

EFTA COURT

Action brought on 17 July 2014 by the EFTA Surveillance Authority against Iceland.

(Case E-14/14)

An action against Iceland was brought before the EFTA Court on 17 July 2014 by the EFTA Surveillance Authority, represented by Markus Schneider and Janne Tysnes Kaasin, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

- 1. Declare that by failing to adopt, and/or to notify the EFTA Surveillance Authority forthwith of, all the measures necessary to implement the Act referred to at point 1a of Chapter XXIII of Annex II to the Agreement on the European Economic Area (*Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys*), as adapted to the EEA Agreement by way of Protocol 1 and by Joint Committee Decision No. 127/2012 thereto, within the time prescribed, Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement.**
- 2. Order Iceland to bear the costs of these proceedings.**

Legal and factual background and pleas in law adduced in support:

- The application addresses Iceland's failure to comply, no later than 5 May 2014, with a reasoned opinion delivered by the EFTA Surveillance Authority on 5 March 2014 regarding that State's failure to implement into its national legal order Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys ("the Act"), as referred to at point 1a of Chapter XXIII of Annex II to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto.
- The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under Article 54 of the Act and under Article 7 of the EEA Agreement by failing to adopt, and/or to notify the EFTA Surveillance Authority of, all the measures necessary to implement the Act within the time prescribed.