

Judgment of the Court (First Chamber) of 16 July 2015 (request for a preliminary ruling from the Bundesgerichtshof (Germany)) — proceedings brought by Bodenverwertungs- und -verwaltungs GmbH (BVVG)

(Case C-39/14) ⁽¹⁾

(Reference for a preliminary ruling — State aid — Article 107(1) TFEU — Sale of agricultural land by public authorities — National provision allowing the competent authorities to object to the sale of agricultural land where the price offered is considered ‘grossly disproportionate’ to the market value — Advantage granted to certain undertakings or for the production of certain goods — Private investor test — Determination of the ‘market value’)

(2015/C 302/05)

Language of the case: German

Referring court

Bundesgerichtshof

Party to the main proceedings

Bodenverwertungs- und -verwaltungs GmbH (BVVG)

Joined parties: Thomas Erbs, Ursula Erbs, Landkreis Jerichower Land

Operative part of the judgment

Article 107(1) TFEU must be interpreted as meaning that a rule of national law, such as that at issue in the main proceedings, which, for the purposes of safeguarding the interests of agricultural holdings, effectively prohibits an emanation of the State from selling agricultural land to the highest bidder in a public call for tenders, where the competent local authority considers that his bid is grossly disproportionate to the estimated value of that land, cannot be classified as ‘State aid’, provided that the application of that rule results in a price which is as close as possible to the market value of the agricultural land concerned, that being a matter for the referring court to ascertain.

⁽¹⁾ OJ C 102, 7.4.2014.

Judgment of the Court (Grand Chamber) of 16 July 2015 — European Commission v European Parliament, Council of the European Union

(Case C-88/14) ⁽¹⁾

(Actions for annulment — Regulation (EU) No 1289/2013 — Article 1(1) and (4) — Regulation (EC) No 539/2001 — Article 1(4)(f) — Article 290 TFEU — Suspension of exemption from the visa requirement — Insertion of a footnote — Amendment of the legislative act)

(2015/C 302/06)

Language of the case: English

Parties

Applicant: European Commission (represented by: B. Smulders, B. Martenczuk and G. Wils, acting as Agents)

Defendants: European Parliament (represented by: L. Visaggio, A. Troupiotis and A. Pospíšilová Padowska, acting as Agents)

Council of the European Union (represented by K. Plešniak and K. Michoel, acting as Agents)

Intervener in support of the defendants: Czech Republic (represented by M. Smolek, D. Hadroušek and J. Škeřík, acting as Agents)

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the European Commission to pay the costs;
3. Orders the Czech Republic to bear its own costs.

⁽¹⁾ OJ C 135, 5.5.2014.

Judgment of the Court (Third Chamber) of 16 July 2015 (request for a preliminary ruling from the Tribunale di Milano (Italy)) — Unione Nazionale Industria Conciaria (UNIC), Unione Nazionale dei Consumatori di Prodotti in Pelle, Materie Concianti, Accessori e Componenti (Unicopel) v FS Retail, Luna srl, Gatsby srl

(Case C-95/14) ⁽¹⁾

(Reference for a preliminary ruling — Free movement of goods — Articles 34, 35 and 36 TFEU — Measures having equivalent effect — Directive 94/11/EC — Articles 3 and 5 — Exhaustive harmonisation — Bar on impeding the placing on the market of footwear which complies with the labelling requirements of Directive 94/11 — National legislation requiring the country of origin to be shown on the labelling of products manufactured abroad which use the Italian term ‘pelle’ — Products in free circulation)

(2015/C 302/07)

Language of the case: Italian

Referring court

Tribunale di Milano

Parties to the main proceedings

Applicants: Unione Nazionale Industria Conciaria (UNIC), Unione Nazionale dei Consumatori di Prodotti in Pelle, Materie Concianti, Accessori e Componenti (Unicopel)

Defendants: FS Retail, Luna srl, Gatsby srl

Operative part of the judgment

Articles 3 and 5 of Directive 94/11/EC of the European Parliament and of the Council of 23 March 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer must be interpreted as precluding legislation of a Member State, such as that at issue in the main proceedings, prohibiting, inter alia, the marketing of leather components of footwear coming from other Member States, or coming from non-member countries and already marketed in another Member State or in the Member State concerned, when those products do not bear a label indicating their country of origin.

⁽¹⁾ OJ C 245, 28.7.2014.