

psychomodulating substances do not meet the requirements set out in a special legal regulation<sup>3</sup>), a directly applicable regulation of the European Union<sup>3a</sup>) or an international treaty<sup>7</sup>), or

2. taking back from consumers agricultural products, foodstuffs, tobacco products or psychomodulating substances if these agricultural products, foodstuffs, tobacco products or psychomodulating substances do not meet the requirements set out in a special legal regulation<sup>3</sup>), a directly applicable regulation of the European Union<sup>3a</sup>) or an international treaty<sup>7</sup>), and informing the consumer effectively and accurately of the reason for the takeback.”.

20. In Section 5, paragraph 6, the words “or persons handling psychomodulating substances” are inserted after the words “food businesses”.

21. In Section 5(7), the words “food or tobacco products” are replaced by the words “food, tobacco products or psychomodulatory substances”.

22. Section 5a, paragraph 1, reads:

“(1) The inspector shall issue consent to the resumption of the production of agricultural products, foodstuffs, tobacco products or psychomodulatory substances, the placing on the market of agricultural products or foodstuffs or the placing on the market of tobacco products or psychomodulatory substances or their distribution or the use of packaging, labels, devices, equipment or premises that were prohibited pursuant to Section 5(1)(a) if the defective condition has been eliminated; consent must be issued immediately, but no later than 15 days from the date on which the inspected person has demonstrated the elimination of the defective condition.”.

23. In Section 5a, paragraph 2 of the introductory part of the provision, after the words “pursuant to Section 5, paragraph 1, letter e) point 3,” the words “or with the entry or manipulation of psychomodulatory substances by persons whose entry or manipulation of psychomodulatory substances has been suspended pursuant to Section 5, paragraph 1, letter e) point 4,” are inserted.

24. In Section 5a, paragraph 2, letter a), the words “or that a person whose entry or handling of psychomodulatory substances has been suspended meets the requirements for personal hygiene within the framework of good manufacturing practice under the Act on Addictive Substances” are inserted after the words “legal regulations”.

25. In Section 5b, paragraph 6, the words “, psychomodulatory substances, scheduled psychoactive substances” are inserted after the words “tobacco products”.

26. In Section 11(1)(e), the words “or termination of the prevention” are inserted after the words “measures to prevent” and the words “or deleted from the list of websites” are inserted after the words “list of websites”.

## PART SEVEN

### Amendment to the Criminal Code

#### Article VIII

Act No. 40/2009 Coll., Criminal Code, as amended by Act No. 306/2009 Coll., Act No. 181/2011 Coll., Act No. 330/2011 Coll., Act No. 357/2011 Coll., Act No. 375/2011 Coll., Act No. 420/2011 Coll., Act No. 193/2012 Coll., Act No. 360/2012 Coll., Act No. 390/2012 Coll., Act No. 399/2012 Coll., Act No. 494/2012 Coll., Act No. 105/2013 Coll., Act No. 241/2013 Coll., the ruling of the Constitutional Court, promulgated under no. 259/2013 Coll., Act No. 141/2014 Coll., Act No. 86/2015 Coll., Act No. 165/2015 Coll., Act No. 377/2015 Coll., Act No. 47/2016 Coll., Act No. 150/2016 Coll., Act No. 163/2016 Coll., Act No. 188/2016 Coll., Act No. 321/2016 Coll., Act No. 323/2016 Coll., Act No. 455/2016 Coll., Act No. 55/2017 Coll., Act No. 58/2017 Coll., Act No. 204/2017 Coll., Act No. 287/2018 Coll., Act No. 315/2019 Coll., Act No. 114/2020 Coll., Act No. 165/2020 Coll., Act No. 333/2020 Coll., Act No. 336/2021 Coll., the ruling of the Constitutional Court, announced under No. 206/2021 Coll., Act No. 220/2021 Coll., Act No. 417/2021 Coll., Act No. 130/2022 Coll., Act No. 240/2022 Coll., Act No. 422/2022 Coll., Act No. 429/2022 Coll., Act No. 173/2023 Coll., Act No. 123/2024 Coll., Act No. 166/2024 Coll. and Act No. 268/2024 Coll., are amended as follows:

1. In Section 130, the current text is referred to as paragraph 1 and paragraph 2 is added, which reads:

“(2) For the purposes of this Act, psychomodulatory substances and scheduled psychoactive substances are also considered addictive substances.”.

2. Section 204, including the title, reads:

#### “Section 204

##### Administration of alcohol, psychomodulatory substances or scheduled psychoactive substances to a child

(1) Whoever sells, gives or provides alcohol, a psychomodulating substance or a scheduled psychoactive substance to a child on a large scale or repeatedly shall be punished by imprisonment for up to one year.

(2) The offender shall be punished by imprisonment for a term of six months to five years if he commits the act referred to in paragraph 1 on a child under the age of fifteen.”.

3. After Section 251, a new Section 251a is inserted, which, including the title, reads as follows:

#### “Section 251a

### Unauthorized handling of psychomodulatory substances

- (1) Anyone who unlawfully handles psychomodulatory substances on a large scale shall be punished by imprisonment for up to two years, a fine or a ban on activity.
- (2) The offender shall be punished by imprisonment for a term of six months to five years, a fine or a ban on activity,
- a) if the act referred to in paragraph 1 causes significant damage,
  - b) if the act referred to in paragraph 1 causes serious bodily harm, or
  - c) if he obtains a significant benefit for himself or another through such an act.
- (3) The offender shall be punished by imprisonment for a term of two to eight years,
- a) if the act referred to in paragraph 1 causes damage of a large scale,
  - b) if the act referred to in paragraph 1 causes serious injury to the health of at least two persons or death, or
  - c) if he obtains a large-scale benefit for himself or another through such an act.”.

4. After Section 286, a new Section 286a is inserted, which, including the title, reads as follows:

### "Section 286a

#### Illicit production and other handling of scheduled psychoactive substances

- (1) Whoever unlawfully manufactures, imports, exports, transports, offers, brokers, sells or otherwise provides or stores a scheduled psychoactive substance in a quantity larger than a small amount shall be punished by imprisonment for up to two years, a fine or a ban on activity.
- (2) The offender shall be punished by imprisonment for a term of six months to five years, a fine or a ban on activity,
- a) if the act referred to in paragraph 1 causes significant damage,
  - b) if the act referred to in paragraph 1 causes serious bodily harm, or
  - c) if he obtains a significant benefit for himself or another through such an act.
- (3) The offender shall be punished by imprisonment for a term of two to eight years,
- a) if the act referred to in paragraph 1 causes damage of a large scale,
  - b) if the act referred to in paragraph 1 causes serious injury to the health of at least two persons or death, or
  - c) if he obtains a large-scale benefit for himself or another through such an act.”.

5. In Section 287, paragraph 1, the words “or psychomodulatory substances” are inserted after the words “than alcohol”.

## PART EIGHT

### Amendment to the Act on Administrative Fees

#### Article IX

In the annex to Act No. 634/2004 Coll., on administrative fees, as amended by Act No. 217/2005 Coll., Act No. 228/2005 Coll., Act No. 361/2005 Coll., Act No. 444/2005 Coll., Act No. 545/2005 Coll., Act No. 553/2005 Coll., Act No. 48/2006 Coll., Act No. 56/2006 Coll., Act No. 57/2006 Coll., Act No. 81/2006 Coll., Act No. 109/2006 Coll., Act No. 112/2006 Coll., Act No. 130/2006 Coll., Act No. 136/2006 Coll., Act No. 138/2006 Coll., Act No. 161/2006 Coll., Act No. 179/2006 Coll., Act No. 186/2006 Coll., Act No. 215/2006 Coll., Act No. 226/2006 Coll., Act No. 227/2006 Coll., Act No. 235/2006 Coll., Act No. 312/2006 Coll., Act No. 575/2006 Coll., Act No. 106/2007 Coll., Act No. 261/2007 Coll., Act No. 269/2007 Coll., Act No. 374/2007 Coll., Act No. 379/2007 Coll., Act No. 38/2008 Coll., Act No. 130/2008 Coll., Act No. 140/2008 Coll., Act No. 182/2008 Coll., Act No. 189/2008 Coll., Act No. 230/2008 Coll., Act No. 239/2008 Coll., Act No. 254/2008 Coll., Act No. 296/2008 Coll., Act No. 297/2008 Coll., Act No. 301/2008 Coll., Act No. 309/2008 Coll., Act No. 312/2008 Coll., Act No. 382/2008 Coll., Act No. 9/2009 Coll., Act No. 141/2009 Coll., Act No. 197/2009 Coll., Act No. 206/2009 Coll., Act No. 227/2009 Coll., Act No. 281/2009 Coll., Act No. 291/2009 Coll., Act No. 301/2009 Coll., Act No. 346/2009 Coll., Act No. 420/2009 Coll., Act No. 132/2010 Coll., Act No. 148/2010 Coll., Act No. 153/2010 Coll., Act No. 160/2010 Coll., Act No. 343/2010 Coll., Act No. 427/2010 Coll., Act No. 30/2011 Coll., Act No. 105/2011 Coll., Act No. 133/2011 Coll., Act No. 134/2011 Coll., Act No. 152/2011 Coll., Act No. 188/2011 Coll., Act No. 245/2011 Coll., Act No. 249/2011 Coll., Act No. 255/2011 Coll., Act No. 262/2011 Coll., Act No. 300/2011 Coll., Act No. 308/2011 Coll., Act No. 329/2011 Coll., Act No. 344/2011 Coll., Act No. 349/2011 Coll., Act No. 350/2011 Coll., Act No. 357/2011 Coll., Act No. 375/2011 Coll., Act No. 428/2011 Coll., Act No. 458/2011 Coll., Act No. 472/2011 Coll., Act No. 19/2012 Coll., Act No. 37/2012 Coll., Act No. 53/2012 Coll., Act No. 119/2012 Coll., Act No. 169/2012 Coll., Act No. 172/2012 Coll., Act No. 202/2012 Coll., Act No. 221/2012 Coll., Act No. 225/2012 Coll., Act No. 274/2012 Coll., Act No. 350/2012 Coll., Act No. 359/2012 Coll., Act No. 399/2012 Coll., Act No. 407/2012 Coll., Act No. 428/2012 Coll., Act No. 496/2012 Coll., Act No. 502/2012 Coll., Act No. 503/2012 Coll., Act No. 50/2013 Coll., Act No. 69/2013 Coll., Act No. 102/2013 Coll., Act No. 170/2013 Coll., Act No. 185/2013 Coll., Act No. 186/2013 Coll., Act No. 232/2013 Coll., Act No. 239/2013 Coll., Act No. 241/2013 Coll., Act No. 257/2013 Coll., Act No. 273/2013 Coll., Act No. 279/2013 Coll., Act No. 281/2013 Coll., Act No. 306/2013 Coll., Act No. 313/2013 Coll., Legislative Measure of the Senate No. 344/2013 Coll., Act No. 101/2014 Coll., Act No. 127/2014 Coll., Act No. 187/2014 Coll., Act No. 249/2014 Coll., Act No. 257/2014 Coll., Act No. 259/2014 Coll., Act No. 264/2014 Coll., Act No. 268/2014 Coll., Act No. 331/2014 Coll., Act No. 81/2015 Coll., Act No. 103/2015 Coll., Act No. 204/2015 Coll., Act No. 206/2015 Coll., Act No. 224/2015 Coll., Act No. 268/2015 Coll., Act No. 314/2015 Coll., Act No.