

Judgment of the Court (First Chamber) of 2 July 2015 (request for a preliminary ruling from the Schleswig-Holsteinisches Oberverwaltungsgericht — Germany) — Landesamt für Landwirtschaft, Umwelt und ländliche Räume des Landes Schleswig-Holstein v Uta Wree

(Case C-422/13) ⁽¹⁾

(References for a preliminary ruling — Agriculture — Common agricultural policy — Single payment scheme — Regulation (EC) No 73/2009 — Article 34(2)(a) — Concept of ‘area eligible for aid’ — Concept of ‘agricultural area’ — Area forming restored cover layer of a landfill site in after-care — Use for agricultural activities — Lawfulness)

(2015/C 294/03)

Language of the case: German

Referring court

Schleswig-Holsteinisches Oberverwaltungsgericht

Parties to the main proceedings

Applicant: Landesamt für Landwirtschaft, Umwelt und ländliche Räume des Landes Schleswig-Holstein

Defendant: Uta Wree

Operative part of the judgment

Article 34(2)(a) of Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 must be interpreted as meaning that an area which forms the cover layer of a landfill site in after-care constitutes an agricultural area within the meaning of that provision when it is actually used for permanent pasture.

⁽¹⁾ OJ C 304, 19.10.2013.

Judgment of the Court (Grand Chamber) of 1 July 2015 (request for a preliminary ruling from the Bundesverwaltungsgericht — Germany) — Bund für Umwelt und Naturschutz Deutschland e.V. v Bundesrepublik Deutschland

(Case C-461/13) ⁽¹⁾

(Reference for a preliminary ruling — Environment — EU action in the field of water policy — Directive 2000/60/EC — Article 4(1) — Environmental objectives relating to surface waters — Deterioration of the status of a body of surface water — Project for the development of a navigable waterway — Obligation of the Member States not to authorise a project that may cause a deterioration of the status of a body of surface water — Decisive criteria for determining whether there is a deterioration of the status of a body of water)

(2015/C 294/04)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: Bund für Umwelt und Naturschutz Deutschland e.V.

Defendant: Bundesrepublik Deutschland

Joined party: Freie Hansestadt Bremen

Operative part of the judgment

1. Article 4(1)(a)(i) to (iii) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy must be interpreted as meaning that the Member States are required — unless a derogation is granted — to refuse authorisation for an individual project where it may cause a deterioration of the status of a body of surface water or where it jeopardises the attainment of good surface water status or of good ecological potential and good surface water chemical status by the date laid down by the directive.
2. The concept of ‘deterioration of the status’ of a body of surface water in Article 4(1)(a)(i) of Directive 2000/60 must be interpreted as meaning that there is deterioration as soon as the status of at least one of the quality elements, within the meaning of Annex V to the directive, falls by one class, even if that fall does not result in a fall in classification of the body of surface water as a whole. However, if the quality element concerned, within the meaning of that annex, is already in the lowest class, any deterioration of that element constitutes a ‘deterioration of the status’ of a body of surface water, within the meaning of Article 4(1)(a)(i).

⁽¹⁾ OJ C 352, 30.11.2013.

Judgment of the Court (Fourth Chamber) of 9 July 2015 (request for a preliminary ruling from the Corte suprema di cassazione — Italy) — Ministero dell’Economia e delle Finanze and Others v Francesco Cimmino and Others

(Case C-607/13) ⁽¹⁾

(Reference for a preliminary ruling — Agriculture — Common organisation of the markets — Bananas — Regulation (EC) No 2362/98 — Articles 7, 11 and 21 — Tariff quotas — Bananas originating in ACP countries — Newcomers — Import licences — Non-transferable nature of rights deriving from certain import licences — Abusive practice — Regulation (EC) No 2988/95 — Article 4(3))

(2015/C 294/05)

Language of the case: Italian

Referring court

Corte suprema di cassazione

Parties to the main proceedings

Applicants: Ministero dell’Economia e delle Finanze, Agenzia delle Dogane, European Commission

Defendants: Francesco Cimmino, Costantino Elmi, Diletto Nicchi, Vincenzo Nicchi, Ivo Lazzeri, Euclide Lorenzon, Patrizia Mansutti, Maurizio Misturelli, Maurizio Momesso, Mirjam Princic, Marco Raffaelli, Gianni Vecchi, Marco Malavasi, Massimo Malavasi, Umberto Malavasi, Carlo Mosca, Luca Nicoli, Raffaella Orsero, Raffaello Orsero, Erminia Palombini, Matteo Surian