

First case - motorcycles

1. Three level test

a) discriminating (-)

--> No, it's not discriminating because it's prohibited for all trailers

b) indistinct hinderance (+)

--> yes, indirectly and potentially hindering to sell the trailers in Italy

2. Justifying mandatory requirements of public interest

--> public safety and health

3. Adequate/appropriate

--> yes, to forbid motorcycles does protect peoples safety, they are more slippery and accidents could occur

4. Necessary

--> yes, people could have to get a special license for riding the trailer

Conclusion:

Law limits Art. 34 TFEU

Second case - Confectionary

1. Three level test

a) discriminating (-)

--> no, it prohibits all candy to be sold unwrapped

b) indistinct hinderance

--> yes, it makes it harder to sell candy that you usually don't wrap

2. Justifying mandatory requirements of public interest

--> public health

--> can't write an expiration date or ingredients on it

--> hygiene

3. Adequate/appropriate

--> yes, people with allergies could not look up the ingredients i.e.

4. Necessary

--> the vending machine could be labeled outside with ingredients and expiration date

--> but the hygiene would still be a problem because bacteria still can get in and get on the candy

Conclusion:

Law doesn't limit the Art. 34. TFEU

Third case - Optic lenses

1. Three level test

a) Discrimination (-)

--> no, because all lenses are forbidden

b) indistinct hindering

--> yes, directly hindering to enter the Hungarian market

2. Justifying mandatory requirements of public interest

--> public health

3. Adequate/appropriate

--> it does protect people from buying the wrong lenses and maybe hurting their eyes

4. Necessary

--> its not necessary because you could have a manual to tell you how to use them and what to do if you have any problems with them

--> people can also choose if they buy online or in a store. If they are not used to them, they would more likely go to an optician

Conclusion:

Law limits Art.34 TFEU