

**Module Code: LU2010**  
**Module Name: Foundations of EU law**  
**Credit Value: 15**

**YOU MUST NOT PUT YOUR NAME OR STUDENT ID ANYWHERE IN THE BODY OF THE FILE OR TITLE OR YOU MAY INVALIDATE THIS ASSESSMENT**

**Assignment Type: Summative Coursework (submitted on Moodle).**

**Word Limit: 2000**

Submissions **MUST NOT** exceed the maximum word limit. Footnotes and a bibliography are **NOT** included in the word count.

**Instructions:** Please answer **ONE** question from the three questions set.

Coursework submissions **MUST** include a bibliography.

Submissions **MUST** conform to the CLS LLB House Style (on Moodle) and be submitted on Moodle **BEFORE** the submission box closes at ***13:00hrs (UK time) on Tuesday 10<sup>th</sup> January 2023.***

Please be sure that in your answers any verbatim quotation or close paraphrasing of sources (including the core textbook and lecture transcripts) **is properly cited in the footnotes in accordance with OSCOLA.** Verbatim quotes must be in '.....' with a source and page number attribution. Close paraphrasing must be identified with a source and page number attribution. Failing to do so will amount to poor academic practice and may amount to academic misconduct. For further information, see the programme handbook.

*Internal Examiner: Dr Tawhida Ahmed and Dr Marios Costa*

*External Examiner: Prof Umut Turksen*

## ANSWER ONE QUESTION ONLY

1. Using both EU case law and national case law, assess whether the CJEU has successfully secured supremacy of EU law over national law.
  
2. The (fictitious) Canine Safety Directive 2020/38, stipulates that all individuals who work with dogs must receive health and safety training, at least once a year. The deadline for the implementation of the Directive was 1st January 2021.

The (fictitious) Animals and Pets Act 1920 in French law provides that all persons whose full-time employment involves working with animals must receive health and safety training but does not specify the frequency of the training.

Lois is a dog handler for the French Police. Last week she was bitten by a dog and suffered a severe injury to her hand, which may leave her unable to work again. Lois received pet safety training 2 years ago. She brought a complaint to her employer, however they suggested that the level of training she received was in accordance with the Animals and Pets Act 1920.

Josephine is a part-time administrator for the charity Vision Support, which has been contracted by the French Department of Health to provide guide dogs for pensioners with vision difficulties. Josephine is occasionally involved with driving guide dogs to the handover Centre and seeks animal safety training from her employer.

Robert works for Home 2 Home Pets which takes care of dogs when owners are on holiday. He recently applied for promotion to a managerial position with a higher salary but lost out in favour of a colleague who has had annual pet health and safety training. Home 2 Home Pets does not offer this training to its employees, but employees can source and fund their own training externally. Robert complains that Home 2 Home Pets are not meeting the requirements of EU law.

Advise Lois, Josephine and Robert as to whether they have any cause of action against their employer in accordance with EU law.

How would your answer differ, if at all, for each individual in the following two situations: (a) the date of implementation for the Directive was August 2023, and (b) the Directive only stipulated that 'adequate health and safety training should be provided for all individuals who handle dogs'?

3. City Wine Ltd, a Greek company, exports its new product, made with added sulphites, to other member states. City Wine Ltd has encountered the following issues.
- a. In Spain, wine with sulphites is banned for public health reasons. City Wine Ltd's new line of wines has been selling successfully in Greece.
  - b. In the Netherlands, all imported wine with sulphites is subject to additional regulatory requirements, that must be assessed only in Dutch laboratories. All Dutch wine with sulphites are automatically processed through Dutch laboratories. City Wine Ltd provides a certificate to indicate health checks have taken place, but the Netherlands argue that they cannot rely on this as it does not indicate the precise nature of the tests.
  - c. Due to severe weather conditions, many roads in France are closed for a week. During this time, the government provides the use of warehousing to stop French goods in transit from deteriorating but it wants to charge City Wine Ltd for the use of the warehouses.
  - d. City Wine Ltd is faced with difficulties selling its products in Sweden because advertising of alcoholic beverages is illegal there. However, Swedish alcohol sales are steadily increasing.

Advise City Wine Ltd as to their rights under EU law.

**END OF ASSESSMENT**