

Farm sales in Norway



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Look to Sweden

The Swedish law on farm sales was immediately picked up by Norwegian politicians

- December 2024: Majority in Parliament asked the Government to explore whether it is possible to introduce new sales channels for stronger alcohol products
- But: Should not come into conflict with the state retail monopoly (Vinmonopolet)

Farm sales today

- Farm sales has been on the agenda for over a decade
- Broad political support
- But: legal analyses have concluded that new sales channels outside the retail monopoly are problematic and may conflict with EU non-discrimination laws & undermine the monopoly
- Producers may already sell products up to 4,7 % alcohol
- Not all agricultural products are covered by the EEA agreement
 - Farmers can already sell some beverage types (fruit wines, cider, mead) between 4,7% and 22%

Legal analysis

- Policy changes in Sweden and Finland have influenced the conclusions compared to previous legal analyses
- A licensing system that creates new sales channels for Norwegian producers is *problematic*
 - But can be justified if it protects public health
- Not *necessarily* an unjustified barrier to trade – but EU law is not clear on this point
- Not *necessarily* a threat to the retail monopoly – but this depends on the details
 - The more restrictive such a new farm sales scheme is, the easier it is to justify
 - Clear criteria: what type of producers, what type of products, production/sales volumes
- Must not significantly increase access to alcohol

Uncertainty

- EU case law is unclear – we don't know when we step over the boundary
 - The burden of proof will be on Norway, if the law is challenged
- Likely that the Vinmonpolet can retain its monopoly status – if the farm sales scheme is restrictive
- Farm sales in itself is not a significant liberalization - - but further steps in more liberal direction could challenge the consistency of the alcohol policy
 - More difficult to defend restrictive aspects of the alcohol policy
- Likely that it is possible to reverse the law and retain the retail monopoly if Norway loses a court case

Next steps

- The Government has fulfilled the ask from Parliament in commissioning the legal analysis
- The report is now in the Ministry of Health and Care Services
- Probably a parliamentary majority for farm sales
- During the election campaign, the Prime Minister said he wanted to «look at the issue»
- The legal analysis does not look at a concrete law proposal, it says that farm sales may be possible depending on the details (and with some uncertainty)
- Depends on political will...

