

**Question referred**

Does the concept of packaging, as defined in Article 3 of Directive 94/62/EC, amended by Directive 2004/12/EC <sup>(1)</sup>, include 'roll cores' (rolls, tubes, cylinders) around which flexible material, such as paper or plastic film, is wound and sold to consumers?

<sup>(1)</sup> Directive 2004/12/EC of the European Parliament and of the Council of 11 February 2004 amending Directive 94/62/EC on packaging and packaging waste (OJ 2004 L 47, p. 26).

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**Action brought on 26 June 2015 — European Commission v French Republic****(Case C-314/15)**

(2015/C 294/50)

*Language of the case: French***Parties**

*Applicant:* European Commission (represented by: O. Beynet and E. Manhaeve, acting as Agents)

*Defendant:* French Republic

**Form of order sought**

— a declaration that in not having assured the secondary treatment or equivalent of urban waste water from 15 agglomerations having a population equivalent between 10 000 and 15 000 for all discharges outside sensitive areas, being a population equivalent of between 2 000 and 10 000 for all discharges in fresh water and estuaries, the French Republic has failed to fulfil its obligations under Article 4(1) and (3) of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment <sup>(1)</sup>.

— that the French Republic should pay the costs.

**Pleas in law and main arguments**

By its action the Commission complains that France has failed to implement correctly, in 15 agglomerations, Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment.

Pursuant to Article 4(1) and (3) of Directive 91/271/EEC, agglomerations where the population equivalent (p.e.) is between 10 000 and 15 000 for all discharges outside sensitive areas, being a population equivalent of between 2 000 and 10 000 for all discharges in fresh water and estuaries, must be equipped with collecting systems and waste water undergo a secondary treatment or the equivalent by 31 December 2005 at the latest.

<sup>(1)</sup> OJ 1991 L 135, p. 40.

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**Request for a preliminary ruling from the Cour constitutionnelle (Luxembourg) lodged on 29 June 2015 — ArcelorMittal Rodange et Schifflange SA v State of the Grand-Duchy of Luxembourg****(Case C-321/15)**

(2015/C 294/51)

*Language of the case: French***Referring court**

Cour constitutionnelle

**Parties to the main proceedings**

*Applicant:* ArcelorMittal Rodange et Schifflange SA

*Defendant:* State of the Grand-Duchy of Luxembourg

**Question referred**

Is Article 13(6) of the amended Law of 23 December 2004 establishing a scheme for greenhouse gas emission allowance trading, in so far as it allows the competent minister to order the surrender, without full or partial compensation of allowances issued in accordance with Article 12(2) and (4) of that law, but not used, compatible with Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC<sup>(1)</sup>, and more particularly with the broad logic of the emissions trading scheme provided for by that directive, that question encompassing the issue of the legal validity of the surrender of allowances which have been issued but not used, and, if that question is answered in the affirmative, of their classification, as well as that of the possible classification of such allowances as property?

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<sup>(1)</sup> OJ 2003 L 275, p. 32.

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**Request for a preliminary ruling from the Østre Landsret (Denmark) lodged on 2 July 2015 — TDC  
A/S v Teleklagenævnet, Erhvervs- og Vækstministeriet**

(Case C-327/15)

(2015/C 294/52)

*Language of the case:* Danish

**Referring court**

Østre Landsret

**Parties to the main proceedings**

*Applicant:* TDC A/S

*Defendants:* Teleklagenævnet, Erhvervs- og Vækstministeriet

**Questions referred**

1. Does Directive 2002/22/EC of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services ('the Universal Service Directive'),<sup>(1)</sup> including Article 32, preclude a Member State from laying down rules which do not allow an undertaking to lodge a claim against the Member State for separate recovery of the net costs of providing additional mandatory services not covered by Chapter II of that Directive, where the undertaking's profits from other services which are covered by the undertaking's universal service obligations under Chapter II of that Directive exceed the losses associated with the provision of the additional mandatory services?
2. Does the Universal Service Directive preclude a Member State from laying down rules allowing undertakings to lodge a claim against the Member State for recovery of the net costs of providing additional mandatory services which are not covered by Chapter II of that Directive, only if the net costs amount to an unreasonable burden for the undertakings?