

HEADLINE – COLLAPSE OF THE MORANDI BRIDGE IN GENOA AND REPERCUSSIONS IN FRANCE

On August 14, 2018, a portion of a viaduct of the A10 motorway collapsed in Genoa, Italy.

Since the deadly collapse of the so-called Morandi bridge, the question of the state of infrastructure has become particularly sensitive. A recent report estimates that a third of bridges in France require work and that 7% present a risk of collapse in the long term.

The French State will spend 850 million euros per year on the maintenance of its road network from 2020, announced the spokesman of the government, Benjamin Griveaux, on August 22. A budget that will increase to 930 million euros per year starting from 2023.

BIODIVERSITY – THE CONTROVERSIAL WHALE HUNTING IN JAPAN

After a 98-day expedition to the Pacific, which followed a winter campaign in the Antarctic after which 122 whales were killed, Japanese fishermen are back with 177 dead whales in their nets, despite international criticism.

The archipelago, which continues to kill cetaceans as part of a « scientific research program » to improve scientific knowledge for the conservation and management of cetacean resources, has long advocated for the relaxation of the moratorium on the whaling campaign put in place in 1986. Japan also intends to submit a request for a partial resumption of commercial whaling at a meeting of the International Whaling Commission (IWC) scheduled for September 2018 in Brazil.

WASTE – VALIDATION OF THE DECREE ON THE ORGANIZATION OF WASTE RECOVERY BY BUSINESSES



While the Council of State had received the recommendation of partial cancellation of the decree on the organization of the recovery of waste by businesses (March 10, 2016) which then rendered the text unenforceable, it finally validated it by a decision of August 16, 2018. Indeed, the decree implementing Article 93 of the Energy Transition Law (LTE) sets the terms and conditions for the creation of a network of professional landfills in the construction and public works sector. This decision then angered many workers in this sector who were very worried about the workload and the expected responsibility. However, these distributors had already begun to look for solutions to ensure the collection of this site waste even before the publication of the decree. Finally, the Ministry of Ecological Transition strongly encouraged not to charge artisans for the recovery of this waste at the risk of establishing a broader producer responsibility (REP) on this subject. This measure could therefore involve compelling distributors to have serious financial consequences.

POLLUTION – AN INDUSTRIAL INCIDENT CAUSING THE DEATH OF THOUSANDS OF FISH

A leak from the Tereos sugar refinery caused the dumping of 20 to 30 cubic meters of organic matter into the Oise River in the Aisne, France. This pollution resulted in the death of thousands of fish by asphyxiation over 30 km.

According to the prefecture, this leak is due to an incident on the site. More precisely it is an automatic valve of the vinasse loading station (natural fertilizer).

The oxygen level in the river has reached 0mg per liter of water causing asphyxiation of the fish.

It was also clarified that pollution has no harmful effect on drinking water and does not result in measures prohibiting fishing.

**Judgment of the Court of Justice
C632 / 16, Dyson, July 25 2018**

Vacuum cleaners sold within the European Union must comply with an energy label whose content is determined by a European directive and regulation. The European texts distinguish two energy efficiency tests according to whether the vacuum cleaners work with or without a dust bag. The company Dyson contests the tests carried out by the company BSH who, marketing vacuum cleaners with dust bag, displays the result of specific tests for vacuum cleaners with no dust bag. Dyson considers that to the extent that vacuum cleaners marketed by BSH consume more energy because they have a dust bag, their label is a misleading omission to the consumer.

In European law a commercial practice is misleading if it concerns substantial information.

Since the Regulation does not specify that the test conditions must be communicated to the consumer by the energy label, this information is not substantial and therefore does not constitute a misleading omission.

A huge landslide in the Koshe landfill, the main garbage storage facility in Addis Ababa, killed more than 110 people in March 2017 following earthworks for the construction of the incineration plant.

On August 19, 2018, right next to the Koshe landfill, a new waste recovery facility has just been inaugurated. Called Reppie, it is the first of its kind in Africa according to its promoters, namely Ethiopia, which financed the plant and the British company Cambridge Industries which carried the project.

The new facility, which will have cost about \$ 118 million, is expected to incinerate 1,400 tonnes of solid waste per day and the steam, generated by the combustion of waste, to run power generation turbines for power output 25 megawatts.

« With this project, the Ethiopian government hopes that it will be able to transform the growing threat of urban waste into an economic boon, » said Ethiopian President Mulatu Teshome.

 **JUSTICE – LAWSUIT FOR CLIMATE INACTION ADMISSIBLE BY THE CJEU**

Ten European families, including a lavender producer, have filed the complaint for « human rights violations » and « inadequate climate goals ».

The demand aims to reduce CO2 emissions and criticizes the States for their inaction in the face of global warming. They consider that the Union's target of reducing GHG emissions by at least 40% in 2030 by 2030 is not sufficient. CO2 emissions do not guarantee the fundamental rights to life, health, activity and property. The farmer also highlights the consequence of climate change is the decline of about 44% of his crops during the last ten years, reducing his 27 hectares to 5.

The applicants state that they do not want financial compensation but the adoption of concrete measures. They demand that the European court order obliges Parliament and the European Council to take effective action. They will have two months to present their defense.

 **ENVIRONMENT – PROHIBITION TO BRING SAND BACK FROM HOLIDAYS**



We are all used to bringing back memories of where we spent our holidays: shells, sand, etc. In Italy, and especially in Sardinia, it is now forbidden to bring sand back, under penalty of a fine of up to 3000 euros. Indeed, this summer an English tourist of Italian origin has recovered sand from Gallura in the north of the island. The Italian authorities considered that the collection of sand or shells on this natural area is a considerable environmental damage. Henceforth, it is prohibited by law. Tourists are now monitored by vigilantes present on the beaches to punish them as part of this practice. In France, the Code of the Environment provides, in its article L.321-8, a mention for the collection of sand or shells. It is also considered that the removal of sand is an attack on the maritime domain and a fine up to 1500 euros can be provided. However, in practice the French authorities can tolerate the harvest in small quantities.