



Reports of Cases

Case C-481/12

UAB 'Juvelta'

v

VĮ 'Lietuvos prabavimo rūmai'

(Request for a preliminary ruling from the Lietuvos vyriausiasis administracinis teismas)

(Free movement of goods — Article 34 TFEU — Quantitative restrictions on imports — Measures having equivalent effect — Marketing of articles made of precious metals — Hallmark — Requirements laid down in the legislation of the Member State of import)

Summary — Judgment of the Court (Second Chamber), 16 January 2014

Free movement of goods — Quantitative restrictions — Measures having equivalent effect — National legislation requiring, for imported articles of precious metal already stamped with a hallmark by an independent assay office authorised in the Member State of export and with an additional marking but which fails to comply with the requirements of that legislation, a new hallmark to be stamped in that second Member State — Unlawful — Justification based on the need to ensure effective protection for consumers — Conditions — Disproportionate — Additional marking carried out by the importer, and not by an independent assay office authorised by a Member State — No effect

(Art. 34 TFEU))

Article 34 TFEU must be interpreted as precluding national legislation under which, for it to be permissible for them to be sold on the market of a Member State, articles of precious metal imported from another Member State, in which they are authorised to be put on the market and which have been stamped with a hallmark in accordance with the legislation of that second Member State, must, where the information concerning the standard of fineness of those articles provided in that hallmark does not comply with the requirements of the legislation of that first Member State, be stamped again, by an independent assay office authorised by that first Member State, with a hallmark confirming that those articles have been inspected and showing their standard of fineness in accordance with those requirements.

In the light of that interpretation, the fact that additional marking of imported articles of precious metal, intended to provide information relating to the standard of fineness of those articles in a form intelligible to consumers of the Member State of import has not been effected by an independent assay office authorised by a Member State is of no import, since a hallmark of the standard of fineness had already been stamped on those articles by an independent assay office authorised by the Member State of export and the information provided by that marking is compatible with that on that hallmark.

(see paras 34, 40, operative parts 1, 2)