

WASTE MANAGEMENT

Case C-113/12 *Ragn-Sells AS v Sillamäe Linnavalitsus* [2014] nyr

12 December 2013.

Shipment of waste - Mixed municipal waste - Industrial waste and construction waste - Procedure for awarding a service concession for the collection and transport of waste produced on the territory of a municipality - Obligation for the future concessionaire to transport waste collected in the treatment facilities designated by the concession-granting authority - Nearest appropriate treatment facilities – Application of the principle of proximity - Directive 2008/98/EC (Article 16(3)) - Regulation (EC) No 1013/2006 (Article 11(1)(a))

Case C-113/12 *Donald Brady* [2013] nyr

3 October 2013

Directive 75/442/EEC - Slurry produced in a piggery and stored there pending its transfer to farmers who use it as fertiliser on their land - Classification as ‘waste’ or ‘by-product’ - Conditions to qualify the slurry as a by-product- Burden of proof - Failure to transpose Nitrates Directive 91/676/EEC - Livestock effluent produced while operating a pig farm cannot be considered to be, by virtue of the existence of the latter directive, ‘covered by other legislation’ - Personal liability of the producer as to compliance by those farmers with European Union law concerning the management of waste and fertilisers – Obligation to possess a permit to hold the waste.

Case C-358/11 *Lapin elinkeino-, liikenne- ja ympäristökeskuksen liikenne ja infrastruktuuri –vastuualue v Lapin luonnonsuojelupiiri ry* [2013] nyr

7 March 2013

Directive 2008/98/EC - Hazardous waste – Old telecommunications poles treated with copper-chromium-arsenic solutions – Registration, evaluation and authorisation of chemicals – Regulation (EC) No 1907/2006 (REACH Regulation) – List of uses for treated wood in Annex XVII to the REACH Regulation – Old telecommunications poles used as underlay for duckboards

Case C-391/11 *Commission v Belgium* [2012] nyr

4 October 2012

Directive 2000/53/EC –Article 2, point 3 – End-of-Life vehicles – Notion of producer

Case C-121/11 *Pro-Braine ASBL and Others v The Commune of Braine-le-Château* [2012] nyr

19 April 2012

Landfill Directive 1999/31/EC – Landfill of waste – EIA Directive 85/337/EEC – Assessment of the effects of certain public and private projects on the environment – Decision relating to the carrying on of operations at an authorised landfill site, in the absence of an Environmental Impact Assessment – Concept of ‘consent’

Case C-1/11 *Interseroh Scrap and Metals Trading GmbH* [2012] nyr

29 March 2012

Environment – Regulation (EC) No 1013/2006 – Article 18(1) and (4) – Shipments of certain waste – Article 3(2) – Mandatory information – Identity of waste producers – Information not provided by the intermediary dealer – Protection of business secrets

Case C-405/10 *Öslem Garenfeld* [2011] nyr

10 November 2011

Protection of the environment – Regulations (EC) Nos 1013/2006 and 1418/2007 – Control of shipments of waste – Prohibition on the shipment of spent catalysts to Lebanon

Joined Cases C-165/09 to C-167/09 *Stichting Natuur en Milieu e.a.* [2011] ECR I-4599

26 May 2011

Waste Framework Directive 2008/1/EC – Permit for the construction and operation of a power station – Directive 2001/81/EC – National emission ceilings for certain atmospheric pollutants – Power of the Member States during the transitional period – Direct effect

Case C-35/10 *Commission v France* [2010] ECR I-105

29 July 2010

Directive 2006/21/EC – Mining extraction – Failure to transpose within the prescribed period

Case C-515/09 *Commission v Estonia* [2010] ECR I-101

29 July 2010

Directive 2006/21/EC – Mining extraction – Management of waste from extractive industries – Failure to transpose within the prescribed period

Case C-37/09 *Commission v Portugal* [2010] ECR I-76

10 June 2010

Directive 2006/21/EC – Mining extraction – Management of waste illegally tipped – Directive 80/68/EEC

Case C-64/09 *Commission v France* [2010] ECR I-3283

15 April 2010

Failure of a Member State to fulfil obligations – Directive 2000/53/EC – Articles 5(3) and (4), 6(3) and 7(1) – Defective transposition

Case C-91/08 *Wall AG v Stadt Frankfurt am Main* [2010] ECR I-2815

13 April 2010

Service concessions – Award procedure – Obligation of transparency – Subsequent replacement of a subcontractor

Case C-297/08 *Commission v Italy* [2010] ECR I-1749

4 March 2010

Waste Framework Directive 2006/12/EC – Articles 4 and 5 – Management plan – Integrated and adequate network of disposal installations – Danger for human health or the environment – Force majeure – Civil disturbances – Organised crime

Case C-172/08 *Pontina Ambiente Srl v Regione Lazio* [2010] ECR I-1175

25 February 2010

Landfill Directive 1999/31/EC – Article 10 – Special levy on the disposal of solid waste in landfills – Operator of a landfill subject to that levy – Operating costs of a landfill – Directive 2000/35/EC – Default interest

Case C-209/09 *Lahti Energia Oy* [2010] ECR I-1429

25 February 2010

Directive 2000/76/EC – Incineration of waste – Incineration plant – Co-incineration plant – Complex comprising a gas plant and a power plant – Incineration in the power plant of non-purified gas produced from the thermal treatment of waste in the gas plant

Case C-259/09 *Commission v United Kingdom* [2010] ECR I-16

4 February 2010

Directive 2006/21/EC – Management of waste from extractive industries – Failure to transpose or to communicate national transposition measures

Case C-248/08 *Commission v Greece* [2009] ECR I-221

17 December 2009

Animal by-products Regulation (EC) No 1774/2002 – Articles 4(2)(a) and (c), 5(2)(c), 6(2)(b), 10 to 15, 17, 18 and 26 — Burial without prior treatment – Lack of official controls – Plants for the safe management of animal by-products – Operation – Lack of authorisation – Incineration of specified risk materials – No adequate process

Case C-188/08 *Commission v Ireland* [2009] ECR I-172

29 October 2009

Waste Framework Directive 75/442/EEC – Domestic waste waters discharged through septic tanks in the countryside – Waste not covered by other legislation – Failure to transpose

Case C-286/08 *Commission v Greece* [2009] ECR I-142

10 September 2009

Waste Framework Directive 2006/12/EC and Hazardous Waste Directive 91/689/EEC – Hazardous waste – Obligation to draw up and adopt a hazardous-waste management plan – Obligation to establish an integrated and adequate network of disposal installations for hazardous waste – Landfill Directive 1999/31/EC – Landfill of waste – Disposal of hazardous waste

Case C-573/07 *Sea Srl v Comune di Ponte Nossa* [2009] ECR I-8127

10 September 2009

Public procurement – Award procedures – Contract relating to a service for the collection, transport and disposal of urban waste – Awarded without any call for tenders – Awarded to a

company limited by shares whose capital is wholly owned by public bodies but under whose statutes a private capital holding is possible

Case C-411/06 *Commission v European Parliament and Council* [2009] ECR I-7585

8 September 2009

Transfrontier Shipment of Waste Regulation (EC) No 1013/2006 – Action for annulment – Choice of legal basis – Common Commercial Policy (Article 133 EC, now Article 207 TFEU) and Environmental Policy (Article 175(1) EC, now Article 192 TFEU)

Case C-254/08 *Futura Immobiliare srl Hotel Futura and Others v Comune di Casoria* [2009] ECR I-6995

16 July 2009

Waste Framework Directive 2006/12/EC – Article 15(a) – Waste disposal costs not allocated on the basis of actual production of waste – Compatibility with the ‘polluter pays’ principle

Case C-385/07 P *Der Grüne Punkt – Duales System Deutschland GmbH v Commission* [2009] ECR I-6155

16 July 2009

Competition – Abuse of dominant position – Article 102 TFEU (82 EC) – System for the collection and recovery of used packaging in Germany – ‘Der Grüne Punkt’ logo – Fee payable under a trade mark agreement – Abuse of dominant position – Exclusive right of the proprietor of a trade mark – Excessive duration of the proceedings before the Court of First Instance – Reasonable time – Principle of effective legal protection – Articles 58 and 61 of the Statute of the Court of Justice

Case C-480/06 *Commission v Germany* [2009] ECR I-4747

9 June 2009

Directive 92/50/EEC – No formal European tendering procedure for the award of waste treatment services – Cooperation between local authorities – Failure of a Member State to fulfill obligations

Case C-283/07 *Commission v Italy* [2008] ECR I-198

22 December 2008

Waste Framework Directive 75/442/EEC – Article 1 – Concept of ‘waste’ – Scrap intended for use in iron and steel activities – High-quality refuse-derived fuel – Incorrect transposition

Case C-480/07 *Commission v Spain* [2008] ECR I-184

11 December 2008

Directive 2000/59/EC – Port reception facilities for ship-generated waste and cargo residues – Failure to have developed, implemented or approved waste reception and handling plans for all ports

Case C-387/07 *MI.VER Srl and Daniele Antonelli v Provincia di Macerata* [2008] ECR I-9597

11 December 2008

Waste Framework Directive 75/442/EEC – Concept of ‘temporary storage’ – Possibility of mixing together items of waste covered by different codes – Concept of ‘mixed packaging’

Case C-368/07 *Commission v Italy* [2008] ECR I-130

25 September 2008

Directive 2000/59/EC – Port reception facilities for ship-generated waste and cargo residues – Failure to develop and implement waste reception and handling plans for all ports

Case C-188/07 *Commune de Mesquer v Total France SA and Total International Ltd* [2008] ECR I-4501

24 June 2008

Waste Framework Directive 75/442/EEC – Waste management – Concept of waste – ‘Polluter pays’ principle – Holder – Previous holders – Producer of the product from which the waste came – Hydrocarbons and heavy fuel oil – Shipwreck – International Convention on Civil Liability for Oil Pollution Damage – International Oil Pollution Compensation Fund

Case C-442/06 *Commission v Italy* [2008] ECR I-2413

10 April 2008

Landfill Directive 1999/31/EC – Landfill of waste – National legislation concerning existing landfill sites – Incorrect transposition

Case C-357/06 *Frigerio Luigi & C. Snc v Comune di Triuggio* [2007] ECR I-12311

18 December 2007

Directive 92/50/EEC – Public service contracts – National legislation restricting the award of local public services of economic interest to companies with share capital – Compatibility

Case C-263/05 *Commission v Italy* [2007] ECR I-11745

18 December 2007

Waste Framework Directives 75/442/EEC and 91/156/EEC – Concept of ‘waste’ – Substances or objects intended for disposal or recovery operations – Production residues capable of re-use

Case C-195/05 *Commission v Italy* [2007] ECR I-11699

18 December 2007

Waste Framework Directives 75/442/EEC and 91/156/EEC – Concept of ‘waste’ – Food scraps from the agro-food industry intended for the production of animal feed – Leftovers from the preparation of food in kitchens, intended for shelters for pet animals

Case C-194/05 *Commission v Italy* [2007] ECR I-11661

18 December 2007

Waste Framework Directives 75/442/EEC and 91/156/EEC – Concept of ‘waste’ – Excavated earth and rocks intended for re-use

Case C-106/07 *Commission v France* [2007] ECR I-184

6 December 2007

Directive 2000/59/EC – Port reception facilities for ship-generated waste and cargo residues – Failure to develop and implement waste reception and handling plans for all ports

Case C-508/06 *Commission v Malta* [2007] ECR I-172

29 November 2007

Directive 96/59/EC – Article 11 – Disposal of polychlorinated biphenyls and polychlorinated terphenyls – Failure to communicate the required plans and outlines

Case C-221/06 *Stadtgemeinde Frohnleiten and Gemeindebetriebe Frohnleiten GmbH v Bundesminister für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft* [2007] ECR I-9643

8 November 2007

Levy on the long-term depositing of waste at a waste disposal site – Levy payable by the operator of the waste disposal site and calculated according to the weight of the waste being deposited and the state of the waste disposal site – Exemption from the levy in respect of the deposit of waste from contaminated sites in Austria – No exemption for the deposit of waste from contaminated sites located in other Member States – Article 110 TFUE (90 EC) – Internal taxation – Discrimination

Case C-248/05 *Commission v Ireland* [2007] ECR I-9261

25 October 2007

Directive 80/68/EEC – Protection of underground water against pollution caused by hazardous substances – Failure of a Member State to fulfill its obligations

Case C-523/06 *Commission v Finland* [2007] ECR I-135

4 October 2007

Directive 2000/59/EC – Port reception facilities for ship-generated waste and cargo residues – Failure to have developed and implemented waste reception and handling plans for all ports

Case C-382/05 *Commission v Italy* [2007] ECR I-6657

18 July 2007

Public service contracts – Directive 92/50/EEC – Agreements concerning the treatment of municipal waste – Classification – Public contract – Service concession – Advertising measures

Case C-255/05 *Commission v Italy* [2007] ECR I-5767

5 July 2007

Waste Framework Directive 75/442/EEC, EIA Directive 85/337/EEC and Waste Incineration Directive 2000/76/EC – Assessment of the effects of certain projects on the environment – Waste recovery – Implementation of the ‘third line’ of the Brescia waste incinerator – Publicity for the application for a permit –

Case C-259/05 *Criminal proceedings v Omni Metal Service* [2007] ECR I-4945

21 June 2007

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 – Cables composed of copper and PVC – Export to China for purposes of recovery – Heading GC 020 – Mixed waste – Combination of two materials mentioned in the green list of wastes – Such mixed waste not included on the green list

Case C-82/06 *Commission v Italy* [2007] ECR I-83

14 June 2007

Waste Framework Directive 75/442/EEC and Hazardous waste Directive 91/689/EEC – Obligation to draw up and communicate waste management plans – Failure of a Member State to fulfill its obligations

Case C-361/05 *Commission v Spain* [2007] ECR I-71

24 May 2007

Waste Framework Directive 75/442/EEC and Landfill Directive 1999/31/EC – Illegal and uncontrolled waste tips – Waste tips at Níjar, Hoyo de Miguel and Cueva del Mojón

Case C-252/05 *Thames Water Utilities Ltd v Bromley Magistrates' Court* [2007] ECR I-3883

10 May 2007

Directives 75/442/EEC, 91/156/EEC and 91/271/EEC – Waste water which escapes from a sewerage network – Classification as a waste

Case C-135/05 *Commission v Italy* [2007] ECR I-3475

26 April 2007

Directives 75/442/EEC, 91/689/EEC and 1999/31/EC – Failure of a Member State to fulfill its obligations

Case C-423/05 *Commission v France* [2007] ECR I-47

29 March 2007

Waste Framework Directive 75/442/EEC and Landfill Directive 1999/31/EC – Unlawful or unsupervised landfill sites

Case C-176/05 *KVZ retec GmbH v Republik Österreich* [2007] ECR I-1721

1 March 2007

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 – Supervision and control of shipments of waste – Meat-and-bone meal

Case C-486/04 *Commission v Italy* [2006] ECR I-11025

23 November 2006

Waste Framework Directive 75/442/EEC and EIA Directive 85/337/EEC – Assessment of the effects of certain projects on the environment – Waste recovery – Installation for the production of electricity by the incineration of combustible materials derived from waste and biomass in Massafra (Taranto)

Case C-215/04 *Marius Pedersen A/S v Miljøstyrelsen* [2006] ECR I-1465

16 February 2006

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 – Transfer of waste – Waste intended for recovery operations – Concept of ‘notifier’ – Notifier’s obligations

Case C-29/04 *Commission v Republic of Austria* [2005] ECR I-9705

10 November 2005

Directive 92/50/EEC – Articles 8, 11(1) and 15(2) – Procedure for the award of public service contracts – Contract relating to waste disposal – Absence of call for tenders

Case C-416/02 *Commission v Spain* [2005] ECR I-07487

8 September 2005

Waste Framework Directives 75/442/EEC and 91/156/EEC – Meaning of ‘waste’ – EIA Directives 85/337/EEC and 97/11/EC – Assessment of the effects of certain public and private projects on the environment – Directive 80/68/EEC – Protection of groundwater against pollution caused by certain dangerous substances – Directive 91/271/EEC – Urban waste-water treatment – Directive 91/676/EEC – Protection of waters against pollution caused by nitrates from agricultural sources – Pollution caused by a pig farm

Case C-121/03 *Commission v Spain* [2005] ECR I-07569

8 September 2005

Waste Framework Directives 75/442/EEC and 91/156/EEC – Meaning of ‘waste’ – EIA Directives 85/337/EEC and 97/11/EC – Assessment of the effects of certain public and private projects on the environment – Directive 80/68/EEC – Protection of groundwater against pollution caused by certain dangerous substances – Directive 80/778/EEC – Quality of water intended for human consumption

Case C-270/03 *Commission v Italy* [2005] ECR I-05233

9 June 2005

Waste Framework Directive 75/442/EEC as amended by Directive 91/156/EEC – Transport and collection of waste – Article 12

Case C-494/01 *Commission v Ireland* [2005] ECR I-03331

26 April 2005

Waste Framework Directive 75/442/EEC as amended by Directive 91/156/EC – Articles 4, 5, 8, 9, 10, 12, 13 and 14

Case C-163/03 *Commission v Greece* [2005] unpublished

14 April 2005

Directive 80/68/EEC – Protection of underground waters against pollution caused by certain dangerous substances – Articles 3, 4 and 5 – Directive 91/689/EEC – Dangerous waste – Articles 2, paragraph 1, and 6, paragraph 1 – Failure of a Member State to fulfil obligations –

Case C-449/03 *Commission v France* [2005] unpublished

10 March 2005

Waste Framework Directives 75/442/EEC and 91/156/EEC – Rubbish tip of Saint-Laurent du Maroni – Failure of a Member State to fulfill its obligations

Case C-92/03 *Commission v Portugal* [2005] ECR I-867

27 January 2005

Directive 75/439/EEC – Disposal of waste oils – Priority to processing by regeneration – Failure of a Member State to fulfill its obligations

Case C-15/03 *Commission v Austria* [2005] ECR I-00837

27 January 2005

Directive 75/439/EEC – Disposal of waste oils – Priority to processing by regeneration – Failure of a Member State to fulfill its obligations

Case C-62/03 *Commission v United Kingdom* [2004] unpublished

16 December 2004

Waste Framework Directives 75/442/EEC and 91/156/EEC – Transposition

Case C-277/02 *EU-Wood-Trading GmbH v Sonderabfall-Management-Gesellschaft Rheinland-Pfalz mbH* [2004] ECR I-11957

16 December 2004

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 – Waste intended for recovery – Objections – Powers of the authority of dispatch – Recovery contravening the requirements of Article 4 of Directive 75/442/EEC or those of national provisions – Power of the authority of dispatch to raise such objections

Case C-463/01 *Commission v Germany* [2004] ECR I-11705

14 December 2004

Free movement of goods – Packaging and packaging waste – Directive 94/62/EC – Exploitation and marketing of natural mineral waters – Directive 80/777/EEC – Deposit and return obligations for non-reusable packaging that depend on the overall percentage of reusable packaging

Case C-309/02 *Radlberger Getränkegesellschaft mbH & Co. and S. Spitz KG v Land Baden-Württemberg* [2004] ECR I-11763

14 December 2004

Free movement of goods – Packaging and packaging waste – Directive 94/62/EC – Deposit and return obligations for non-reusable packaging that depend on the overall percentage of reusable packaging

Case C-447/03 *Commission v Italy* [2004] unpublished

25 November 2004

Waste management – Industrial area and rubbish tip in the province of Foggia – Waste Framework Directive 75/442/EEC as amended by Directive 91/156/EEC – Articles 4 and 8

Case C-420/02 *Commission v Greece* [2004] ECR I-11175

18 November 2004

Failure of a Member State to fulfill its obligations – Unlawful deposit of waste at the ‘Pera Galini’ site – Waste Framework Directive 75/442/EEC as amended by Directive 91/156/EEC – Articles 4 and 9

Case C-457/02 *Criminal proceedings against Antonio Niselli* [2004] ECR I-10853

11 November 2004

Waste Framework Directives 75/442/EEC and 91/156/EEC – Definition of ‘waste’ – Reusable production or consumption residues – Scrap metal

Case C-185/02 *Commission v Portugal* [2004] unpublished

28 October 2004

Directive 96/59/EC – polychlorinated biphenyls and polychlorinated terphenyls – Failure of a Member State to fulfil obligations

Case C-472/02 *Siomab SA v Institut bruxellois pour la gestion de l’environnement* [2004] ECR I-9971

19 October 2004

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 – Competence of the authority of dispatch to verify the classification of the purpose of a shipment (recovery or disposal) and to object to a shipment based on an incorrect classification – Objection procedure

Case C-113/02 *Commission v Netherlands* [2004] ECR I-9707

14 October 2004

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 – Waste Framework Directive 75/442/EEC – National measure providing for objections to shipments of waste for recovery where 20% of the waste is recoverable in the Member State and the percentage of waste recoverable in the country of destination is lower – Measure of a Member State classifying an operation under point R1 (recovery by incineration) of Annex IIB to Directive 75/442 or under point D10 (disposal by incineration) of Annex IIA to that directive not according to the criterion of actual use but according to the calorific value of the incinerated waste

Case C-431/02 *Commission v United Kingdom* [2004] unpublished

12 October 2004

Directive 91/689/EEC – Hazardous waste – Failure of a State to fulfill its obligations

Case C-375/02 *Commission v Spain* [2004] unpublished

9 September 2004

Waste Framework Directive 75/442/EEC as modified by directive 91/156/EEC – Articles 4 and 8 – Waste management – Rubbish tip of Castelliri – Failure of a Member State to fulfill its obligations

Case C-383/02 *Commission v Spain* [2004] unpublished

9 September 2004

Waste Framework Directive 75/442/EEC as modified by directive 91/156/EEC – Articles 4 and 8 – Waste management – Rubbish tip of Rodano – Failure of a Member State to fulfill its obligations

Case C-1/03 *Paul Van de Walle and Others v Texaco Belgium SA* [2004] ECR I-07613

7 September 2004

Waste Framework Directives 75/442/EEC and 91/156/EEC – Meaning of ‘waste’, ‘producer of waste’ and ‘holder of waste’ – Soil infiltrated by leaked hydrocarbons – Independent operation of a service station belonging to a petroleum company – Channeling of civil liability – polluter pays principle

Case C-454/01 *Commission v Germany* [2004] unpublished

10 June 2004

Directive 96/59/EC – Disposal of polychlorinated biphenyls and polychlorinated terphenyls

Case C-398/02 *Commission v Spain* [2004] unpublished

27 May 2004

Framework Directive 75/442/EEC – Failure of a Member State to fulfill its obligations

Case C-341/01 *Plato Plastik Robert Frank GmbH v Caropack Handelsgesellschaft mbH* [2004] ECR I-4883

29 April 2004

Directive 94/62/EC – Packaging and packaging waste – Plastic carrier bags – National legislation on the collection and recovery of used packaging and packaging waste – Collection and recovery of used packaging and packaging waste – Obligation to use an authorised undertaking or to organise a collection system – Admissibility

Case C-194/01 *Commission v Austria* [2004] ECR I-4579

29 April 2004

Waste Framework Directive 75/442/EEC – Definition of waste – European Waste Catalogue – Directive 91/689/EEC – List of hazardous waste – Failure of a Member State to fulfill its obligations

Joined Cases C-53/02 and C-217/02 *Commune de Braine-le-Château and Michel Tillieut and Others v Région wallonne* [2004] ECR I-3251

1 April 2004

Waste Framework Directives 75/442/EEC and 91/156/EEC – Waste – Management plans – Suitable sites and installations for waste disposal – Permit granted in the absence of a management plan containing a map specifying planned locations for disposal sites

Case C-114/01 *Proceedings against AvestaPolarit Chrome Oy, formerly Outokumpu Chrome Oy* [2003] ECR I-8725

11 September 2003

Waste Framework Directives 75/442/EEC and 91/156/EEC – Meaning of ‘waste’ – Production residue – Mine – Use – Storage – Article 2(1)(b) – Meaning of other legislation – National legislation outside the framework of Directives 75/442/EEC and 91/156/EEC

Case C-444/00 *The Queen on the application of Mayer Parry Recycling Ltd v Environment Agency and Secretary of State for the Environment, Transport and the Regions* [2003] ECR I-6163

19 June 2003

Waste Framework Directive 75/442/EEC, as amended by Directive 91/156/EEC and Decision 96/350/EC – Directive 94/62/EC – Concept of waste – Concept of recycling – Processing of metal packaging waste

Case C-446/01 *Commission v Spain* [2003] ECR I-6053

12 June 2003

Waste Framework Directive 75/442/EEC – Environment – Waste management – Failure of a Member State to fulfill its obligations

Joined Cases C-20/01 and C-28/01 *Commission v Germany* [2003] ECR I-3609

10 April 2003

Directive 92/50/EEC – Procedures for the award of public service contracts – Negotiated procedure without prior publication of a contract notice – Conditions

Case C-392/99 *Commission v Portugal* [2003] ECR I-3373

10 April 2003

Directive 75/439/EEC – Disposal of waste oils – Incomplete transposition

Case C-116/01 *SITA EcoService Nederland BV, formerly Verol Recycling Limburg BV v Minister van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer* [2003] ECR I-2969

3 April 2003

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 – Waste Framework Directive 75/442/EEC – Treatment of waste in several stages – Use of waste as fuel in the cement industry and use of incineration residues as raw material in cement manufacture – Classification as a recovery operation or as a disposal operation – Concept of the use of waste principally as a fuel or other means to generate energy

Case C-174/01 *Commission v Luxembourg* [2002] ECR I-11171

5 December 2002

First indent of Article 11(1) of Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) – Failure of a Member State to fulfill its obligations

Case C-139/00 *Commission v Spain* [2002] ECR I - 6407

11 July 2002

Directive 89/369/EEC - Atmospheric pollution - Municipal waste incineration plants on the island of La Palma

Case C-33/01 *Commission v Greece* [2002] ECR I-5447

13 June 2002

Management of hazardous waste - Failure to provide information required under Article 8(3) of Directive 91/689

Case C-292/99 *Commission v France* [2002] ECR I-4097

2 May 2002

Directives 75/442/EEC, 91/156/EEC, 91/689/EEC and 94/62/EC - Waste management plans – Failure of a Member State to fulfill its obligations

Case C-9/00 *Palin Granit Oy and Vehmassalon kansanterveystyön kuntayhtymän hallitus* [2002] ECR I-03533

18 April 2002

Waste Framework Directives 75/442/EEC and 91/156/EEC - Concept of ‘waste’ - Production residue - Quarry - Storage - Use of waste - No risk to health or the environment - Possibility of recovery of waste

Case C-6/00 *Abfall Service AG* [2002] ECR I-1961

27 February 2002

Environment - Waste - Regulation (EEC) No 259/93 on shipments of waste - Competence of the authority of dispatch to scrutinise the classification of the purpose of a shipment (recovery or disposal) and to object to a shipment on the ground of an incorrect classification - Directive 75/442/EEC on waste - Classification of deposit of waste in a disused mine

Case C-65/00 *Commission v Italy* [2002] ECR I-1795

21 February 2002

Waste Framework Directive 75/442/EEC and Hazardous Waste Directive 91/689/EEC - Failure by a Member State to fulfill its obligations

Case C-35/00 *Commission v United Kingdom* [2002] ECR I-953

24 January 2002

Directives 75/442/EEC, 91/689/EEC and 94/62/EC - Waste management plans - Failure by a Member State to fulfill its obligations

Case C-466/99 *Commission v Italy* [2002] ECR I-851

24 January 2002

Directives 75/442/EEC, 91/689/EEC and 94/62/EC - Waste management plans - Failure by a Member State to fulfill its obligations

Case C-196/01 *Commission v Luxembourg* [2002] ECR I-00569

15 January 2002

Waste Framework Directive 75/442/EEC - Decision 94/3/EC - European Waste Catalogue - Failure by a Member State to fulfill its obligations

Case C-324/99 *DaimlerChrysler AG v Land Baden-Württemberg* [2001] ECR I-9897

13 December 2001

Transfrontier Shipment of Waste Regulation (EEC) No 259/93 - Conditions justifying prohibitions or restrictions on the export of waste - National legislation imposing the obligation to offer waste to an approved body

Case C-429/97 *Commission v France* [2001] ECR I-637

25 January 2001

VAT - Eighth Directive - Refund of VAT paid in another Member State - Sixth Directive - Place of supply - Services relating to the collection, sorting, transport and disposal of waste

Case C-318/98 *Criminal proceedings against Giancarlo Fornasar, Andrea Strizzolo, Giancarlo Toso, Lucio Mucchino, Enzo Peressutti and Sante Chiarcosso* [2000] ECR I-4785

22 June 2000

Directive 91/689/EEC - Decision 94/904/EC - Definition of hazardous waste - More stringent measures of protection

Case C-387/97 *Commission v Greece* [2000] ECR I-5047

4 July 2000

Failure of a Member State to fulfill its obligations - Judgment of the Court establishing such failure - Non-compliance - Article 171 of the EC Treaty (now Article 260 TFEU) - Financial penalties - Periodic penalty payment - Directives 75/442/EEC and 78/319/EEC

Joined cases C-418/97 and C-419/97 *ARCO Chemie Nederland Ltd v Minister van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer and Vereniging Dorpsbelang Hees, Stichting Werkgroep Weurt+ and Vereniging Stedelijk Leefmilieu Nijmegen v Directeur van de dienst Milieu en Water van de provincie Gelderland* [2000] ECR I-4475

15 June 2000

Directives 75/442/EEC and 91/156/EEC - Concept of "waste"

Case C-209/98 *Entreprenørforeningens Affalds/Miljøsektion (FFAD) v Københavns Kommune* [2000] ECR I-3743

23 May 2000

Article 90 of the EC Treaty (now Article 106 TFEU) in conjunction with Articles 34 of the EC Treaty (now, after amendment, Article 34 TFEU) and 86 of the EC Treaty (now Article 102 TFEU) - Directive 75/442/EEC - Regulation (EEC) No 259/93 - Special or exclusive right to collect building waste

Case C-365/97 *Commission v Italy* [1999] ECR I-7773

9 November 1999

Directives 75/442/EEC and 91/156/EEC - Failure of a Member State to fulfill its obligations

Joined cases C-175/98 and C-177/98 *Criminal proceedings against Paolo Lirussi and Francesca Bizzaro* [1999] ECR I-6881

5 October 1999

Directives 75/442/EEC and 91/689/EEC - Definition of temporary storage, pending collection, on the site where it is produced - Definition of waste management

Case C-108/98 *RI.SAN. Srl v Comune di Ischia, Italia Lavoro SpA and Ischia Ambiente SpA* [1999] ECR I-5219

9 September 1999

Freedom of establishment - Freedom to provide services - Organisation of urban waste collection service

Case C-178/98 *Commission v France* [1999] ECR I-4853

8 July 1999

Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances - Failure of a Member State to adopt the programmes provided for by Article 6 of the Directive

Case C-360/96 *Gemeente Arnhem and Gemeente Rheden v BFI Holding BV* [1998] ECR I-6821

10 November 1998

Public service contracts - Meaning of contracting authority - Body governed by public law

Case C-203/96 *Chemische Afvalstoffen Dusseldorp BV and Others v Minister van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer* [1998] ECR I-4075

25 June 1998

Transfrontier Shipment of Waste Regulation - Shipments of waste for recovery - Principles of self-sufficiency and proximity

Case C-192/96 *Beside BV and I.M. Besselsen v Minister van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer* [1998] ECR I-4029

25 June 1998

Management, transport and storage of municipal/household waste - Illegal traffic

Case C-298/97 *Commission v Spain* [1998] ECR I-3301

28 May 1998

Directive 91/157/EEC - Failure by a Member State to adopt programmes provided for in Article 6 of the directive

Joined Cases C-304/94, C-330/94, C-342/94 and C-224/95 *Euro Tombesi and Adino Tombesi and others* [1997] unpublished

25 June 1997

Waste – Definition – Council Directives 91/156/EEC and 91/689/EEC – Council Regulation (EEC) No 259/93

Joined cases C-58/95, C-75/95, C-112/95, C-119/95, C-123/95, C-135/95, C-140/95, C-141/95, C-154/95 and C-157/95 *Criminal proceedings against Sandro Gallotti and others* [1996] ECR I-4345

12 September 1996

Waste - Directive 91/156/EEC

Case C-209/94 P *Buralux SA, Satrod SA and Ourry SA v Council* [1996] ECR I-615

15 February 1996

Appeal - Transfer of waste - Non-contractual liability – Article 173 CE - Individually concerned - Inadmissibility of the action

Case C-187/93 *European Parliament v Council* [1994] ECR I-2857

28 June 1994

Regulation on shipments of waste - Legal basis of the Regulation – Choice between the internal market legal basis and the environmental legal basis

Case C-260/93 *Commission v Belgium* [1994] ECR I-1613

3 May 1994

Member States - Obligations - Implementation of directives - Failure to fulfill obligations not disputed

Case 155/91 *Commission v Council* [1993] ECR I-939

17 March 1993

Framework Waste Directive - Legal basis of the Directive – Choice between the internal market legal basis (Article 100A EEC) and the environmental legal basis (Article 130s EEC)

Case C-2/90 *Commission v Belgium* [1992] ECR I-4431

9 July 1992

Prohibition of tipping waste originating in another Member State – Free movement of goods – Measure having equivalent effect to a quantitative restriction – Justification – Article 36 TFUE (former Article 30 EEC) – Health Protection – Principles of proximity and self-sufficiency – Full Harmonisation of Hazardous Waste Transfers

Case C-45/91 *Commission v Greece* [1992] ECR I-2509

7 April 1992

Directive - Toxic and dangerous waste - Failure of a Member State to fulfill its obligations

Case 33/90 *Commission v Italy* [1991] ECR I-5987

13 December 1991

Failure of a Member State to fulfill its obligations - Directives - Waste - Toxic and dangerous waste - Obligation to forward information to the Commission

Case 300/89 *Commission v Council* [1991] ECR I-2867

11 June 1991

Directive on waste from the titanium dioxide industry – Choice between the internal market legal basis (Article 100A EEC) and the environmental legal basis (Article 130s EEC)

Joined cases 206/88 and 207/88 *Procédures pénales v G. Vessozzo and G. Zanetti* [1990] ECR I-1461

28 March 1990

Approximation of laws - Waste - Directives 75/442 and 78/319 - Concept - Objects capable of economic reutilization - Included

Case 359/88 *Procédure pénale v E. Zanetti e.a.* [1990] ECR I-1509

28 March 1990

Approximation of laws - Waste - Concept - Authorization and supervision of waste disposal

Case 380/87 *Enichem Base e.a. v Comune di Anisella Balsamo* [1989] ECR 2492

13 July 1989

Approximation of laws - Prevention and disposal of waste - Plastic bags – Waste Framework Directive – Absence of a right to sell or use plastic bags and other containers – Communication to the European Commission of national measures – Non observance of this obligation does not give rise to any right which might be infringed

Case 302/88 *Commission v Danemark* [1988] ECR 46

20 September 1988

Interpretation of Article 34 of the EEC Treaty - Non-reimbursement or partial reimbursement of contributions in the case of export of petroleum products

Joined cases 227, 228, 229 and 230/85 *Commission v Belgium* [1988] ECR 1

14 January 1988

Failure of a State to fulfill its obligations - Failure to comply with judgments of the Court

Case 118/86 *Openbaar Ministerie v Nertsvoedersfabriek Nederland* [ECR] 3883

6 October 1987

Free movement of goods - Poultry offal – Export restrictions – Justifications – Public health

Joined cases 372 to 374/85 *Ministère public v Oscar Traen e.a.* [ECR] 2141

12 May 1987

Waste Framework Directive – Licensing of economic operators managing waste – Authorities granting the license

Case 240/83 *Procureur de la République v Association de défense des brûleurs d'huiles usagées (ADBHU)* [1985] ECR 531

7 February 1985

Free movement of goods – Prohibition of exporting waste oils – Justification – Health concerns – Environmental Concerns

Case 90/83 *Michael Paterson and others v W. Weddel & Company Limited and others* [1984] ECR 1567

22 March 1984

Transport by road of animal carcasses and waste

Case 295/82 *Groupeement économique « Rhône-Alpes Huiles » e.a. v Syndicat national des fabricants raffineurs d'huiles de graissage e.a.* [1984] ECR 575

9 February 1984

Free movement of goods - Waste oils – Prohibition of exporting waste oils – Justification

Case 172/82 *Syndicat national des fabricants raffineurs d'huiles de graissage et autres v Groupeement d'intérêt économique « Inter-Huiles » e.a.* [1983] ECR 555

10 March 1983

Free movement of goods - Waste oils – Prohibition of exporting waste oils – Justification

Case 68/81 *Commission v Belgium* [1982] ECR 153

2 February 1982

Non-implementation of a directive on waste from the titanium dioxide industry

Case 69/81 *Commission v Belgium* [1982] ECR 163

2 February 1982

Failure of a State to fulfill its obligations - Non-implementation of a directive on waste

Case 70/81 *Commission v Belgium* [1982] ECR 169

2 February 1982

Failure of a State to fulfill its obligations - Non-implementation of a directive on the disposal of waste oils

Case 71/81 *Commission v Belgium* [1982] ECR 175

2 February 1982

Failure of a State to fulfill its obligations - Disposal of polychlorinated biphenyls and polychlorinated terphenyls

Joined cases 30/81 to 34/81 *Commission v Italy* (“Huiles usagées italiennes”) [1981] ECR 3379

17 December 1981

Failure to fulfill an obligation - Implementation of harmonization directives