

Intervener in support of the other parties: Confédération nationale du Crédit mutuel (represented by: C. De Jonghe and M. Grégoire, avocats)

Operative part of the judgment

The Court:

1. Dismisses the appeals;
2. Orders Crédit mutuel Arkéa to pay the costs.

⁽¹⁾ OJ C 161, 7.5.2018.

Judgment of the Court (First Chamber) of 3 October 2019 (request for a preliminary ruling from the Verwaltungsgericht Wien — Austria) — Proceedings brought by Wasserleitungsverband Nördliches Burgenland, Robert Prandl, Gemeinde Zillingdorf

(Case C-197/18) ⁽¹⁾

(Reference for a preliminary ruling — Environment — Directive 91/676/EEC — Protection of waters against pollution caused by nitrates from agricultural sources — Objective of reducing pollution — Waters affected by pollution — Maximum nitrate level of 50 mg/l — Action programmes adopted by the Member States — Rights of individuals to have such a programme amended — Locus standi before the national authorities and courts)

(2019/C 413/10)

Language of the case: German

Referring court

Verwaltungsgericht Wien

Parties to the main proceedings

Applicants: Wasserleitungsverband Nördliches Burgenland, Robert Prandl, Gemeinde Zillingdorf

Intervener: Bundesministerium für Nachhaltigkeit und Tourismus, formerly Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft

Operative part of the judgment

Article 288 TFEU and Article 5(4) and (5) of, and Annex I A, point 2 to, Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources must be interpreted as meaning that, provided that the discharge of nitrogen compounds of agricultural origin significantly contributes to the pollution of the groundwaters in question, natural and legal persons, such as the applicants in the main proceedings, should be in a position to require the competent national authorities to amend an existing action programme or adopt additional measures or reinforced actions, provided for in Article 5(5) of that directive, as long as the nitrate levels in the groundwaters exceed or could exceed, in the absence of such measures, 50 mg/l at one or more measuring points within the meaning of Article 5(6) of that directive.

⁽¹⁾ OJ C 268, 30.7.2018.