

## PRESS'ENVIR INME

N°224 – Tuesday July 11th, 2017 By Emilie STANICH, Jérome ROUSSEL, Hana TAJAMAL and Justine RAMADE

www.juristes-environnement.com

PARIS-SACI A

#### HEADLINE



A first in-depth study of bird mortality from wind turbines was published on June 20, 2017. Following this publication, Allain Bougrain Dubourg, President of the League for the Protection of Birds (LPO) not be exempt from taking account of biodiversity. According to the study, the mortality rate of birds is between 0.3 and 18.3 birds killed by wind turbine and per year. Similar figures were found in the United States and Canada. As a result, the LPO identified factors and made recommendations to reduce the impacts

of wind farms. In total, the LPO has advocated four flagship measures. Firstly, the development of a monitoring protocol for wind farms, better consideration of night migrants in the development of wind development projects, preservation of the vital spaces of birds, Wind farms within and near SPAs to preserve the production areas of the species. As a reminder, the Court of Justice of the European Union ruled in 2011 that a national regulation prohibiting the installation of wind turbines in Natura 2000 zones was not contrary to Community law.

#### CLIMATE - THE INCREASE IN TEMPERATURES A REAL THREAT FOR THE WORLD

Record temperature in France for a month of June, murderous fire in Portugal, heatwave temperature in Southern California. The world is particularly affected by rising temperatures, and "without a drastic reduction in greenhouse gases, three-quarters of the world's inhabitants would be exposed to potentially life-threatening heat waves by the end of the century", according to a study published in the journal Nature Climat Change 19 June. on

This study by eighteen researchers shows a significant increase in deaths related to different heat waves. For example, in summer 2003, 70,000 people died in Europe, including 20,000 in France. This threat will only get worse as long as governments fail to drastically reduce greenhouse gas emissions in the coming years.

"Many people around the world are already paying the high price for heat waves and this could get worse if greenhouse gas emissions do not decrease dramatically" says Camilo Mora, one of the professors associated with the study.

#### SERVICE EPR REACTOR SOON IN SERVICE

In April 2015, the Nuclear Safety Authority had revealed anomalies on the lid and bottom of the EPR reactor tank in Flamanville. Too high a concentration of carbon had been detected which could affect the capacity of the tank to withstand pressures and thermal shocks.

The "gendarme du nucléaire" had therefore asked EDF to carry out analyzes to ensure the resistance of the tank and to ensure that no risk thought about the installation. After 1700 tests, the bottom of the tank and its lid are ready for use.

The report was sent to the Nuclear Safety Authority, which should authorize the commissioning of the reactor. However, the association Greenpeace denounces several elements in this report. First of all, it denounced a lack of information from EDF on the origin of the anomalies and the history of the design of the tank. It also denounces intolerable pressures coming from the French energy giant on the nuclear gendarme. Since the rejection of the tank would be a problem for the industrialist who sold EPR projects in the UK, China and Finland.

#### 🛞 HEALTH - SANOFI INVESTS IN BIOMEDICAMENTS

On June 14, pharmaceutical group Sanofi announced its intention to invest a sum of 600 million euros for the production of biological drugs. In addition, a strategic partnership agreement was signed with the Swiss group Lonza, the world leader in the production of biological medicines. The two pharmaceutical groups intend to create and operate a joint venture in biomedicine. This production unit will be built in Viège, Switzerland. Biological drugs come from living and non-chemical cells, and better treat cardiovascular, neurological and cancer. In addition, these drugs are cheaper than traditional drugs. This statement gives hope to the French market which is very late in the production of biomedicine compared to its European neighbors. The production of biomedicine is a real growth driver for the pharmaceutical industry. To meet this challenge, Sanofi will invest in disposable equipment, and digital technology in new units built.

#### JURISPRUDENCE

# Judgment CJUE 14 June 2017 - Case C-422/16 and the parties it is: VerbandSozialerWettbewerbeV/TofuTown.comGmbH

company The German TofuTown manufactures and distributes vegetarian and vegan foods. It promotes and distributes in particular pure plant products under the names "Soyatoo butter of tofu" and other similar names. The Verband Sozialer Wettbewerb. а German association whose task is, in particular, to combat unfair competition, considers that this promotion infringes Union rules on denominations for milk and milk products. It therefore brought an action for annulment before the Landgericht Trier (Trier Regional Court, Germany) against TofuTown. The Court notes that, for marketing and advertising purposes, the legislation in question reserves, in principle, the designation "milk" for milk of animal origin only. The Court concludes that the listed names cannot be legally used to designate a purely vegetable product unless that product is on the list of exceptions, which is not the case with soya or tofu. Accordingly "purely vegetable products may not be marketed with names such as milk, cream or cheese which are reserved by Union law for products of animal origin".

### **BIODIVERSITY** - THE WILL OF THE EUROPEAN STATES FOR A STRENGTHENING OF THE NATURA 2000 NETWORK

On 19 June 2017 the Council of the European Union convened the Environment Ministers of the 27 EU member states. They validated the action plan for biodiversity. Presented to the Commission in April 2017, it aims to improve the application of the Habitats and Birds Directives. These texts form the basis of European biodiversity policy. They are reflected in the deployment of the Natura 2000 network. But this network is not functioning properly, and states must re-launch economically compatible action plans. The action plan foresees strengthening the Natura 2000 network, filling gaps in the marine environment, and helping Member States to put in place the necessary conservation measures for all sites. There is also a need for new financial support, with a 10% increase in the budget of the Life program for nature conservation projects, encouragement of private sector investment through the "natural capital financing" mechanism . To accompany these measures, the European Commission provides financial support: Member States welcomed this support and encouraged national, regional and local authorities to benefit from it.

#### WILDLIFE – TRAFFICHERS OF WILDLIFE PRODUCTS ARE ARRESTED



Cybercriminals were surprised by Interpol in an attempt to sell illegal products, including rhinoceros, elephants and tigers. At the origin of this discovery, a study funded by the International Fund for Animal Welfare (Ifaw), the US State Department and the African Wildlife Foundation (AWF), revealing 15 products offering products Based on rhinoceros horn, 8 concerning ivory and 3 proposing parts of tiger on the "Darknet", that is to say the network "virtual parallel to the Internet inaccessible publicly, decentralized and encrypted". This network is used for this type of traffic due to its discretion. Interpol's director of environmental security David Higgins said that "Traffickers will always seek to identify new spaces to take advantage of their illicit activities and the Darknet is no exception." This network is also favored because most transactions are made in crypto-currency, thus preserving their

anonymity because without physical support.

#### POLLUTION - WORLD OCEANS DAY MARKS SEA POLLUTION

On June 8th, on the occasion of the World Oceans Day, the WWF association published the first results of an alert study on plastic pollution. The NGO, having carried out biopsies on nearly 90 cetaceans in the Pelagos sanctuary (maritime area of 87,500 km<sup>2</sup> subject to an agreement between Italy, Monaco and France for the protection of marine mammals which Frequent, published an overwhelming report, as marine mammals, especially fin whales, sperm whales and pilot whales, are contaminated by phthalates, the chemical compounds found in plastics. Phthalates are even recognized as endocrine disruptors, such as DEHP, which is extremely toxic and has been found in very high concentrations in some cetaceans, such as the fin whale, NGO, "has a DEHP concentration of 799  $\mu$ g / kg, a sperm whale of 631  $\mu$ g / kg and a pilot whale of 739  $\mu$ g / kg ".

