

Principle of High Level of Environmental Protection

Court of Justice

C-169/89, *Van den Burg*, 23 May 1990. Free movement of goods; wildlife

C-44/95, *Regina v. Secretary of State for the Environment, ex parte Royal Society for the Protection of Birds*, 11 July 1996. Conservation of natural habitats; wildlife

C-129/96, *Inter-Environnement Wallonie v. Région wallonne*, 18 December 1997. Concept of waste

C-284/95, *Safety High Tech*, 14 July 1998. Ozone layer; review of the legality of a EU regulation; conformity of the regulation with the principle

C-341/95, *Safety Hi-Tech S.R.L.*, 14 July 1998. Ozone layer; review of the legality of a EU regulation; conformity of the regulation with the principle

C-418/97, *ARCO Chemie Nederland and others*, 15 June 2000. Concept of waste; broad interpretation

C-38/99, *Commission v. France*, 7 December 2000. Wild birds conservation

C-324/99, *DaimlerChrysler*, 13 December 2001. Waste Export

C-127/02, *Waddenvereniging and Vogelsbeschermingvereniging*, 7 September 2004. Conservation of natural habitats; wildlife

C-6/04, *Commission v. United Kingdom*, 20 October 2005. Conservation of natural habitats; wildlife

C-350/03, *Schulte*, 25 October 2005. Consumer protection

C-229/04, *Crailsheimer Volksbank*, 25 October 2005. Consumer Protection

C-176/03, *Commission v. Council*, 13 September 2005. Choice of legal basis; environmental criminal law; criminal penalties

C-252/05, *Thames Water Utilities*, 10 May 2007. Waste water; concept of waste; broad interpretation

C-14/06 and C-295/06, *Parliament and Denmark v. Commission*, 1 April 2008. WEEE, scope of application, derogation

C-437/07, *Commission c. Italy*, 13 November 2008. Municipal tramway; public works contract

C-127/07, *Arcelor Atlantique and Lorraine and others*, 16 December 2008. Greenhouse gas emission allowance trading scheme; principle of non-discrimination

C-473/07, *Association nationale pour la protection des eaux and rivières and OABA*, 22 January 2009. Directive IPPC; intensive rearing of poultry; meaning of the concept of poultry

C-558/07, *S.P.C.M. and others*, 7 July 2009. REACH, chemicals, registration of monomers

C-188/08, *Commission v. Ireland*, 29 October 2009. Waste; failure to transpose a directive

Jean Monnet Chair, *Trade and Environment in the EU Website*, Case Law on the principle of high level of environmental protection, April 2014

C-333/08, *Commission v. France*, 28 January 2010. Food safety; free movement of goods

C-343/09, *Afton Chemical*, 8 July 2010. Fuels; air pollution; legal certainty; proportionality

C-405/70, *Garenfeld*, 10 November 2011. Waste export

C-41/11, *Inter-Environnement Wallonie et Terre wallonne*, 28 February 2012. Protection of waters; nitrates programmes

C-420/10, *Söll*, 1 March 2012. Biocidal products; scope of ambit

C-416/10, *Jozef Križan*, 15 January 2013. Directive IPPC; right to bring an action before a national jurisdiction in respect of the review procedure; right to be interpreted in the light of the obligation to seek a high level of protection

C-537/11, *Mattia Manzi and Compagnia Naviera Orchestra*, 23 January 2014. Air pollution from maritime transport ; Maximum sulphur content in marine fuels ; Directive 1999/32/EC ; lower threshold set in Marpol Convention 73/78 ; International agreement not binding all the Member States inapplicability of the the general principle of international law *pacta sunt servanda* or the principle of cooperation in good faith (Article 4(3) TEU)

Case C-287/13 P, *Bilbaína de Alquitranes SA and Others v European Chemicals Agency (ECHA)*, 22 May 2014. Appeal - REACH Regulation - CTPHT may be identified as a substance meeting the criteria set out in Article 57(a), (d) and (e) of the REACH Regulation, under Annex XIII, by taking into account the PBT or vPvB properties of its relevant constituents - Objective of the REACH Regulation is to ensure a high level

General Court

T-31/07, *Du Pont de Nemours*, 12 April 2013. Active substance in pesticides; fusilazole; action for annulment; precautionary principle

T-198/12 R *Germany v Commission*, 15 May 2013. Thresholds for antimoine, arsenic, baryum, lead, mercury in toys; interlocutory proceedings; admissibility; *Fumus boni juris*

T-368/11, *Polyelectrolyte* [2013] Annex XVII REACH; Transitional measures concerning the restrictions on the placing on the market and use of acrylamide; Restrictions Manifest error of appraisal; Proportionality; Obligation to state reasons