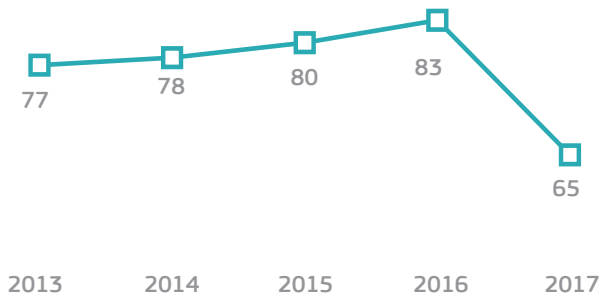


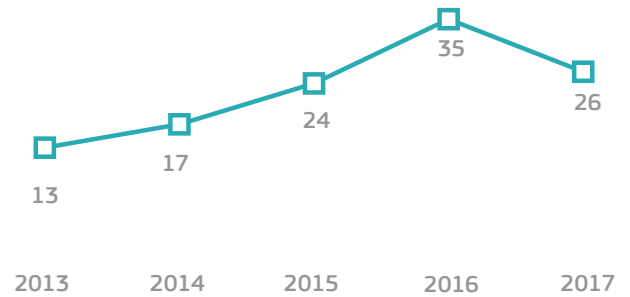
# Monitoring the Application of European Union Law

## Annual Report 2017

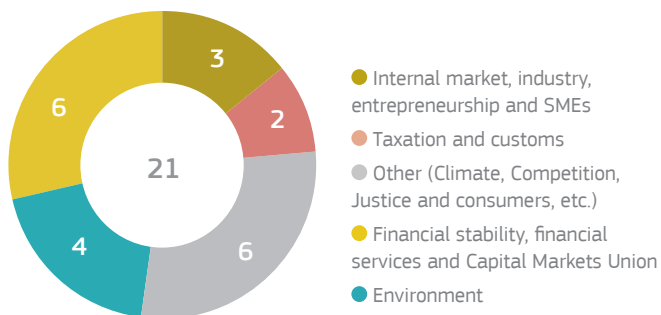
### Infringement cases open as of 31 December 2017



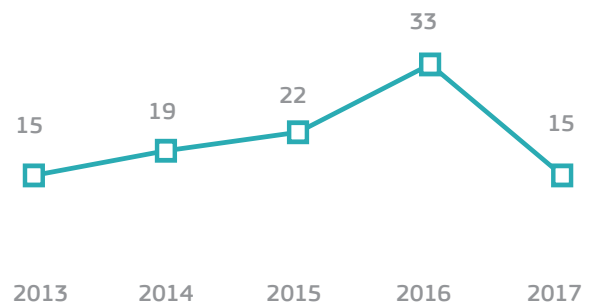
### Late transposition<sup>1</sup> infringement cases



### New infringement cases opened in 2017: main policy areas



### New late transposition<sup>2</sup> infringement cases



<sup>1</sup> Number of infringement cases pending against this Member State on 31.12.2017 due to failure to implement an EU directive into national law on time.

<sup>2</sup> Number of new infringement cases opened against this Member State in 2017 due to failure to implement an EU directive into national law on time.



## Relevant rulings of the European Courts:

- *Concertation on price and quantities between several organisations of agricultural producers and associations of such organisations may constitute an agreement, decision or concerted practice for the purposes of competition law. However, such practice is permitted within the same producer organisation or association of producer organisations if it is proportionate to the objectives assigned to that organisation. Such practice is not proportionate to the objectives of stabilising prices and concentrating supply if the collective fixing of minimum sale prices within a producer organisation or association of producer organisations:
  - does not allow producers to sell their own products at a lower price than those minimum prices; and
  - has the effect of reducing the already low level of competition in the markets for agricultural products<sup>3</sup>.*
- *Member States may establish gas storage requirements which go beyond the minimum standard established by the Security of Gas Supply Regulation, provided that all the proportionality conditions of the Regulation are met. The Court further clarified that operators must have the effective possibility to satisfy their gas storage obligations at regional or EU level<sup>4</sup>.*

<sup>3</sup> APVE and Others, [C-671/15](#) and Court press release [No 120/17](#).

<sup>4</sup> Eni SpA and Others, [C-226/16](#).