

Jean Monnet Newsletter Summer 2016

Documents

Public Health

Commission Report on the implementation of Directive 2002/98/EC and others, setting standards of quality and safety for human blood and blood components, Brussels 21.4.2016, COM(2016) 224 final

Medical devices

On 25 May 2016, the EU agreed new rules on medical devices and in vitro diagnostic medical devices, Proposal for a regulation on medical devices - 2012/0266 (COD); Proposal for a regulation on in vitro diagnostic medical devices - 2012/0267 (COD)

e/mHealth

Code of Conduct on privacy for mHealth apps has been finalised, 7/6/2016

The Code of Conduct on privacy for mobile health apps has now been formally submitted for comments to the Art 29 Data Protection Working Party. Once approved by this independent EU advisory group, the Code will be applied in practice: App developers will be able to voluntarily commit to follow its rules, which are based on EU data protection legislation

<https://ec.europa.eu/digital-single-market/en/news/code-conduct-privacy-mhealth-apps-has-been-finalised>

Publications

Standardisation of Health and Social Services, Position of the European Social Insurance Platform (ESIP) FINAL, 14 July 2016 (www.esip.eu)

Events

Conference "standard of care", 26-27 September, 2016, MCI, Innsbruck/Austria, standardofcare2016innsbruck.mci.edu

Case law

Case C-358/14 Poland v European Parliament and Raad, C-477/14 Pillbox 38(UK) Limited/Secretary of State for Health en C-547/14 Philip Morris Brands SARL e.a./Secretary of State for Health (ACTION for annulment of Directive 2014/40/EU provisions under

Article 263 TFEU) Republic of Poland v European Parliament and Council of the European Union. Action for annulment — Approximation of laws — Directive 2014/40/EU — Article 2(25), Article 6(2)(b), Article 7(1) to (5), the first sentence of Article 7(7), Article 7(12) to (14) and Article 13(1)(c) — Validity — Manufacture, presentation and sale of tobacco products — Prohibition on the placing on the market of tobacco products with characterising flavours — Tobacco products containing menthol — Legal basis — Article 114 TFEU — Principle of proportionality — Principle of subsidiarity

C-634/15 Susanne Sokoll-Seebacher and Manfred Naderhirn v Agnes Hemetsberger and Others Request for a preliminary ruling. Article 99 of the Rules of Procedure of the Court of Justice — Freedom of establishment — Public health — Article 49 TFEU — Pharmacies — Adequate provision of medicinal products to the public — Operating licence — Territorial distribution of pharmacies — Establishment of limits based essentially on a demographic criterion.

Case C 148/15, Deutsche Parkinson Vereinigung eV v Zentrale zur Bekämpfung unlauteren Wettbewerbs eV Reference for a preliminary ruling from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany)). (Free movement of goods – Articles 34 and 36 TFEU – State fixed-prices for prescription-only medicinal products – Measure having equivalent effect to a quantitative restriction – Selling arrangement – Justification on ground of public health)

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