



Reports of Cases

Judgment of the Court (Ninth Chamber) of 16 July 2015 —

Commission v Denmark

(Case C-468/14)¹

(Failure of a Member State to fulfil obligations — Directive 2001/37/EC — Manufacture, presentation and sale of tobacco products — Articles 2(4) and 8 — Prohibition on the sale of tobacco for oral use — Loose ‘Snus’ (oral tobacco))

Actions for failure to fulfil obligations — Examination of the merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 258 TFEU) (see para. 28)

Operative part

The Court:

1. declares that, by having continued to authorise the sale of loose ‘snus’ (oral tobacco), the Kingdom of Denmark has failed to fulfil its obligations under Article 2(4) in conjunction with Article 8 of Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products, and;
2. orders the Kingdom of Denmark to pay the costs.

¹ — OJ C 439, 8.12.2014.