



Reports of Cases

Order of the General Court (First Chamber) of 7 July 2014 — Cofresco Frischhalteprodukte v Commission

(Case T-223/13)

(Application for annulment — Environment — Directive 94/62/EC — Packaging and packaging waste — Directive 2013/2/EU — Rolls, tubes and cylinders around which flexible material is wound — Lack of direct concern — Inadmissibility)

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Whether directly concerned — Criteria — Directive 2013/2 modifying the list of examples of products constituting packaging within the meaning of Directive 94/62 — Obligation on Member States to establish a system of recovery, collection and recycling of waste arising from products constituting packaging — Action brought by an undertaking manufacturing and marketing those products — Not directly concerned — Inadmissibility (Arts 263, fourth para., TFEU and 288, third para., TFEU; European Parliament and Council Directive 94/62, Arts 3, point 1, and 7, and Annex I; Commission Directive 2013/2) (see paras 19, 20, 24-30, 34-36, 48)

Re:

ACTION for partial annulment of Commission Directive 2013/2/EU of 7 February 2013 amending Annex I to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste (OJ 2013 L 37, p. 10), in so far as the Commission adds rolls, tubes and cylinders around which flexible material is wound, with the exception of those intended as parts of production machinery and not used to present a product as a sales unit, to the list of examples of products illustrating the application of criteria that define the concept of ‘packaging’.

Operative part

1. The action is dismissed as inadmissible.
2. Cofresco Frischhalteprodukte GmbH & Co. KG is ordered to bear its own costs and pay those incurred by the European Commission.