

Case C-443/98 Unilever Italia [2000] ECR I-7535

Facts: A company's labelling practices complied with national law but not EU law, and so the company purchasing the goods refused to pay. While the law had been properly notified, but it had been adopted in breach of a standstill clause under a Directive.

Held: The national court should refuse to apply the national technical regulation adopted in breach of a standstill clause (during a period of postponement of adoption). The inapplicability of a technical regulation could be invoked in proceedings between individuals whether for lack of notification or for breach of a standstill clause. The legal consequence of failure to comply was the same in relation to obligation to observe periods of postponement and to obligation of notification.