Judgment of the Court (Second Chamber) of 4 July 2019 (request for a preliminary ruling from the Vilniaus apygardos administracinis teismas — Lithuania) — Baltic Media Alliance Ltd v Lietuvos radijo ir televizijos komisija

(Case C-622/17) ([1])

(Reference for a preliminary ruling — Freedom to provide services — Directive 2010/13/EU — Audiovisual media services — Television broadcasting — Article 3(1) and (2) — Freedom of reception and retransmission — Incitement to hatred on grounds of nationality — Measures taken by the receiving Member State — Temporary obligation for media service providers and other persons providing services relating to the distribution of television channels or programmes via the internet to distribute or retransmit a television channel in the territory of that Member State only in pay-to-view packages)

(2019/C 305/05)

Language of the case: Lithuanian

Referring court

Vilniaus apygardos administracinis teismas

Parties to the main proceedings

Applicant: Baltic Media Alliance Ltd

Defendant: Lietuvos radijo ir televizijos komisija

Operative part of the judgment

Article 3(1) and (2) of Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) must be interpreted as meaning that a public policy measure adopted by a Member State, consisting in an obligation for media service providers whose programmes are directed towards the territory of that Member State and for other persons providing consumers of that Member State with services relating to the distribution of television channels or programmes via the internet to distribute or retransmit in the territory of that Member State, for a period of 12 months, a television channel from another Member State only in pay-to-view packages, without however restricting the retransmission as such in the territory of the first Member State of the television programmes of that channel, is not covered by that provision.

([1]) OJ C 52, 12.2.2018.

Judgment of the Court (Second Chamber) of 4 July 2019 (request for a preliminary ruling from the Gerechtshof Den Haag — Netherlands) — Criminal proceedings against Tronex BV

(Case C-624/17) ([1])

(Reference for a preliminary ruling — Environment — Waste — Shipments — Regulation (EC) No 1013/2006 — Article 2(1) — Directive 2008/98/EC — Article 3(1) — Concepts of 'shipment of waste' and 'waste' — Consignment of goods initially intended for retail sale, returned by consumers or become redundant in the seller's product range)

(2019/C 305/06)

Language of the case: Dutch

Referring court

Gerechtshof Den Haag

Party in the main proceedings

Tronex BV

Operative part of the judgment

The shipment to a third country of a consignment of electrical and electronic appliances, such as those at issue in the main proceedings, which had been initially intended for retail sale but which were returned by the consumer or which, for various reasons, were sent back by the retailer to its supplier, is to be regarded as a 'shipment of waste' within the meaning of Article 1(1) of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, read in conjunction with Article 2(1) thereof, and Article 3(1) of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, where that consignment contains appliances the good working condition of which has not been previously ascertained or which are not adequately protected from transport damage. Such goods which have become redundant in the seller's product range and which are in their unopened original packaging, on the other hand, must not, without indications to the contrary, be regarded as waste.

([1]) OJ C 32, 29.1.2018.

Judgment of the Court (Fourth Chamber) of 3 July 2019 (request for a preliminary ruling from the Hoge Raad der Nederlanden — Netherlands) — proceedings brought by Eurobolt BV

(Case C-644/17) ([1])

(Reference for a preliminary ruling — Article 267 TFEU — Right to an effective remedy — Extent of review by national courts of an act of the European Union — Regulation (EC) No 1225/2009 — Article 15(2) — Communication to the Member States, no later than 10 working days before the meeting of the Advisory Committee, of all relevant information — Concept of 'relevant information' — Essential procedural requirement — Implementing Regulation (EU) No 723/2011 — Extension of the anti-dumping duty imposed on imports of certain iron or steel fasteners originating in China to imports consigned from Malaysia — Validity)

(2019/C 305/07)

Language of the case: Dutch

Referring court

Hoge Raad der Nederlanden

Parties to the main proceedings

Eurobolt BV

Intervener: Staatssecretaris van Financiën

Operative part of the judgment

1. Article 267 TFEU must be interpreted as meaning that, in order to contest the validity of a piece of secondary EU legislation, an individual may rely before a national court or tribunal on complaints that could be put forward in the context of an action for annulment under Article 263 TFEU, including complaints alleging a failure to satisfy the conditions for adopting such a piece of legislation.