Question for written answer E-001565/2025
to the Commission
Rule 144
Valentina Palmisano (The Left)

Subject: Following up on the Commission's examination of complaints arising from proposals to restrict industrial hemp that have since entered into force with Legislative Decree No 48/2025

The provisions laid down by Article 18 of the Italian security bill and mentioned in written question E-001510/2024[1]have recently entered into force as part of Legislative Decree No 48/2025. This law completely bans the use of hemp inflorescences in Italy, extending this restriction to all their forms and each stage of their supply chain (production, trade, import, processing).

This new measure – which was not communicated to TRIS, a breach of Directive 2015/1535/EU – has only made a bad situation worse. The new legislative decree is at odds with the principles enshrined in Articles 34, 36 and 101 TFEU and with the case-law of the Court of Justice of the European Union (namely cases C-663/18 and C‑793/22).

Given the Commission's answer to question E-001510/2024[2] ('The analysis of these complaints is ongoing. In that context, the Commission is currently assessing the compliance of these measures with the Treaties and with secondary Union legislation') and in the light of the adoption of Legislative Decree No 48/2025 and of its serious economic repercussions:

1. What urgent measures will the Commission take to prevent the implementation of national legislation which was not notified to TRIS and which undermines the internal market?

2. Having analysed the aforementioned complaints, what conclusions has the Commission reached, and does it hold that this total ban constitutes a breach of EU law?

3. Will the Commission open an infringement procedure if it is indeed established that Legislative Decree No 48/2025 is at odds with EU law?

Submitted: 17.4.2025

[1] https://www.europarl.europa.eu/doceo/document/E-10-2024-001510_EN.html.
[2] https://www.europarl.europa.eu/doceo/document/E-10-2024-001510-ASW_IT.html.