

Internal Market Preventive Controls of National Technical Standards and Their Impact on Environmental Measures

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Directive 98/34 laying down a procedure for the provision of information in the field of technical standards and regulations

CJEU

C-380/87, *Enichem Base*, 13 July 1989. **Prevention and disposal of waste; Plastic bags**

C-61/93, *Commission v. Netherlands*, 14 July 1994. **Rules on the composition, classification, packaging and labelling of pesticides- No notification of the draft Law to the Commission.**

C-289/94, *Commission v. Italy*, 17 September 1996. **Rules on Molluscs - No notification of the draft decrees to the Commission.**

C-279/94, *Commission v. Italy*, 16 September 1997. **Rules concerning the cessation of the use of asbestos - No notification of the draft Law to the Commission.**

C-13/96, *S.A. Bic Benelux*, 20 March 1997. - **Marking of products subject to environmental tax – Affixing distinctive signs - Disposable razors - Classification as a technical specification – Classification of the national enactment as a technical regulation.**

C-159/00, *Sapod Audic*, 6 June 2002. **Waste packaging. National regulations on disposal of packaging waste - Obligation on producers or importers to identify packaging to be disposed of by an approved undertaking -Classification as a technical specification.**

C-433/05, *Sandström*, 15 April 2010. **Prohibition of using personal watercraft on waters other than general navigable waterways - Amendment to national legislation made following the Commission's detailed opinion – Amendments not notified before the adoption of the legislation - Relaxation of the conditions of use of the product - Non-significant amendment to the regulation prior to its adoption – Absence of notification has no impact on the applicability of the regulation.**

C-26/11, *Belgische Petroleum Unie*, 31 January 2013. **Draft national legislation obliging petroleum companies placing petrol and/or diesel fuels on the market also to place on the market certain percentages of biofuels - national provisions amending a technical regulation in accordance with a Commission request with a view to removing an obstacle to trade.**

C-251/14, *György Balázs*, 15 October 2015. **Quality of diesel fuels - flash point - Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998**

relating to the quality of petrol and diesel fuels - National technical specification imposing additional quality requirements compared to EU law - European or international standard made mandatory by a Member State by transposing it in a technical regulation having binding force.

General Court

Case T-402/12, *Carl Schlyter v European Commission*, 16 April 2015. French draft on nanoparticle substances - Access to documents - Regulation (EC) No 1049/2001 on access to documents - Article 4(2), third indent - Exception relating to the protection of the purpose of investigations - Regulation (EC) No 1367/2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies - Article 6(1) - Detailed opinion of the Commission concerning a draft Order relating to the annual declaration of nanoparticle substances, notified by the French authorities to the Commission in accordance with the provisions of Directive 98/34/EC - Refusal of access - Opinion delivered by the Commission in the context of the procedure laid down by Directive 98/34 is not part of an investigation for the purposes of the third indent of Article 4(2) of Regulation No 1049/2001 - Disclosure, during the standstill period, of such a detailed opinion is not capable of affecting the objective of Directive 98/34