

2. Must the examination as to hazardous substances be carried out on the basis of uniform, predetermined methods?
3. Must the examination as to hazardous substances be based on a precise and representative verification that takes into account the composition of the waste, if this is already known or has been identified during the classification phase, or may the examination as to hazardous substances instead be carried out according to criteria of probability by taking into consideration which hazardous substances might reasonably be present in the waste?
4. Where there is doubt, or where it is impossible to establish with certainty whether or not hazardous substances are present in the waste, must that waste nevertheless be classified and treated as hazardous waste in application of the precautionary principle?

<sup>(1)</sup> 2014/955/EU: Commission Decision of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council (OJ 2014 L 370, p. 44).

<sup>(2)</sup> Commission Regulation (EU) No 1357/2014 of 18 December 2014 replacing Annex III to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ 2014 L 365, p. 89).

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**Request for a preliminary ruling from the Corte suprema di cassazione (Italy) lodged on 10 August 2017 — Criminal proceedings against Carmelina Scaglione**

(Case C-488/17)

(2017/C 374/24)

*Language of the case: Italian*

**Referring court**

Corte suprema di cassazione

**Party to the main proceedings**

Carmelina Scaglione

**Questions referred**

1. Must the Annex to Decision 2014/955/EU <sup>(1)</sup> and Regulation (EU) No 1357/2014 <sup>(2)</sup> be interpreted, with reference to the classification of waste to which mirror codes have been assigned, as meaning that the producer of the waste must, when the composition of the waste is not known, carry out a prior classification of it, and, if so, within what limits?
2. Must the examination as to hazardous substances be carried out on the basis of uniform, predetermined methods?
3. Must the examination as to hazardous substances be based on a precise and representative verification that takes into account the composition of the waste, if this is already known or has been identified during the classification phase, or may the examination as to hazardous substances instead be carried out according to criteria of probability by taking into consideration which hazardous substances might reasonably be present in the waste?
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