



Reports of Cases

Case C-554/16

EP Agrarhandel GmbH

v

Bundesminister für Land-, Forst-, Umwelt und Wasserwirtschaft

(Request for a preliminary ruling from the Verwaltungsgerichtshof)

(Reference for a preliminary ruling — Common agricultural policy — Regulation (EC) No 73/2009 — Support for farmers — Suckler-cow premium — Second paragraph of Article 117 — Transmission of information — Decision 2001/672/EC, as amended by Decision 2010/300/EU — Movements of bovine animals to summer grazing in mountain areas — Article 2(4) — Time limit for notification of the movement — Calculation — Notifications out of time — Eligibility for the payment of premiums — Condition — Taking account of the time limit for dispatch)

Summary — Judgment of the Court (Fifth Chamber), 7 June 2018

Agriculture — Common agricultural policy — Integrated administration and control system for certain aid schemes — System of identification and registration of bovine animals and labelling of beef and veal — Movements of bovine animals to summer grazing in mountain areas — Obligation to draw up a list of the bovine animals concerned — Time limit for notification to the national competent authority — National legislation requiring receipt of the notification by the competent authority within the time limit set — Not permissible

(European Parliament and Council Regulation No 1760/2000; Commission Decision 2001/672, as amended by Decision 2010/300, Art. 2(4))

Article 2(4) of Commission Decision 2001/672/EC of 20 August 2001 laying down special rules applicable to movements of bovine animals when put out to summer grazing in mountain areas, as amended by Commission Decision 2010/300/EU of 25 May 2010, must be interpreted as precluding a national provision under which, for the purpose of compliance with the time limit for notification of movements to summer grazing, the date of receipt of the notification is regarded as the determining factor.

Accordingly, neither the general scheme nor the purpose of Regulation No 1760/2000 and of Decision 2001/672 preclude the time limit in question from being understood as a time limit for dispatch so that, in some circumstances, the information to be transmitted may not be received by the competent authority of the Member State until several days after the time limit set.

(see paras 45, 46, operative part)