

Re:

Reference for a preliminary ruling — Lietuvos vyriausybės administracinis teismas — Interpretation of Article 27(1)(f) of Council Directive 92/83/EEC of 19 October 1992 concerning harmonisation of the structures of excise duties on alcohol and alcoholic beverages (OJ 1992 L 316, p. 21) — Obligation to exempt alcohol contained in chocolate products being imported from third countries

Operative part of the judgment

Article 27(1)(f) of Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages should be understood as imposing an obligation on Member States to exempt from harmonised excise duty ethyl alcohol imported into the customs territory of the European Union and contained in chocolate products intended for direct use, where the alcohol content does not exceed 8.5 litres for every 100 kilograms of the chocolate products.

(¹) OJ C 86, 8.4.2006.

Judgment of the Court (Fifth Chamber) of 19 April 2007 — Commission of the European Communities v Hellenic Republic

(Case C-72/06) (¹)

(Failure of a Member State to fulfil obligations — Directive 2003/9/EC — Asylum policy — Asylum seekers — Reception — Minimum standards — Failure to transpose within the prescribed period)

(2007/C 96/26)

Language of the case: Greek

Parties

Applicant: Commission of the European Communities (represented by: M. Condou-Durande and C. O'Reilly, Agents)

Defendant: Hellenic Republic (represented by: N. Dafniou, Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the prescribed period, the provisions necessary to comply with Council Directive 2003/9/EC of 27 January 2003

laying down minimum standards for the reception of asylum seekers (OJ 2003 L 31, p. 18)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt, within the prescribed period, the laws, regulations and administrative provisions necessary to comply with Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers, the Hellenic Republic has failed to fulfil its obligations under Article 26 of that directive;
2. Orders the Hellenic Republic to pay the costs.

(¹) OJ C 74 of 25.3.2006.

Judgment of the Court (Sixth Chamber) of 19 April 2007 — Commission of the European Communities v Kingdom of Spain

(Case C-141/06) (¹)

(Failure of a Member State to fulfil obligations — Directive 2002/65/EC — Financial services — Distance marketing — Failure to transpose within the prescribed period)

(2007/C 96/27)

Language of the case: Spanish

Parties

Applicant: Commission of the European Communities (represented by: A. Aresu and R. Vidal Puig, Agents)

Defendant: Kingdom of Spain (represented by: M.A. Sampol Pucurull, Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, as regards financial services other than private insurance, the provisions necessary to comply with Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ 2002 L 271, p. 16)