

Non-exhaustive list of judgements rendered by the European Court of Justice

Scope of application (borderlines)

- [Case C-319/05. European Court reports xxx](#)
Judgment of the Court (First Chamber) of 15 November 2007. European Commission against Federal Republic of Germany.
Failure of a Member State to fulfil its obligations - Article 28 EC and Article 30 EC - Directive 2001/83/EC - Garlic preparation in capsule form - Preparation legally marketed as a food supplement in a number of Member States - Preparation classified as a medicinal product in the Member State of importation - Definition of 'medicinal product' - Obstacle - Justification - Public health - Proportionality.
- [Case C-219/91. European Court reports 1992 Page I-5485](#)
Judgment of the Court (Fifth Chamber) of 28 October 1992.
Criminal proceedings against Johannes Stephanus Wilhelmus Ter Voort. Reference for a preliminary ruling: Arrondissementsrechtbank Leeuwarden - Netherlands.
Definition of "medicinal product".
- [Case C-112/89. European Court reports 1991 Page I-1703](#)
Judgment of the Court (Fifth Chamber) of 16 April 1991.
Upjohn Company and Upjohn NV v Farzoo Inc. and J. Kortmann. Reference for a preliminary ruling: Hoge Raad - Netherlands.
Concepts of "medicinal product" and "cosmetic product".
- [Case C-60/89. European Court reports 1991 Page I-1547](#)
Judgment of the Court (Fifth Chamber) of 21 March 1991.
Criminal proceedings against Jean Monteil and Daniel Samanni. Reference for a preliminary ruling: Cour d'appel d'Aix-en-Provence - France.
Interpretation of Articles 30 and 36 of the EEC Treaty - Concepts of "disease" or "illness" and "medicinal products" - Pharmacists' monopoly of the right to sell certain products.
- [Case C-369/88. European Court reports 1991 Page I-1487](#)
Judgment of the Court (Fifth Chamber) of 21 March 1991.
Criminal proceedings against Jean-Marie Delattre. Reference for a preliminary ruling: Tribunal de grande instance de Nice - France.
Interpretation of Articles 30 and 36 of the EEC Treaty - Concepts of "disease" or "illness" and "medicinal product" - Pharmacists' monopoly of the right to sell certain products.

Free movement of cosmetic products

- [Case C-257/06](#)
Judgment of the Court (Sixth Chamber) of 24 January 2008.
Roby Profumi Srl v Comune di Parma
Reference for a preliminary ruling under Article 234 EC from the Corte suprema di cassazione (Italy).

Article 28 EC - Directive 76/768/EEC - Protection of health - Cosmetic products - Importation - Communication of information on cosmetic products to the authorities of the State of importation.

- [Case C-99/01, European Court reports 2002 Page I-9375](#)
Judgment of the Court (Sixth Chamber) of 24 October 2002.
Criminal proceedings against Gottfried Linhart and Hans Biffl.
Reference for a preliminary ruling: Verwaltungsgerichtshof - Austria.
Approximation of laws - Articles 30 and 36 of the EC Treaty (now, after amendment, Articles 28 EC and 30 EC) - Directive 76/768/EEC relating to cosmetic products - Directive 84/450/EEC concerning misleading advertising - National legislation laying down restrictions on advertising
- [Case C-169/99, European Court reports 2001 Page I-5901](#)
Judgment of the Court (Fifth Chamber) of 13 September 2001.
Hans Schwarzkopf GmbH & Co. KG v Zentrale zur Bekämpfung unlauteren Wettbewerbs eV.
Reference for a preliminary ruling: Bundesgerichtshof - Germany.
Article 6(1)(d), last sentence, of Directive 76/768/EEC, as amended by Directive 93/35/EEC - Prescribed labelling "impossible for practical reasons" - Justification for putting abbreviated forms of compulsory warnings on the containers and packaging of cosmetic products - Information provided in nine languages in the interests of greater flexibility in the marketing of cosmetic products.
- [Case C-220/98, European Court reports 2000 Page I-117](#)
Judgment of the Court (Fifth Chamber) of 13 January 2000.
Estée Lauder Cosmetics GmbH & Co. OHG v Lancaster Group GmbH.
Reference for a preliminary ruling: Landgericht Köln - Germany.
Free movement of goods - Marketing of a cosmetic product whose name includes the term "lifting" - Articles 30 and 36 of the EC Treaty (now, after amendment, Articles 28 EC and 30 EC) - Directive 76/768/EEC.
- [Case C-77/97, European Court reports 1999 Page I-431](#)
Judgment of the Court (Fifth Chamber) of 28 January 1999.
Österreichische Unilever GmbH v Smithkline Beecham Markenartikel GmbH.
Reference for a preliminary ruling: Handelsgericht Wien - Austria.
Interpretation of Article 30 of the EC Treaty and Council Directive 76/768/EEC - Cosmetic products - National legislation imposing advertising restrictions.
- [Case C-315/92, European Court reports 1994 Page I-0317](#)
Judgment of the Court (Fifth Chamber) of 2 February 1994.
Verband Sozialer Wettbewerb eV v Clinique Laboratoires SNC et Estée Lauder Cosmetics GmbH.
Reference for a preliminary ruling: Landgericht Berlin - Germany.
Free movement of goods - Name of a cosmetic product liable to mislead consumers.
- [Case C-150/88, European Court reports 1989 Page 3891](#)
Judgment of the Court (Sixth Chamber) of 23 November 1989.
Kommanditgesellschaft in Firma Eau de Cologne & Parfümerie-Fabrik, Glockengasse n. 4711 v

Provide Srl. Reference for a preliminary ruling: Landgericht Köln - Germany. National rules on the marketing of cosmetic products.

Non-transposition by Member States

- [Case C-365/00, Commission of the European Communities v Italian Republic](#)
Judgment of the Court (Fourth Chamber) of 7 March 2002 (Failure by a Member State to fulfil its obligations - Directive 76/768/EEC - Provision of national law concerning the information that must be given on the packaging of cosmetic products - Natural or artificial origin of perfume essences or fragrances contained in cosmetic products).
- [Case C-246/91. European Court reports 1993 Page I-2289](#)
Judgment of the Court of 5 May 1993.
Commission of the European Communities v French Republic.
Failure by a Member State to fulfil its obligations - Approximation of national laws relating to cosmetic products.
- [Case C-29/90. European Court reports 1992 Page I-1971](#)
Judgment of the Court of 18 March 1992.
Commission of the European Communities v Hellenic Republic.
Failure of a State to fulfil its obligations - Approximation of the laws of the Member States relating to cosmetic products.
- [Case 94/81. European Court reports 1982 Page 739](#)
Judgment of the Court of 2 March 1982.
Commission of the European Communities v Italian Republic.
Failure of a State to fulfil its obligations - Cosmetic products.

Procedural issues

- [Case T-213/02, European Court reports 2004 Page II-03047](#)
Order of the Court of First Instance (Fifth Chamber) of 6 September 2004.
SNF SA v Commission of the European Communities. Action for annulment - Directive 2002/34/EC - Restrictions on the use of polyacrylamides in the composition of cosmetic products - Person individually concerned - Admissibility.
- [Case C-352/98 P, Laboratoires Pharmaceutiques Bergaderm SA, and Jean-Jacques Goupil - APPEAL](#)
Judgment of the Court of 4 July 2000 (Appeal - Non-contractual liability of the Community - Adoption of Directive 95/34/EC) against the judgment of the Court of First Instance of the European Communities (Third Chamber) of 16 July 1998 in Case T-199/96 Bergaderm and Goupil v Commission [1998] ECR II-2805, seeking to have that judgment set aside.
- [Affaire T-199/96, Laboratoires pharmaceutiques Bergaderm SA, Jean-Jacques Goupil contre Commission des Communautés européennes](#)
Arrêt du Tribunal (troisième chambre) du 16 juillet 1998 «Produits cosmétiques - Directive 76/768/CEE - Directive 95/34/CE - Crèmes solaires et produits bronzants - Santé publique - Responsabilité non contractuelle de la Communauté».

- [Case C-212/91, European Court reports 1994 Page I-171](#)
Judgment of the Court of 25 January 1994.
Angelopharm GmbH v Freie Hansestadt Hamburg.
Reference for a preliminary ruling: Verwaltungsgericht Hamburg - Germany.
Cosmetic products - Validity for the addition of a substance to the list of substances which must not form part of the composition of cosmetic products.

7th amendment

- [Case T-196/03, European Court reports 2004 Page II-04263](#)
Order of the Court of First Instance (Third Chamber) of 10 December 2004.
European Federation for Cosmetic Ingredients (EFFCI) v European Parliament and Council of the European Union. Manifest inadmissibility - Concept of measure of individual concern to an applicant - European Economic Interest Group - Contracts being performed - Intellectual property rights.
- [Case C-244/03, French Republic v European Parliament and Council of the European Union](#)
Judgment of the Court (Grand Chamber) 24 May 2005, C-244/03, French Republic v European Parliament and Council of the European Union.
Action for annulment under Art. 230 ECT (Cosmetic products - Testing on animals - Directive 2003/15/EC - Partial Annulment - Art. 1 (2) - Non-severability - Inadmissibility).

Competition

- [Case C-70/97 P, European Court reports 1998 Page I-07183 - APPEAL](#) Judgment of the Court of 17 November 1998.
Kruidvat BVBA v Commission of the European Communities. Appeal - Selective distribution system - Luxury cosmetic products - Undertaking directly and individually concerned.
- [Case C-306/96, European Court reports 1998 Page I-01983](#) Judgment of the Court of 28 April 1998.
Javico International and Javico AG v Yves Saint Laurent Parfums SA (YSLP). Reference for a preliminary ruling: Cour d'appel de Versailles - France. Competition - Luxury cosmetic products - Selective distribution system - Obligation to export to a non-member country - Prohibition of re-importation into, and of marketing in, the Community.
- [Case T-87/92, European Court reports 1996 Page II-01931](#) Judgment of the Court of First Instance (Second Chamber, extended composition) of 12 December 1996.
BVBA Kruidvat v Commission of the European Communities. Selective distribution system - Luxury cosmetic products.
- [Case T-19/91, European Court reports 1992 Page II-00415](#) Judgment of the Court of First Instance (Second Chamber) of 27 February 1992.
Société d'Hygiène Dermatologique de Vichy v Commission of the European Communities. Article 85 of the EEC Treaty - Exclusive or selective distribution system - Anti-competitive object or effect - Regulation No 17/62 - Decision to apply Article 15 (6).

Duties

- [Case C-482/98, European Court reports 2000 Page I-10861](#) Judgment of the Court (Fifth Chamber) of 7 December 2000.
Italian Republic v Commission of the European Communities. Action for annulment - Council Directive 92/83/EEC - Harmonisation of the structures of excise duties on alcohol and alcoholic beverages - Commission Decision 98/617/EC of 21 October 1998 denying authority to Italy to refuse the grant of exemption to certain products exempt from excise duty under Council Directive 92/83 - Cosmetic products.