

3. Must Article 16(1) of the Biocidal Products Directive be interpreted as a standstill obligation?

If the answer to this question is in the negative:

Does Article 16(1) of the Biocidal Products Directive impose limits on amendments to national rules concerning the placing on the market of biocidal products, and if so what limits?

4. If the answer to Question 2 is in the negative:
- (a) Must Article 8(2) of the Plant Protection Products Directive be interpreted as meaning that where a Member State authorises the placing on the market in its territory of plant protection products containing active substances not listed in Annex I to that directive that were already on the market two years after the date of notification of that directive regard must also be had to the provisions of Article 4 thereof?
- (b) Must Article 8(2) of the Plant Protection Products Directive also be interpreted as meaning that where a Member State authorises the placing on the market in its territory of plant protection products containing active substances not listed in Annex I to that directive that were already on the market two years after the date of notification of that directive regard must also be had to the provisions of Article 8(3) thereof?
5. Must Article 8(3) of the Plant Protection Products Directive be interpreted as meaning that 'a review' must also be construed as including an examination whereby regard is to be had to the effects of an active substance concerned on human and animal health and on the environment and on the basis of which this active substance is designated, the result of such designation being that plant protection products containing the active substance are authorised or registered by operation of law?
6. Must Article 8(3) of the Plant Protection Products Directive be interpreted as meaning that it contains only rules relating to the provision of data before a review or must it be construed as meaning that the requirements set out therein are also relevant to the way in which a review must be organised and carried out?

References for a preliminary ruling from the Cour d'Appel de Lyon by judgments of 24 February 2004, in the following cases SAS Distribution Casino France, as successor to Casino France, against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales), Casino France, as successor to SA Imquef, in turn successor to SA Judis, against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales), SA Dechrist Holding against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales), SA Komogo against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales), SARL Tout pour la maison against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales)

(Cases C-321/04, C-322/04, C-323/04, C-324/04, C-325/04)

(2004/C 239/07)

Reference has been made to the Court of Justice of the European Communities by judgments of the Cour d'Appel de Lyon (Lyons Court of Appeal) given on 24 February 2004 in the following cases:

SAS Distribution Casino France, as successor to Casino France, against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales) (National Independent Old-Age Insurance Fund for Self-Employed Persons in Manufacturing and Trading Occupations) (Case C-321/04)

Casino France, as successor to SA Imquef, in turn successor to SA Judis, against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales) (National Independent Old-Age Insurance Fund for Self-Employed Persons in Manufacturing and Trading Occupations) (Case C-322/04)

SA Dechrist Holding against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales) (National Independent Old-Age Insurance Fund for Self-Employed Persons in Manufacturing and Trading Occupations) (Case C-323/04)

SA Komogo against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales) (National Independent Old-Age Insurance Fund for Self-Employed Persons in Manufacturing and Trading Occupations) (Case C-324/04)

SARL Tout pour la maison against Organic de recouvrement (Caisse Nationale de l'Organisation Autonome d'Assurance Vieillesse des Travailleurs Non-Salariés des Professions Industrielles et Commerciales) (National Independent Old-Age Insurance Fund for Self-Employed Persons in Manufacturing and Trading Occupations) (Case C-325/04), received at the Court Registry on 27 July 2004.

The Cour d'Appel de Lyon asks the Court of Justice to decide whether a mutual assistance charge for the benefit of traders and craftsmen collected from the appellants is State aid within the meaning of Article 87 of the EC Treaty (formerly Article 92).

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 123, 24.4.1998, p. 1.