Spanish tender rejected as didn’t meet Irish standard- did not discriminate against Spanish companies directly but effect of measure was the same-discriminatory- prevented the Spanish supplier ever succeeding in tender and also that only Irish companies that can meet standard of supplying water pipes

Irish souvenirs case 1980s
Irish measure that all imported souvenirs but not domestically produced- bare a country of origins mark or foreign. Clear link between souvenir and where it was bought.
ECJ say this is nonsense- dismisses tone. Souvenirs are of little commercial value [but issue there is a big industry in it], which do not need to be produced at place of origin.

MEQR distinctly applicable are not controversial

Does Art 34 apply to indistinctly applicable measures?
Indistinctly applicable measures are tougher- discrimination is covert. Hindrance to trade arises not because of discrimination of foreign good but naturally due to the diversity of legal systems. Harmonisation as the answer to problems of disparities between the laws of the Member States
Note, however: Art 3 of Directive 70/50/EEC:
This directive also covers measures governing the marketing of products which deal, in particular, with shape, size, weight, composition, presentation, identification or putting up and which are equally applicable to domestic and imported products, the restrictive effect of such measures on the free movement of goods exceeds the effects intrinsic to trade rules,

Does measure impede, hinder or ,, trade

Cassis de Dijon I
Facts: French producer of fruit liquor. German authorities say it does not want product in country due to insufficient alcoholic content- fruit liquors must have a minimum content of 25% but this stuff had 15-20%.
Advocate starts with Dassonville formula
BUT ECJ departs from it and introduces an innovative step- creates a regulative gap.
‘In the absence of common rules relating to the production and marketing of alcohol… it is for the Member States to regulate all matters relating to the production and marketing of alcohol and alcoholic beverages on their own territory.
• Obstacles to movement within the Community resulting from disparities between the national laws relating to the marketing of the products in question must be accepted…”