Question referred

Are Articles 18 TFEU and 21 TFEU to be interpreted as meaning that the authorities of a Member State are obliged to recognise the change of name of a national of that State if he is at the same time a national of another Member State and has acquired in that Member State, during habitual residence, by means of a change of name not associated with a change of family law status, a freely chosen name including several tokens of nobility, where it is possible that a future substantial link with that State does not exist and in the first Member State the nobility has been abolished by constitutional law but the titles of nobility used at the time of abolition may continue to be used as part of a name?

Request for a preliminary ruling from the College van Beroep voor het bedrijfsleven (Netherlands) lodged on 24 September 2014 — Bayer CropScience SA-NV, Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden

(Case C-442/14)

(2014/C 462/23)

Language of the case: Dutch

Referring court

College van Beroep voor het bedrijfsleven

Parties to the main proceedings

Applicants: Bayer CropScience SA-NV, Stichting De Bijenstichting

Defendant: College voor de toelating van gewasbeschermingsmiddelen en biociden

Questions referred

1. Do the provisions of Article 14 of Directive 91/414/EEC ([1]), and Article 63, respectively, read in conjunction with Article 59 of the Plant Protection Product Regulation ([2]) (No 1107/2009 of 21 October 2009) and Article 19 of Directive 98/8/EC ([3]), respectively, mean that a request for confidentiality, as referred to in the aforementioned Articles 14, 63 and 19 from an applicant referred to in those articles, must be decided on for each individual information source before or when granting the authorisation, or before or when amending the authorisation, respectively, by means of a decision which can be made known to interested third parties?

2. If the previous question is answered in the affirmative: must Article 4(2) of the Environmental Information Directive ([4]) be interpreted as meaning that in the absence of a decision as referred to in the previous question, the respondent, as a national authority, is obliged to disclose the environmental information requested when such a request is made after the granting of the authorisation or after the amendment of the authorisation respectively?

3. How must the term 'emissions into the environment' in Article 4(2) of the Environmental Information Directive be interpreted, given what the parties have stated in that regard in section 5.5 of this interlocutory judgment, against the background of the content of the documents as set out in section 5.2?

4. (a) Can data which provide an estimate of the release into the environment of a product, its active ingredient(s) and other components as a result of the use of the product be deemed to be 'information on emissions into the environment'?

   (b) If so, does it matter whether those data have been obtained by means of (semi-) field studies or other types of studies (such as, for example, laboratory studies and translocation studies)?

5. Can laboratory studies be deemed to be 'information on emissions into the environment' when the test is aimed at examining isolated aspects under standardised conditions and in that framework many factors, such as, for example (climatological influences) are excluded and the tests are often conducted with — in comparison with customary practice — high dosages?

6. In that regard, must residues after the application of the product in the experimental set-up, in, for example, the air or on the ground, leaves, pollen or nectar of a crop (which is derived from treated seed), in honey or on non-target organisms also be included under 'emissions into the environment'?

7. And is that also the case in respect of the degree of (dust) drift when the product is applied in the experimental set-up?

8. Do the words 'information on emissions into the environment', as referred to in the second sentence of the second paragraph of Article 4(2) of the Environmental Information Directive, mean that, if there are emissions into the environment, the information source must be disclosed in its entirety and not be limited to the (measurement) data which may, where applicable, be derived therefrom?

9. Does the application of the exception relating to commercial or industrial information within the meaning of the aforementioned Article 4(2)(d) require a distinction to be made between 'emissions', on the one hand, and 'discharges and other releases into the environment' within the meaning of Article 2(1)(b) of the Environmental Information Directive, on the other hand?

([1]) Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ 1991 L 230, p. 1).

([2]) Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ 2009 L 309, p. 1).

([3]) Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ 1998 L 123, p. 1).

([4]) Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ 2003 L 41, p. 26).

Request for a preliminary ruling from the Verwaltungsgerichtshof (Austria) lodged on 29 September 2014 — Vorarlberger Gebietskrankenkasse, Alfred Knauer

(Case C-453/14)

(2014/C 462/24)

Language of the case: German

Referring court

Verwaltungsgerichtshof

Parties to the main proceedings

Applicants: Vorarlberger Gebietskrankenkasse, Alfred Knauer

Defendant: Landeshauptmann von Vorarlberg

Intervening party: Rudolf Mathis

Questions referred

Is Article 5 of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems ([1]), having regard to Article 45 TFEU, to be interpreted as meaning that old-age pensions under an occupational pension scheme (which is initiated and guaranteed by the state, is intended to enable the previous standard of living of the individual concerned to be maintained in an appropriate way, operates on the basis of the principle of capitalisation, is compulsory in principle but may also provide for 'supplementary, non-compulsory' contributions that exceed the statutory minimum amount and for correspondingly higher benefits, and the implementation of which falls to a pension fund to be set up or used by the employer, such as — in the present case — the 'second-pillar' pension scheme in Liechtenstein), and old-age pensions under a statutory pension scheme (which is likewise initiated and guaranteed by the state, is intended to enable the previous standard of living of the individual concerned to be maintained in an appropriate way, but operates on the basis of the 'pay-as-you-go' principle, and the implementation of which falls to pension insurance funds established by statute, such as — in the present case — Austria's pension scheme) are 'equivalent' within the meaning of the abovementioned provision?

([1]) OJ 2004 L 166, p. 1.