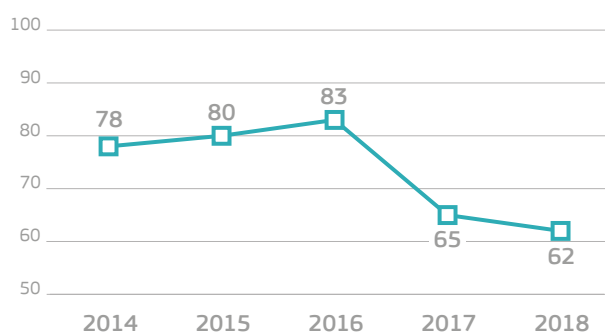


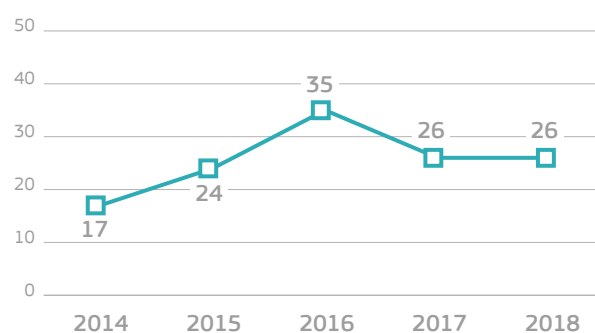
Monitoring the Application of European Union Law

Annual Report 2018

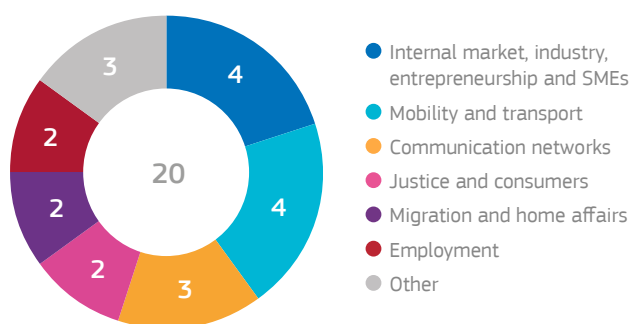
Infringement cases open as of 31 December 2018



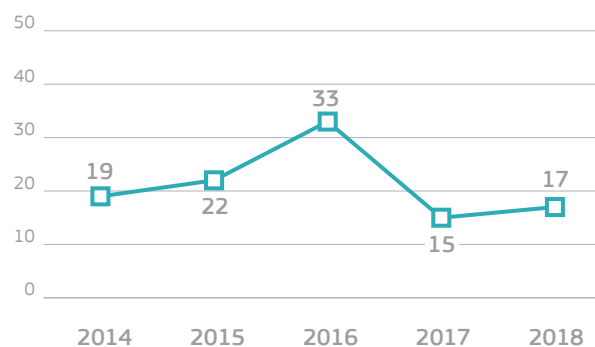
Late transposition¹ infringement cases open as of 31 December 2018



New infringement cases opened in 2018: main policy areas



New late transposition infringement cases opened in 2018



1. Number of infringement cases due to failure to implement an EU Directive into national law on time.



Relevant rulings of the European Courts:

In preliminary rulings, the Court held, amongst others, that:

- *Organisms obtained by mutagenesis are genetically modified organisms and are, in principle, subject to the obligations laid down by the GMO Directive². However, organisms obtained by mutagenesis techniques that have conventionally been used in a number of applications and have a long safety record are exempt from those obligations. Member States are nevertheless free to subject them, in compliance with EU law, to the obligations laid down by the Directive or to other obligations³.*
- *Member States may prohibit and punish as a matter of criminal law the illegal exercise of transport activities by the UberPop service, without notifying the Commission in advance of the draft legislation laying down criminal penalties for the exercise of such activities;⁴*
- *French withholding tax on dividends received by loss-making non-resident companies is incompatible with free movement of capital. The Court ruled that different ways to collect taxes between resident and non-resident taxpayers are allowed only if they do not result in heavier taxation of the latter⁵.*

2. Directive [2001/18/EC](#).

3. Confédération paysanne and Others, [C-528/16](#) and [press release](#).

4. Directive [98/34/EC](#) and Directive [2006/123/EC](#), Criminal proceedings against Uber France, [C-320/16](#) and Court press release [No 39/18](#).

5. Sofina, [C-575/17](#).