destruction of the product sample, and the company that submitted the product sample is notified of the destruction.

[RT I 2004, 45, 317 - entry into force. 27.05.2004]

(7) Instead of the product sample of an alcoholic beverage destroyed in accordance with subsection 6 of this section, the entrepreneur who submitted the product sample must submit a new product sample within the time limit set by the authorized processor of the alcohol register, if the preservation of the product sample of this alcoholic beverage in the alcohol register is mandatory. The deadline for submitting a new product sample must be at least 30 working days.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

1

§ 13 . Time validity of the register entry

(1) An entry in the alcohol register is valid for five years.

(2) If the entrepreneur submits an appropriate request to the authorized processor of the alcohol register at least 30 days before the expiry of the term specified in subsection 1 of this section, the validity of the register entry made at his request in the alcohol register will be extended by five years. A state fee shall be paid for the review of the application for the extension of the register entry according to the rate stipulated in the State Fees Act.

[RT I 2006, 58, 439 - entry into force. 01.01.2007]

(3) The requirements set forth in subsections 3–6 of § 14 of this Act shall apply to alcohol whose register entry has become invalid due to the expiration of the term.

(4) The authorized processor of the alcohol register shall publish the notice of invalidation of the register entry on the website of the alcohol register.

§ 14. Revocation of a register entry

(1) The authorized processor of the alcohol register recognizes the register entry as invalid if:

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

- 1) annulment of a register entry is requested by an entrepreneur, at whose request alcohol has been entered in the alcohol register;
- 2) it has been established by the entered into force judgment that the handling of alcohol entered in the alcohol register harms the legitimate interests of a third party, of which the court has informed the authorized processor of the alcohol register;

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

3) when applying for the entry of alcohol into the alcohol register, the entrepreneur has submitted information that does not correspond to reality;

4) alcohol entered in the alcohol register does not meet the requirements that apply to alcohol permitted for handling.

(2) The authorized processor of the alcohol register immediately informs the company and law enforcement authorities that requested the entry of this alcohol into the alcohol register of the decision to invalidate the register entry and organizes the publication of an announcement about the invalidation of the register entry in the official publication *Ametlikud Teadaanded* and on the website of the alcohol register.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(3) Unless the law, judgment or decree or the prescription of a competent official provides otherwise, the production, use in production, import and release for consumption of alcohol, the registration entry of which has been invalidated, must be stopped on the third day after the decision to invalidate the register entry was made. Upon expiry of the aforementioned term, alcohol whose register entry has been declared invalid shall be deemed to be alcohol not permitted for handling, taking into account the provisions of subsection 4 of this section.

[RT I 2004, 45, 317 - entry into force. 27.05.2004]

(4) Revocation of a register entry does not have legal meaning with respect to the alcohol that was produced, imported and allowed for consumption before the revocation of the register entry, unless the law, judgment or decree or injunction provides otherwise.

[RT I 2004, 45, 317 - entry into force. 27.05.2004]

(5) A product sample of an alcoholic beverage, the register entry of which has been declared invalid, stored in the alcohol register shall not be returned to the entrepreneur who submitted it. The product sample remains in the possession of the authorized processor of the alcohol register. At the end of the need to store the product sample, it is destroyed by the authorized processor of the alcohol register, for which an act is drawn up.

(6) Revocation of a register entry does not deprive the entrepreneur of the right to apply again for the entry of this alcohol into the alcohol register.

§ 15. Obligation to re-enter the alcoholic beverage in the alcohol register

(1) In the event of a change in the mandatory information provided on the label of the consumer package of an alcoholic beverage entered in the alcohol register (with the exception of a change in the manufacturer's batch designation or its location), the alcoholic beverage shall be re-entered in the alcohol register on the grounds provided for in §§ 9–13 of this Act.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(2) The obligation to re-enter an alcoholic beverage in the alcohol register does not extend to the case when an alcoholic beverage entered in the alcohol register is intended to be placed on the market:

- 1) in a common container with another alcoholic beverage or a product different from an alcoholic beverage;
- 2) in group packaging.

§ 16. Website of the alcohol register

(1) The website of the alcohol register publishes data on:

- 1) alcohol entered in the alcohol register;
- 2) on register entries that have lost their validity or have been declared invalid.

[RT I 2004, 45, 317 - entry into force. 27.05.2004]

- 3) [invalidated - RT I 2004, 45, 317 - entry into force. 27.05.2004]

(2) Regarding alcohol entered in the alcohol register, the following shall be published:

1) [repealed - RT I 2004, 45, 317 - entry into force. 27.05.2004] 2) date of registry entry; 3) species as the legal name of an alcoholic beverage in accordance with Regulation (EU) No. 1169/2011 of the European Parliament and of the Council, which deals with the presentation of food information to consumers and which amends Regulations (EC) No. 1924/2006 and (EC) No. 1925/2006 of the European Parliament and of the Council and Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, European Parliament and Council Directive 2000/13/EC, Commission Directives 2002/67/EC and 2008/5/ EC and Commission Regulation (EC) No. 608/2004 (OJ L 304, 22.11.2011, pp. 18–63), within the meaning of Article 17 (hereinafter *type*); [RT I, 20.02.2015, 1 - enters into force. 01.07.2015] 4) name; 5) manufacturer; 6) country of origin or place of departure for wine; [RT I, 20.02.2015, 1 - enters into force. 01.07.2015] 7) applicant; [RT I 2004, 45, 317 - entry into force. 27.05.2004] 8) the volume of consumer packaging (in the case of alcoholic beverages in consumer packaging); 9) ethanol content; 10) if necessary, notes on consumer packaging; 11) color photograph of consumer packaging. [RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(3) The decisions of the authorized processor of the alcohol register shall be published regarding invalidated register entries.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

- (4) [Repealed - RT I 2004, 45, 317 - entry into force. 27.05.2004]

Section 4

Documentation of alcohol circulation

§ 17. Calculation of the manufacturer's batch designation

(1) The alcohol handler must keep records of the alcohol he produces or delivers to Estonia according to the manufacturer's batch designation used on its sales packaging.

[RT I 2004, 45, 317 - entry into force. 01.01.2005]

(2) By the 15th of each month, the wine handling company must submit a paper or electronic report to the authorized processor of the national alcohol register on the wine it sent for export, wholesale or retail sale in the previous month.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

(3) The obligations set forth in subsections 1 and 2 of this section do not apply to a handler who only retails alcohol.

[RT I 2004, 45, 317 - entry into force. 01.01.2005]

(4) The procedure for submitting the report specified in subsection 2 of this section and the formal requirements of the report shall be established by the minister responsible for the field .

[RT I 2004, 45, 317 - entry into force. 01.01.2005]

§ 18. Documents for the import of alcohol

(1) When importing alcohol, the customs officer must, in addition to the requirements stipulated in the customs regulations, check the presence of an entry in the national alcohol register, which shows that the imported alcohol has been entered in the national alcohol register at the request of the importer.

[RT I 2004, 45, 317 - entry into force. 01.01.2005]

(2) When importing alcohol, the existence of a register entry in the national alcohol register is not required if a customs declaration is prepared for alcohol based on the provisions of § 6 subsection 2 or 3 of this Act.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

(3) In the cases specified in § 6 subsection 2 of this Act, an appropriate entry shall be made in the customs declaration.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

(4) The following must be reflected in the customs declaration prepared for imported alcohol:

- 1) the definition of this alcohol in accordance with clause 21 (1) point 1 of this Act.

2) [invalidated - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 19. Documents for the export of alcohol

(1) [Repealed - RT I 2004, 45, 317 - entry into force. 27.05.2004]

(2) [Repealed - RT I 2004, 45, 317 - entry into force. 27.05.2004]

(3) [Repealed - RT I 2004, 45, 317 - entry into force. 27.05.2004]

(4) The customs declaration prepared for exported alcohol must reflect:

1) the definition of this alcohol in accordance with § 21 (1) point 1 of this Act.

2) [invalidated - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 20. Billing when handling alcohol

(1) In case of import, wholesale and export of alcohol, the alcohol shall be settled by cashless settlement.

(2) The requirement set forth in subsection 1 of this section does not apply to alcohol intended for use on board an internationally operated watercraft or aircraft.

[RT I 2004, 45, 317 - entry into force. 27.05.2004]

§ 21. Accompanying document for alcohol

(1) The wholesale and export of alcohol must be formalized with an accompanying document that enables identification of the goods and their batches. In addition to other requirements stipulated in the legislation, the following must be written on the accompanying document:

[RT I, 20.02.2015, 1 - entry into force. 01.07.2015]

1) definition of alcohol (type, name, manufacturer, volume of the sales package, ethanol content, manufacturer's batch designation, whereas both designations must be indicated when the batch number and vintage are used simultaneously);

2) the registration number of the alcohol being handled, if this alcohol is entered in the national alcohol register.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

3) [invalid - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (entry into force amended - RT I, 22.12.2013, 1)] 4) [invalidated - RT I, 20.02.2015, 1 - entered into force. 01.07.2015]

(2) When receiving alcohol in wholesale order, the compliance of the shipping document and the compliance of the manufacturer's batch designation with the shipping document must be checked.

(3) Retail sale of an alcoholic beverage is permitted only if there is an accompanying document for this alcoholic beverage that meets the requirements set forth in subsection 1 of this section.

[RT I 2008, 8, 58 - entered into force. 15.05.2008]

(4) The appropriate accompanying document must be presented to the law enforcement body immediately at its request, except in cases where it is not possible to present the accompanying document at the time of inspection due to other obligations imposed on the entrepreneur by law.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

§ 22. Internal accompanying document

[Repealed - RT I 2008, 8, 58 - entry into force. 15.05.2008]

Section 5

Alcohol import, retail and wholesale and export

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 23. Notification obligation

(1) In order to engage in the sale of alcohol, an economic activity notification must be submitted in the following fields of activity:

1) retail trade;

2) wholesale trade;

3) catering.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

1

(1) The economic activity notification is not submitted for the sale of alcohol at a public event.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(2) In addition to the provisions of the General Part of the Code of Economic Activities, the following data shall be provided in the notice of economic activity:

1) place of business or places of business (designation of the place of business, name, website address in the case of e-commerce);

2) the definition of handled alcohol in accordance with the provisions of subsections 2 and 4-7 of § 2 of this Act, with the relevant information being indicated for each place of business;

3) if an entrepreneur operating in the field of wholesale trade wants to deal with the import or export of alcohol, the relevant information;

4) if an entrepreneur operating in the field of retail trade or catering wants to engage in the import or export of alcoholic beverages, the relevant information.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(3) The notification obligation provided for in this section is fulfilled only through the Estonian Information Gateway or a notary public.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014, applicable from 1 July 2016.]

(4) If the notice specified in subsection 1 of § 58 of the Act on the General Part of the Code of Economic Activities is not submitted through the Estonian Information Gateway, it is submitted to the local government of the location of the entrepreneur, which enters the data contained in the notice into the register of economic activities.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014, applies until 30 June 2016.]

§ 24. Registration application

[Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 25. Registration procedure

[Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 26. – § 28. [Repealed - RT I 2004, 18, 131 - entered into force. 15.04.2004]

§ 29. Territorial restrictions on the wholesale sale of alcohol

Wholesale of alcohol is allowed only through the place of business indicated in the data of the economic activity register, except for the export of alcohol or if the alcohol is sold to its further handler at the latter's place of business.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

Section 6 Retail sale of alcohol

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

Section 1

Prohibition of the retail sale of spirits and suspension of the right to retail alcoholic beverages

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 30. Prohibition of retail sale of spirits

Retail sale of spirits is prohibited.

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 31. Registration application

[Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 32. Registration procedure

[Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 33. – § 35. [Repealed - RT I 2004, 18, 131 - entered into force. 15.04.2004]

§ 36. Suspension of the right to retail alcoholic beverages

(1) In the interests of ensuring public order, the right to retail sale of alcoholic beverages may be suspended until the circumstances that led to the suspension cease:

- 1) The Government of the Republic – in the country as a whole;
- 2) Director General of the Police and Border Guard Board or his authorized police officer - in the county as a whole;
- 3) municipal or city government - in its administrative territory as a whole or in certain sales points or in one sales point.

[RT I, 04.07.2017, 1 - enters into force. 01.01.2018]

(2) Upon suspension of the right to retail sale of alcoholic beverages in the country, county or the administrative territory of the local government as a whole, the person holding the right to retail sale of alcoholic beverages shall be notified immediately through mass media.

(3) Upon suspension of the right to retail sale of alcoholic beverages at certain points of sale or at one point of sale, the person holding the right to retail sale of alcoholic beverages shall be notified without delay.

[RT I 2004, 18, 131 - entry into force. 15.04.2004]

§ 37. – § 39. [Repealed - RT I 2004, 18, 131 - entered into force. 15.04.2004]

Section 2 Requirements for the retail sale of alcoholic beverages

§ 40. Restrictions on the retail sale of alcoholic beverages

(1) The retail sale of alcoholic beverages is permitted:

1) in a sales place with a sales hall, which is owned by a merchant engaged in retail trade and where goods are offered and sold (hereinafter, *shop*);

[RT I, 04.01.2021, 1 - enters into force. 01.05.2021]

2) in a catering company;

1

2) outside the entrepreneur's place of business, if the entrepreneur operating in the catering business sells alcoholic beverages during catering;

[RT I 2008, 8, 58 - entered into force. 15.05.2008]

3) in an accommodation company;

4) in the premises or territory of a performance institution, public house or museum, if it is done for on-site consumption in the premises or territory of this institution, or if an alcoholic drink is sold as a souvenir made in connection with the museum exposition;

[RT I, 10.07.2013, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

- 5) in a water or air vehicle used for the provision of passenger transport services;
 - 6) in the restaurant car of a passenger train;
 - 7) in a vehicle adapted for the retail sale of goods traveling on a route formed by points of sale;
- [RT I, 04.01.2021, 1 - enters into force. 01.05.2021]
- 8) at a public event;
 - 9) at a point of sale used as an internship for students located in the premises or territory of a vocational educational institution due to the curriculum of the educational institution;
 - 10) in the premises and territory of a primary school, upper secondary school and vocational education institution, if an event aimed at adults takes place there outside of school hours;
- [RT I 2010, 41, 240 - entry into force. 01.09.2010]
- 11) during enforcement proceedings;
 - 12) through the shop or catering establishment of the entrepreneur indicated in the data of the register of economic activities in accordance with e-commerce.
- [RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

1

(1) The retail sale of alcoholic beverages is permitted in points 1 and 7 of subsection 1 of this section from 10:00 a.m. to 10:00 p.m. The restriction does not apply at a point of sale located in the passenger-only area of an airport open to international traffic and on board a watercraft or aircraft making international trips.

[RT I, 16.06.2017, 1 - enters into force. 01.07.2017]

2

(1) Alcoholic beverages must be placed in the store separately from other goods. Alcoholic beverages must not be placed in such a way that the consumer inevitably comes into contact with them when visiting the store, and their display must not be noticeably visible from the rest of the sales hall, except for the area of the sales hall where the cash register is located and which is not accessible to the consumer.

[RT I, 10.07.2020, 5 - enters into force. 20/07/2020]

3

(1) The display of alcoholic beverages must not be noticeably visible from outside the point of sale.

[RT I, 09.01.2018, 2 - enters into force. 01.06.2019]

(2) Retail sale of alcoholic beverages for on-site consumption is permitted only at the point of sale indicated in points 2–6 and 8–10 of subsection 1 of this section. The sale of alcoholic beverages is prohibited between 10:00 p.m. and 10:00 a.m.

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

1

(2) The presentation of an alcoholic beverage is permitted at a point of sale specializing in the sale of an alcoholic beverage, at a fair, fair or other similar event, except at the venue of an event aimed mainly at children during the event. The presentation of an alcoholic beverage is allowed in the alcohol sales area of the store, if the presentation of the alcoholic beverage is not noticeably visible from the rest of the sales hall.

[RT I, 09.01.2018, 2 - enters into force. 01.06.2018]

(3) The preparation of an alcoholic mixture (drink consisting of two or more components, at least one of which is an alcoholic beverage) is permitted upon submission of an order by the consumer at a point of sale where alcoholic beverages are retailed for on-site consumption.

2

3

(4) The provisions of the second sentence of subsection 1 and subsection 1 of this section shall not be applied to a point of sale located on board a watercraft or aircraft used for international passenger transport and in the security restricted area of an international airport and port.

[RT I, 09.01.2018, 2 - enters into force. 01.06.2019]

§ 41. Prohibitions on the retail sale of alcoholic beverages

(1) Retail sale of alcoholic beverages is prohibited in the premises and territory of the following persons, institutions and organizations:

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

1) preschool, elementary school, gymnasium, vocational training institution, youth work institution, youth association, hobby school, permanent youth camp and youth project camp (except for the cases provided for in clauses 9 and 10 of § 40 (1) of this Act);

[RT I 2010, 44, 262 - entry into force. 01.09.2010]

2) healthcare service provider;

[RT I 2009, 59, 387 - entry into force. 20.12.2009]

3) welfare institution;

4) detention facility;

5) defense force.

[RT I 2008, 35, 213 - entry into force. 01.01.2009]

(2) Retail sale of alcoholic beverages is prohibited:

1) in an excise warehouse;

2) in a motor vehicle used for the provision of passenger transport services;

3) as carry-on trade (retail sale from hand, cart, hand basket, carrying table or box);

4) at the venue of an event aimed at children during the event.

(3) The retail sale of alcoholic beverages at a point of sale without a showroom is prohibited. To ensure compliance with the said ban, it is prohibited to keep or store alcohol in a sales place without a showroom, regardless of the ownership of this alcohol or the purpose of keeping or storing it.

[RT I, 04.01.2021, 1 - enters into force. 01.05.2021]

(4) If, in the case of retail sale of alcoholic beverages, there are restrictions on the assortment of alcoholic beverages established by legislation, it is prohibited to keep or store alcoholic beverages that are not part of the permitted assortment at the point of sale of alcoholic beverages, regardless of the category of the alcoholic beverage or the purpose of storage or storage.

(5) Delivery of alcoholic beverages to the consumer during the delivery service is prohibited between 10:00 p.m. and 10:00 a.m.
[RT I 2009, 59, 387 - entry into force. 20.12.2009]

(6) An entrepreneur is allowed to sell only alcoholic beverages specified in the economic activity notification in the form of retail sales only through the place of business indicated in the data of the economic activity register.
[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 42. Competence of the local government in regulating the retail sale of alcoholic beverages

(1) In its administrative territory, the local self-government council may:
1) establish restrictions on the assortment, sales points and form of sale in addition to those mentioned in §§ 40 and 41 of this Act on the retail sale of alcoholic beverages;
2) [repealed - RT I 2008, 30, 190 - entry into force. 14.07.2008] 3) restrict the retail sale of alcoholic beverages for on-site consumption in the entire administrative territory or in some part of it during the time period provided for in § 56 subsection 2 of the Law on Law Enforcement. [RT I, 09.01.2018, 2 - enters into force. 01.06.2018]

(2) [Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 43. Selling price of alcoholic beverage

(1) The selling price of an alcoholic beverage must be published on the retail sale of the alcoholic beverage.
(2) It is not allowed to publish the selling price of an alcoholic beverage in such a way that the original and new selling price of the alcoholic beverage are simultaneously visible to the consumer.
(3) Together with the selling price of the alcoholic beverage, the following must be published:
1) the type and name of the alcoholic beverage;
2) [invalidated - RT I 2004, 45, 317 - entry into force. 27.05.2004] 3) quantity of alcoholic beverage corresponding to the published sales price – for on-site consumption during retail sale of alcoholic beverage.

(4) At the point of sale of an alcoholic beverage, the mandatory information provided in the labeling of the consumer package arising from legislation is made available in Estonian in writing.
[RT I, 18.03.2011, 1 - enters into force. 01.07.2011]

§ 44. Requirement for the presence and use of a cash register

The retail sale of alcoholic beverages in shops and catering establishments is permitted if there is a cash register at the place of business, through which all transactions carried out in the retail sale of alcoholic beverages must be recorded.
[RT I 2004, 18, 131 - entry into force. 15.04.2004]

§ 45. Measures to ensure order and security

(1) It is prohibited to sell an alcoholic beverage to a person with signs of intoxication.
[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]
(2) The seller may not knowingly serve a person who buys an alcoholic beverage for the purpose of offering or handing it to a person with signs of intoxication.
[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]
(3) The seller has the right to refuse to serve a person who consumes an alcoholic beverage acquired outside the given point of sale at a point of sale where the retail sale of alcoholic beverages is carried out for on-site consumption, and to demand that person's departure.

Chapter 3 RESTRICTIONS ON THE CONSUMPTION OF ALCOHOLIC BEVERAGES

§ 46. Prohibition of consumption of alcoholic beverages by minors

It is forbidden for minors to consume alcoholic beverages.

§ 47. Measures to ensure the prohibition of consumption of alcoholic beverages by minors

(1) A minor is prohibited from possessing or possessing an alcoholic beverage.
(2) It is prohibited to offer, transfer or transfer alcoholic beverages to minors.
(3) When transferring the possession of an alcoholic beverage, the previous possessor must establish the age of the acquirer of possession on the basis of an identity document. On the basis of an identity document, the age of the acquirer of possession does not have to be established if he is obviously of legal age or his identity is known to the previous possessor. If the acquirer of possession is not of legal age to the knowledge of the previous possessor and does not present an identity document, the previous possessor may not transfer possession of the alcoholic beverage.
[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]
(4) An alcoholic beverage may not be knowingly alienated or transferred to a person who accepts an alcoholic beverage for the purpose of offering or transferring it to a minor.

(5) A minor may not be employed in work related to the handling of alcohol, except for storage or delivery for commercial purposes, if it is ensured that the minor comes into contact only with alcohol in unopened packaging.

(6) If the alcoholic beverage has been transferred to the ownership of a minor as part of the inheritance, his legal representative shall ensure that the alcoholic beverage does not come into the direct possession of the minor.

[RT I 2008, 30, 190 - entry into force. 14.07.2008]

§ 48. Consumption of an alcoholic beverage in a public place

[Repealed - RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

Chapter 4 STATE SUPERVISION

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

§ 49. State supervision

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) State supervision over the fulfillment of the requirements of this Act and the legislation established on the basis of it, with the exception of food safety, compliance with the requirements for defining, describing and presenting alcohol for sale, the requirements related to the operation of the national alcohol register, the import and export of alcohol, and § 46 and § 47 of this Act the requirements set forth in paragraphs 1, 5 and 6 are carried out by the Consumer Protection and Technical Supervision Agency.

[RT I, 12.12.2018, 3 - enters into force. 01.01.2019]

(2) State supervision over compliance with the requirements related to the handling of alcohol, with the exception of food safety and compliance with the requirements for defining, describing and presenting alcohol for sale, is carried out by the Tax and Customs Board.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(3) National supervision over food safety, definition, description and presentation of alcohol and compliance with the requirements related to the operation of the national alcohol register is carried out by the Agriculture and Food Board.

[RT I, 01.07.2020, 1 - enters into force. 01.01.2021]

(4) State supervision over the fulfillment of the requirements related to the retail sale of alcoholic beverages and compliance with restrictions on the consumption of alcoholic beverages is carried out by the municipality or city government in its administrative territory.

(5) State supervision over restrictions on the consumption of alcoholic beverages by minors is carried out by a police officer.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

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§ 49 . Special measures of state supervision

(1) The law enforcement body may apply the special measures of state supervision provided for in §§ 30, 31, 32, 49, 50, 51 and 52 of the Law Enforcement Act in order to carry out the state supervision provided for in this Act, on the basis and according to the procedure provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(2) In addition to the special measures specified in subsection 1 of this section, the Tax and Customs Board may also apply the special measure provided for in § 45 of the Law Enforcement Act on the basis and according to the procedure provided for in the Law Enforcement Act to perform state supervision.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(3) In addition to the special measures specified in subsection 1 of this section, a police officer may also apply the special measures provided for in §§ 37, 38, 39, 40, 42, 47 and 48 of the Law Enforcement Act to perform state supervision on the basis and in the manner provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(4) The law enforcement body may take samples and samples at the person's expense during the examination of movable property and, if necessary, order expertise. If, according to the expert's opinion, the sample or sample of the movable object is appropriate, the law enforcement agency shall bear the costs related to the examination, and in case of non-return of the sample or sample of the movable object, it will compensate the entrepreneur for its cost. If the sample or sample of the movable property does not meet the requirements according to the expert's opinion, the documented costs incurred during the inspection shall be borne by the entrepreneur, and if the sample or sample of the movable property is not returned, the entrepreneur will not be reimbursed for its cost.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

§ 50. Distinctions of state supervision

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) The measures provided for in §§ 49 and 50 of the Law on Law Enforcement may be applied by the Consumer Protection and Technical Supervision Agency, the Tax and Customs Board, the Agricultural and Food Board, and the municipal or city government only when entering the territory, building, facility and premises of an alcohol handler or by opening his means of transport to the handler or in the presence of his representative.

[RT I, 01.07.2020, 1 - enters into force. 01.01.2021]

(2) The law enforcement body additionally has the right to:

1) seal or seal the storage place where the alcohol is or may be subject to confiscation;

2) if he discovers alcohol in a motor vehicle or its trailer, which is or may be subject to confiscation, to direct the motor vehicle to the nearest place where it is possible to store the confiscated alcohol to unload the alcohol;

3) receive all data from the national alcohol register for professional use.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

§ 51. Competence of the Police and Border Guard Board in ensuring public order

[Repealed - RT I, 13.03.2014, 4 - entry into force. 01.07.2014]

§ 52. Storage of confiscated alcohol

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) Stored alcohol is kept in the physical evidence storage of the law enforcement body that has taken it into custody or in another room in its possession until a decision on its further disposition is made.

(2) If it is not possible to store the stored alcohol in such a quantity in the physical evidence storage of the law enforcement body that has stored it or in other premises in its possession, it shall be deposited in a customs warehouse, excise warehouse or temporary storage in the responsible person.

[RT I, 16.06.2017, 1 - enters into force. 01.07.2017]

(3) The customs authority organizes the storage of the stored alcohol in a customs warehouse, excise warehouse or temporary storage place.

[RT I, 16.06.2017, 1 - enters into force. 01.07.2017]

(4) The costs of keeping the stored alcohol in a customs warehouse, an excise warehouse or a place of temporary storage are provided for as targeted costs in the state budget.

[RT I, 16.06.2017, 1 - enters into force. 01.07.2017]

(5) A police officer has the right to hand over the stored alcohol to the legal representative of a minor, on the basis and according to the procedure provided for in the law enforcement act, when applying the special measure of state supervision provided for in § 52 of the law enforcement law.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

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§ 52 . Checking compliance with a check transaction

(1) If it is not possible or it is significantly more difficult to carry out supervision of compliance with the requirements of alcohol trading

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with the special measure of state supervision provided for in § 49 of this Act , but it is necessary to identify or repel a threat or eliminate disorder, the law enforcement body specified in subsection 2 of § 49 may perform a control transaction as a special measure of supervision.

(2) If it is not possible or it is significantly difficult to carry out supervision over the fulfillment of the requirements set forth in § 47

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subsections 2-4 with the special measure of state supervision provided for in § 49 of this Act , but it is necessary to identify or repel a threat or to eliminate a disorder, § 49 the law enforcement body specified in paragraphs 1, 4 and 5, as a special measure of national supervision, to conduct a control transaction.

(3) If necessary, the law enforcement body may involve a person not responsible for public order in the execution of the control transaction provided for in subsection 2 of this section only with his consent. The person involved must be at least sixteen years old. In order to include a person under the age of eighteen, in addition to his own consent, the written consent of his legal representative is also required.

(4) The head of the law enforcement agency or his authorized official decides to carry out the control transaction.

(5) A control transaction is an operation with the characteristics of a sales contract or other obligation-law transaction, the purpose of which is to check compliance with the requirements established by legislation. An official or an involved person conducting a control transaction may conceal the purpose of the transaction from the person against whom the control transaction is performed and from other persons. The official performing the control transaction does not need to present himself, nor does the official need to wear a uniform or present an official certificate until the purpose of the control transaction has been achieved.

(6) When carrying out a control transaction, you may not carry out surveillance operations, incite a person to commit an offense or commit an act with characteristics of a crime, nor may you use a person involved in secret cooperation, pretend to be a legal person,

51

use an undercover person or use conspiracy techniques to ensure the execution of a control transaction § 7 of the Police and

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Border Guard Act and 7 -7 meaning.

(7) The law enforcement body informs the person who was subject to a control transaction, without delay after achieving the purpose of the control transaction, that a control transaction was applied to him. The law enforcement body may, with a written, reasoned decision, postpone the notification of the person in respect of whom the control transaction was made, if it is unavoidably necessary for the continuation of supervision related to the activities of the same person or for checking compliance with the requirements submitted by other persons for making such transactions. The notification of the person in respect of whom the control transaction was made may not be delayed for more than three months from the day of the transaction.

(8) The execution of a control transaction shall be recorded in accordance with the procedure provided for in § 12 of the Law on Law Enforcement. The protocol of the control transaction shall state the decision on which the control transaction was based, the officials who participated in the control transaction and the person in respect of whom the control transaction was carried out, as well as other participants in the proceedings and involved persons, the statements of the officials regarding the circumstances and results of the control transaction, a description of the items and documents handed over or received as a result of the control transaction, and other participants in the proceedings and those involved in the proceedings statements, explanations and opinions of the persons involved. If the notification of the person in respect of whom the control transaction was carried out is postponed on the grounds and according to the procedure provided for in subsection 7 of this section, the decision to postpone the control transaction shall be referred to in the protocol of the control transaction. The protocol is delivered to the person against whom the control transaction was made.

(9) The transaction executed during the control transaction is void.
[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

Chapter 5

RESPONSIBILITY

§ 53. Violation of alcohol handling procedures

(1) For the production of alcohol not authorized for handling, as well as for trading alcohol not marked with a tax label or not authorized for handling, or storage, keeping or forwarding for commercial purposes - shall be punished by a fine of up to 300 fine units or by arrest.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 5,000 euros.

[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

(3) The out-of-court procedure or the court specified in clauses 1 and 2 of § 73 of this Act may confiscate the substance and object that were the direct object of the commission of the misdemeanor provided for in this section.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

§ 54. Storage and delivery of alcohol not permitted for handling

[RT I, 09.01.2018, 2 - entered into force. 19.01.2018]

(1) For knowingly keeping or delivering alcohol that is not permitted for handling - is punished with a fine of up to 100 fine units or arrest.

[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

(2) The out-of-court procedure or the court specified in clauses 1 and 2 of § 73 of this Act may confiscate the substance and object that were the direct object of the commission of the misdemeanor provided for in this section.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

§ 55. Manufacture, storage, delivery, acquisition and transfer of a pusher device

(1) For manufacturing, keeping, forwarding, acquiring or passing on a pushcart device - shall be punished by a fine of up to 200 fine units or by arrest.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,000 euros.

[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

(3) The out-of-court procedure or the court specified in clauses 1 and 2 of § 73 of this Act shall confiscate the object that was the direct object of the commission of the misdemeanor provided for in this section.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

§ 56. Failure to submit a product sample to the authorized processor of the national alcohol register

[Repealed - RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

§ 57. Concealment of the place of operation

[Repealed - RT I 2004, 18, 131 - entered into force. 15.04.2004]

§ 58. Absence of accompanying document

(1) For export, wholesale, retail sale or further delivery of alcohol without the proper accompanying document - a fine of up to 300 fine units is imposed.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 5,000 euros.

[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

§ 59. Failure to present the accompanying document at the time of inspection

(1) Failure to present the appropriate accompanying document at the time of inspection during the export, wholesale, retail sale or forwarding of alcohol for commercial purposes - shall be punished with a fine of up to 100 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 1300 euros.

[RT I 2010, 22, 108 - entry into force. 01.01.2011]

§ 60. Failure to prepare an accompanying document

(1) Failure to prepare a proper accompanying document for the wholesale sale or export of alcohol - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,000 euros.

[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

§ 61. Failure to comply with the requirement for cashless settlement

(1) Failure to comply with the cashless payment requirement set forth in this Act when purchasing or selling alcohol - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 5,000 euros.
[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

§ 62. Failure to record a transaction in the retail sale of an alcoholic beverage

(1) Failure to record the transaction in the cash register during the retail sale of an alcoholic beverage - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,000 euros.
[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

§ 63. Failure to publish information about the selling price of an alcoholic beverage

[Repealed - RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

§ 64. Keeping or storing alcohol at a point of sale without a showroom

[RT I, 04.01.2021, 1 - entered into force. 01.05.2021]

(1) Keeping or storing alcohol at a point of sale without a showroom - is punishable by a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,000 euros.
[RT I, 04.01.2021, 1 - enters into force. 01.05.2021]

§ 65. Violation of restrictions and prohibitions on the retail sale of alcoholic beverages

(1) Violation of restrictions or prohibitions on the retail sale of alcoholic beverages, if there are no signs of another misdemeanor specified in this chapter, - shall be punished with a fine of up to 300 fine units.

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 5,000 euros.
[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

§ 66. Violation of the requirements applicable to the delivery service of alcoholic beverages

(1) Violation of the requirements applicable to the provision of alcoholic beverage delivery service - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,000 euros.
[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

§ 67. Violation of the age limit when handling an alcoholic beverage

(1) Violation of the age limit when handling an alcoholic beverage - shall be punished with a fine of up to 300 fine units or arrest.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 10,000 euros.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

§ 68. Selling an alcoholic beverage to a person with signs of intoxication

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) For selling an alcoholic beverage to a person with signs of intoxication - shall be punished with a fine of up to 200 fine units.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,000 euros.

[RT I, 09.01.2018, 2 - enters into force. 19.01.2018]

§ 69. Buying an alcoholic beverage for a minor or a person with signs of intoxication

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

For the purchase of an alcoholic beverage for a minor or a person with signs indicating a state of intoxication - is punished with a fine of up to 300 fine units or arrest.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

§ 70. For consumption of an alcoholic beverage in a public place or appearing in a public place in an intoxicated state

[Repealed - RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

§ 71. Consumption of alcoholic beverages by minors

Consumption of an alcoholic beverage by a minor
is punishable by a fine of up to ten fine units.

§ 72. Purchase of an alcoholic beverage by a minor

[Repealed - RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

§ 73. Procedure

The extrajudicial procedure for misdemeanors provided for in this chapter is:

- 1) Tax and Customs Board;
- 2) Police and Border Guard Board;
- 3) Consumer Protection and Technical Supervision Agency;

[RT I, 12.12.2018, 3 - enters into force. 01.01.2019]

- 4) Agriculture and Food Board;

[RT I, 01.07.2020, 1 - enters into force. 01.01.2021]

- 5) municipal or city government.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

§ 74. Receipt of fines

If the out-of-court procedure that imposed a warning fine or a fine is a municipal or city government, the warning fine and fine imposed for the misdemeanors provided for in §§ 53–72 of this Act shall be transferred to the budget of the local government that made the decision.

[RT I 2002, 63, 387 - entry into force. 01.09.2002]

§ 75. Operations with confiscated substances and objects

(1) Confiscated alcohol shall be destroyed or denatured in accordance with the conditions set forth in subsection 1 of § 13 of the Alcohol, Tobacco, Fuel and Electricity Excise Act.

[RT I, 08.03.2012, 1 - enters into force. 01.04.2012]

(2) The transferor of confiscated alcohol has the right to demand from the person wishing to acquire this alcohol evidence that confirms his intention and possibilities to use the alcohol to be acquired for technical purposes, and to check the correctness of the data provided, including in the given person's company.

(3) The transferor of confiscated alcohol must notify the Tax and Customs Board and the Agriculture and Food Board about the amount of alcohol transferred and the person who acquired the alcohol at the latest on the day of the transfer of the alcohol.

[RT I, 01.07.2020, 1 - enters into force. 01.01.2021]

(4) The Tax and Customs Board and the Agriculture and Food Board have the right to control the further use of this alcohol in the company of the person who acquired the confiscated alcohol.

[RT I, 01.07.2020, 1 - enters into force. 01.01.2021]

(5) Confiscated gunners shall be destroyed.

[RT I 2003, 88, 591 - entry into force. 01.01.2004]

Chapter 6 APPLICATION OF LAW

§ 76. Transitional provisions

(1) The activity license specified in § 10 (2) points 1–6 of the repealed Alcohol Act is valid, if the activity permitted by the activity license does not contradict the provisions of this Act, until the owner is registered in the register of economic activities, but no longer than the due date indicated on the activity license.

(2) The business license specified in § 10 (2) points 7–10 of the repealed Alcohol Act is valid, if the activity permitted by the business license does not conflict with the provisions of this Act, until the trading license issued to its owner is brought into line with the legislation, but no longer than the due date indicated on the business license.

(3) Before the entry into force of this Act, a product sample taken for storage in the national alcohol register, with the exception of a vodka product sample, shall be returned to the company that submitted the product sample when the need to store the product sample ends. The return takes place either at the initiative of the company that submitted the product sample or the authorized processor of the register, and an act is drawn up about it. One or more supervisory authorities may be asked for an opinion on the need for further storage of the product sample.

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(3)) Vodka product sample taken for storage in the national alcohol register before July 1, 2015 shall be returned to the company that submitted the product sample when the need to store the product sample ends. The return takes place either at the initiative of the company that submitted the product sample or the authorized processor of the register, and an act is drawn up about it. One or more supervisory authorities may be asked for an opinion on the need for further storage of the product sample.

[RT I, 20.02.2015, 1 - enters into force. 01.07.2015]

(4) Legislation issued on the basis of the repealed Alcohol Act shall be valid to the extent that they do not conflict with this Act and until the adoption of new legislation, but not longer than four months from the date of entry into force of this Act.

(5) Mandatory information provided on the labeling of consumer packaging provided for in § 43 subsection 4 of this Act must be made available in writing in Estonian as of July 1, 2013.

[RT I, 18.03.2011, 1 - enters into force. 01.07.2011]

(6) § 23 subsection 4 of this Act shall apply until June 30, 2016.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(7) Subsection 3 of § 23 of this Act shall apply from July 1, 2016.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(8) An accommodation company, whose registration of the accommodation company in the register of economic activities, upon the entry into force of the Act on the General Part of the Code of Economic Activities, contains a note about the retail sale of alcoholic beverages in the accommodation or reception area of the accommodation company, must, when continuing the relevant economic activity, submit an economic activity notice in the field of activity specified in § 23 (1) point 3 of this Act in accordance with subsection 76 of the Act on the General Part of the Code of Economic Activities 3 within the specified term.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

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§ 76 . Revoking the validity of an entry in the National Alcohol Register

(1) Register entries made in the National Alcohol Register before June 1, 2004 shall expire on June 1, 2009.

(2) The validity of a register entry that expires on the basis of subsection 1 of this section may be extended in accordance with the Act

procedure provided for in subsection 1 of § 13 of this .

[RT I 2004, 45, 317 - entry into force. 27.05.2004]

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§ 76 . National alcohol register

The alcohol register specified in § 8 subsection 2 of this Act shall be deemed to be the national alcohol register established on the basis of § 8 subsection 2 of this Act in the version valid on September 1, 2002.

[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

§ 77. Repeal of previous law

[Omitted from this text.]

§ 78. Entry into force of the law

This Act enters into force simultaneously with the Penal Code.