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CENTRE DE DOCUMENTATION EUROPÉENNE

EU News: Click & Read

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This monthly newsletter contains a selection of recent official documents from the European Union. It features information of particular interest to Swiss readers and aims to provide universities, cantonal and federal administrations, lawyers, trade and financial businesses with information about the latest legal developments in the European Union.

Highlights of the month:

[Proposal for a Decision of the Council and of the Commission on the signature and provisional application on behalf of the European Community and the European Atomic Energy Community of the Agreement on Scientific and Technological Cooperation between the European Communities of the one part and the Swiss Confederation of the other part \[...\]](#)

[Proposal for a Council Decision authorising Austria to conclude an agreement with Switzerland that includes provisions derogating from Article 2\(1\)\(d\) of Directive 2006/112/EC on the common system of value added tax](#)

[Prior notification of a concentration. \(Case COMP/M.4540 — Nestlé/Novartis \(Medical Nutrition Business\)\)](#)

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6. Case Law*
7. Competition Proceedings (only under chapter 7)

*For cases which have not yet been translated into English, we refer to the French version!

1. External Relations of the EU

1.1 International Agreements

Agreement between the European Community and the Republic of **Paraguay** on **certain aspects of air services**.

EU-Paraguay, text of the agreement on certain aspects of air services

[O.J. of the EU, L 122/31, 11.05.2007](#)

Council Decision of 18 September 2006 on the signing and **provisional application** of the **Agreement** between the European Community and the Republic of **Paraguay** on **certain aspects of air services**.

EU-Paraguay agreement on certain aspects of air services

[O.J. of the EU, L 122/30, 11.05.2007](#)

Air Transport Agreement.

EU-USA, text of the Air Transport Agreement

[O.J. of the EU, L 134/04, 25.05.2007](#)

Decision of the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council, of 25 April 2007 on the signature and provisional application of the **Air Transport Agreement** between the **European Community** and its **Member States**, on the one hand, and the **United States of America**, on the **other hand**.

EU-USA, Air Transport Agreement

[O.J. of the EU, L 134/01, 25.05.2007](#)

Agreement between the European Union and the **government** of the **United States of America** on the **security of classified information**.

EU-USA, text of the Agreement on the security of classified information

[O.J. of the EU, L 115/30, 03.05.2007](#)

Council Decision 2007/274/JHA of 23 April 2007 concerning the conclusion of the **Agreement** between the **European Union** and the Government of the **United States of America** on the **security of classified information**.

EU-USA, Agreement on the security of classified information

[O.J. of the EU, L 115/29, 03.05.2007](#)

1.3 Community Legislation

Proposal for a Council Decision concerning the signature and provisional application of the **Agreement on Scientific and Technical Cooperation** between the **European Community and the State of Israel** [...].

[COM\(2007\) 276 final, 30.05.2007](#)

Commission Decision of 16 May 2007 amending Decision 2004/432/EC on the approval of **residue monitoring plans submitted by third countries** in accordance with Council Directive 96/23/EC.
(Text with EEA relevance)

Residue monitoring plans submitted by third countries including Switzerland

[O.J. of the EU, L 138/18, 30.05.2007](#)

European Economic Area, **EFTA Surveillance Authority Decisions** [...].

EFTA, Decisions Norway, withdrawal of all fish, bovine herds, vaccination of birds kept in zoos against highly pathogenic avian influenza, intra-Community trade

[O.J. of the EU, L 132/36-42, 24.05.2007](#)

Commission Regulation (EC) No 560/2007 of 23 May 2007 amending Regulation (EC) No 883/2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards **trade with third countries in products in the wine sector**.

Trade with third countries in products in the wine sector

[O.J. of the EU, L 132/31, 24.05.2007](#)

Commission Decision of 19 April 2007 amending Decisions 2001/881/EC and 2002/459/EC as regards the **list of border inspection posts**.
(Text with EEA relevance)

List of border inspection posts

[O.J. of the EU, L 116/34, 04.05.2007](#)

Commission Decision of 17 April 2007 concerning **lists of animals and products to be subject to controls at border inspection posts** under Council Directives 91/496/EEC and 97/78/EC.
(Text with EEA relevance)

Lists of animals and products to be subject to controls at border inspection posts

[O.J. of the EU, L 116/09, 04.05.2007](#)

1.4 Preparatory Acts, Reports

EMAS, The **Eco-Management and Audit Scheme**. List of **registered sites** in **Norway** in accordance with Regulation (EC) No 761/2001 of the European Parliament and of the Council.

The Eco-Management and Audit Scheme

[O.J. of the EU, C 114/07, 24.05.2007](#)

Proposal for a Council Regulation on **information provision** and **promotion measures** for **agricultural products** on the **internal market** and in **third countries**.

Information provision and promotion measures for agricultural products on the internal market and in third countries

[COM\(2007\) 268 final, 23.05.2007](#)

EFTA Surveillance Authority: Decision, Authorisations of State Aid and a Notification from the Norwegian authorities.

Decision on a tax refund scheme, Authorisations of State Aid, notification loan granted to a private seed capital and equity fund to be established

[O.J. of the EU, C 111/20-23, 17.05.2007](#)

Proposal for a Council Decision on the **accession** of the **European Communities** to the **World Customs Organisation** and the **exercise of rights and obligations** akin to **membership ad interim**.

Accession of the European Communities to the World Customs Organisation

[COM\(2007\) 252 final, 14.05.2007](#)

Communication from the Commission to the Council and the European Parliament. **Development** and **consolidation** of the **external service: 2007-2008**.

Development and consolidation of the external service

[COM\(2007\) 206 final, 10.05.2007](#)

1.6 Case Law

Order of the President of the Court, 22 December 2006 in Case E-4/06, **KLM Royal Dutch Airlines v Staten v/ Finansdepartementet** (The Norwegian State, represented by the Ministry of Finance).

Claim for reimbursement of taxes which a Member State has collected in conflict with provisions of the EEA Agreement, legal basis

[O.J. of the EU, C 111/24 17.05.2007](#)

2. EU-Swiss Relations

2.4 Preparatory Acts, Reports*

Proposal for a Decision of the Council and of the Commission on the signature and provisional application on behalf of the European Community and the European Atomic Energy Community of the **Agreement on Scientific and Technological Cooperation** between the **European Communities** of the one part and the **Swiss Confederation** of the other part [...].

EU-CH, Agreement on Scientific and Technological Cooperation

[COM\(2007\) 305 final, 01.06.2007](#)

[EU relations with Switzerland.](#)

(updated May 2007)

EU-CH, EU relations with Switzerland

Switzerland's time-honoured cooperation with Eastern Europe receives **renewed legal foundation**.

EU-CH, Switzerland's time-honoured cooperation with Eastern Europe receives renewed legal foundation

[News, Federal department of foreign affairs, FDFA](#)

Contribution to the **enlarged EU**.

Contribution to the enlarged EU

[Federal department of foreign affairs, FDFA](#)

Proposal for a Council Decision **authorising Austria** to **conclude an agreement** with **Switzerland** that includes provisions derogating from Article 2(1)(d) of Directive 2006/112/EC on the **common system of value added tax**. (Only the German version is authentic)

EU-CH, Austria to conclude an agreement with Switzerland derogation from the common system of value added tax

[COM\(2007\) 251 final, 15.05.2007](#)

*For documents from the FDFA (Federal Department of Foreign Affairs) which have not yet been translated into English, we refer to the French version!

3 External borders, Immigration, Asylum, Security and Defence Policy

3.1 International Agreements

Agreement between the European Community and the **Russian Federation** on the **facilitation** of the **issuance** of **visas** to the **citizens** of the **European Union** and the **Russian Federation**.

EU-Russia, text of the Agreement on the facilitation of issuance of short-stay visas

[O.J. of the EU, L 129/27, 17.05.2007](#)

Council Decision of 19 April 2007 on the conclusion of the **Agreement between the European Community and the Russian Federation on the facilitation of issuance of short-stay visas.**

EU-Russia, Agreement on the facilitation of issuance of short-stay visas

[O.J. of the EU, L 129/25, 17.05.2007](#)

Protocol to the Agreement on the Member States that do not **fully apply** the *Schengen acquis*.

Agreement on the Member States that do not fully apply the *Schengen acquis*

[O.J. of the EU, L 129/35, 17.05.2007](#)

Agreement between the European Community and the Russian Federation on readmission.

EU-Russia, text of the Agreement on readmission

[O.J. of the EU, L 129/40, 17.05.2007](#)

Council Decision of 19 April 2007 on the **conclusion** of the **Agreement between the European Community and the Russian Federation on readmission.**

EU-Russia, Agreement on readmission

[O.J. of the EU, L 129/38, 17.05.2007](#)

3.3 Community Legislation

Council Joint Action 2007/369/CFSP of 30 May 2007 on **establishment** of the **European Union Police Mission in Afghanistan**. (EUPOL AFGHANISTAN [sic]).

Establishment of the European Union Police Mission in Afghanistan

[O.J. of the EU, L 139/33, 31.05.2007](#)

Council Joint Action 2007/359/CFSP of 23 May 2007 **amending** and **extending** Joint Action 2005/889/CFSP on establishing a **European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)**.

Establishment of a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)

[O.J. of the EU, L 133/51, 25.05.2007](#)

Political and Security Committee Decision EUPT/1/2007 of 15 May 2007 **extending** the **mandate** of the **Head** of the **EU Planning Team (EUPT Kosovo)** regarding a possible **EU crisis management operation** in the field of **rule of law** and **possible other areas** in **Kosovo**.

Extension of the mandate of the Head of the EU Planning Team (EUPT Kosovo)

[O.J. of the EU, L 133/49, 25.05.2007](#)

Council Common Position 2007/338/CFSP of 14 May 2007 renewing certain **restrictive measures** against **Uzbekistan**.

Restrictive measures against Uzbekistan

[O.J. of the EU, L 128/50, 16.05.2007](#)

Council Joint Action 2007/334/CFSP of 14 May 2007 amending and extending Joint Action 2006/304/CFSP on the **establishment** of an **EU Planning Team (EUPT Kosovo)** regarding a possible **EU crisis management operation** in the field of rule of law and **possible** other **areas** in **Kosovo**.

Establishment of an EU Planning Team (EUPT Kosovo)

[O.J. of the EU, L 125/29, 15.05.2007](#)

Commission Regulation (EC) No 553/2007 of 22 May 2007 amending for the 77th time Council Regulation (EC) No 881/2002 imposing certain **specific restrictive measures** directed against **certain persons** and **entities associated** with **Usama bin Laden**, the **Al-Qaida network** and the **Taliban**, and repealing Council Regulation (EC) No 467/2001.

Specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

[O.J. of the EU, L 131/16, 23.05.2007](#)

Commission Regulation (EC) No 507/2007 of 8 May 2007 amending for the 76th time Council Regulation (EC) No 881/2002 imposing certain **specific restrictive measures** directed against **certain persons** and **entities associated** with **Usama bin Laden**, the **Al-Qaida network** and the **Taliban**, and repealing Council Regulation (EC) No 467/2001.

Specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

[O.J. of the EU, L 119/27, 09.05.2007](#)

Commission Regulation (EC) No 492/2007 of 3 May 2007 amending for the 75th time Council Regulation (EC) No 881/2002 imposing certain **specific restrictive measures** directed against **certain persons** and **entities associated** with **Usama bin Laden**, the **Al-Qaida network** and the **Taliban**, and repealing Council Regulation (EC) No 467/2001.

Specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

[O.J. of the EU, L 116/05, 04.05.2007](#)

3.4 Preparatory Acts, Reports

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on **circular migration and mobility partnerships between the European Union and third countries.**

Circular migration and mobility partnerships between the European Union and third countries

[COM\(2007\) 248 final, 16.05.2007](#)

Proposal for a Directive of the European Parliament and of the Council providing for **sanctions against employers of illegally staying third-country nationals.**

Sanctions against employers of illegally staying third-country nationals

[COM\(2007\) 249 final, 16.05.2007](#)

Proposal for a Council Regulation amending Regulation (EC) No 234/2004 concerning **certain restrictive measures in respect of Liberia** and repealing Regulation (EC) No 1030/2003.

Certain restrictive measures in respect of Liberia

[COM\(2007\) 296 final, 31.05.2007](#)

Opinion of the European Central Bank of 13 April 2007 on a proposal for Council directive on the **identification and designation of European Critical Infrastructure** and the **assessment of the need to improve their protection.**

Identification and designation of European Critical Infrastructure and the assessment of the need to improve their protection, particularly terrorist attacks

[O.J. of the EU, C 116/01, 26.05.2007](#)

3.5 Calls

Call for Proposals 2007 on '**Prevention, Preparedness and Consequence Management of Terrorism and other Security related risks**'.

Calls on management of terrorist attacks.

[O.J. of the EU, C 108/14, 12.05.2007](#)

4. Judicial Cooperation in Civil Matters (Lugano/Brussels Conventions)

4.6 Case Law

Case C-386/05, Color Drack. **Jurisdiction** and the **recognition and enforcement of judgments in civil and commercial matters** – Regulation (EC) No 44/2001 – Special jurisdiction – First indent of Article 5(1)(b) – Court for the place of performance of the contractual obligation in question – Sale of goods – Goods delivered in different places within a single Member State.

Area of Freedom, Security and Justice

[Curia, Case C-386/05, 03.05.2007](#)

5. Police and Judicial Cooperation in Criminal Matters

5.4 Preparatory Acts, Reports

Communication from the Commission to the European Parliament, the Council and the Committee of the Regions, **towards a general policy on the fight against cyber crime.**

Towards a general policy on the fight against cyber crime

[COM\(2007\) 267 final, 22.05.2007](#)

5.5 Calls

Framework Programme on Fundamental Rights and Justice. Specific programme 'Criminal justice'. Action grants.

Framework Programme on Fundamental Rights and Justice. Specific programme 'Criminal justice', Action grants

[O.J. of the EU, C 109/20, 15.05.2007](#)

Framework Programme on Fundamental Rights and Justice. Specific programme 'Criminal justice'. Operating grants.

Framework Programme on Fundamental Rights and Justice. Specific programme 'Criminal justice'. Operating grants.

[O.J. of the EU, C 109/20, 15.05.2007](#)

Framework Programme on 'Security and Safeguarding Liberties', Specific programme 'Prevention of and Fight against Crime'.

Prevention of and Fight against Crime, Framework Programme on 'Security and Safeguarding Liberties

[O.J. of the EU, C 102/15, 05.05.2007](#)

Framework Programme on Fundamental Rights and Justice, Specific programme 'Criminal justice' Interconnection of Criminal Records.

Interconnection of Criminal Records, Framework Programme on Fundamental Rights and Justice

[O.J. of the EU, C 102/14, 05.05.2007](#)

5.6 Case Law

Case C-303/05, *Advocaten voor de Wereld*. **Police and judicial cooperation in criminal matters** – Articles 6(2) EU and 34(2)(b) EU – Framework Decision 2002/584/JHA – European arrest warrant and surrender procedures between Member States – Approximation of national laws – Removal of verification of double criminality – Validity.

Police and judicial cooperation in criminal matters

[Curia, Case C-303/05, 03.05.2007](#)

6. Internal Market (Free Movement of Goods/Customs Union/Persons/Services/Capital)

6.3 Community Legislation

Council Regulation (EC) No 501/2007 of 7 May 2007 amending Annex I to Regulation (EEC) No 2658/87 on the **tariff and statistical nomenclature** and on the **Common Customs Tariff**.

Tariff and statistical nomenclature and on the Common Customs Tariff

[O.J. of the EU, L 119/01, 09.05.2007](#)

6.6. Case Law

Case C-157/05, *Holböck*. **Free movement of capital – Freedom of establishment – Income tax** – Distribution of dividends – Income from capital originating in a non-member country.

Free movement of capital, freedom of establishment

[Curia, Case C-157/05, 24.05.2007](#)

7. Competition, Commerce, Commercial Enterprises, Banks

7.3 Community Legislation

Decision of the European Central Bank of 17 April 2007 adopting **implementing rules** concerning **data protection** at the **European Central Bank**.

Implementing rules concerning data protection at the European Central Bank

[O.J. of the EU, L 116/64, 04.05.2007](#)

7.4 Preparatory Acts, Reports

Report to the Council and the European Parliament, on the **financial instruments** of the **multiannual programme** for **enterprise and entrepreneurship**, and **in particular** for **small and medium-sized enterprises (SMEs) (2001-2006)**.

[COM\(2007\) 235 final, 04.05.2007](#)

Financial instruments of the multiannual programme for enterprise and entrepreneurship, small and medium-sized enterprises

Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee, the Committee of the Regions and the European Central Bank. – **Annual Statement on the Euro Area 2007** –.

[COM\(2007\) 231 final, 03.05.2007](#)

Annual Statement on the Euro Area 2007

7.6 Case Law

Case T-289/01, *Duales System Deutschland v Commission of the European Communities*. **Competition – Agreements, decisions and concerted practices** – Collection and recovery system for packaging marketed in Germany bearing the Der Grüne Punkt logo – Decision granting exemption – Obligations imposed by the Commission to ensure competition – Exclusivity granted by the system operator to the collection undertakings used – Restriction of competition – Need to guarantee the access of competitors to the collection facilities used by the system operator – Commitments given by the system operator.

[Curia, Case T-289/01, 24.05.2007](#)

Competition, agreements, decisions and concerted practices

Case T-151/01, *Duales System Deutschland / Commission of the European Communities*. – **Competition – Abuse of a dominant position** – Collection and recovery system for packaging carrying the Der Grüne Punkt logo and put into circulation in Germany – Decision finding abuse of a dominant position – Barrier to entry – Fee payable under the ‘Trade Mark Agreement’.

[Curia, Case T-151/01, 24.05.2007](#)

Competition, abuse of a dominant position

Case C-328/05 P, SGL Carbon v Commission of the European Communities. Appeals – **Competition – Agreements, decisions and concerted practices** – Guidelines on the method of setting fines – Leniency Notice – Principle non bis in idem.

Competition, agreements, decisions and concerted practices

[Curia, Case C-328/05 P, 10.05.2007](#)

Case T-357/02, Freistaat Sachsen v Commission of the European Communities. **State aid – Aid granted by the authorities of the Free State of Saxony – Aid scheme for small and medium-sized enterprises** – Accelerated clearance procedure – Application ratione temporis of the Community guidelines and of the exempting regulation concerning aid to small and medium-sized enterprises – Aid scheme notified before the entry into force of the exempting regulation – Legitimate expectations – Legal certainty – Complete notification.

State aid

[Curia, Case T-357/02, 03.05.2007](#)

Case C-391/04, Georgakis. Directive 89/592/EEC – **Insider dealing** – Meaning of ‘**inside information**’ and ‘**taking advantage of inside information**’ – **Stock-market transactions agreed on in advance and carried out within a group of persons capable of being insider dealers** – Artificial increase in the price of transferable securities disposed of.

Approximation of laws, Insider dealing

[Curia, Case C-391/04, 10.05.2007](#)

7.7 Competition Proceedings (only under chapter 7)

Commission Decision of 14 March 2006 declaring a **concentration compatible** with the **common market** and the functioning of the **EEA Agreement**.
(Case COMP/M.3868 – DONG/Elsam/Energi E2)

Concentration compatible with the common market and the functioning of the EEA Agreement

[O.J. of the EU, L 133/24, 25.05.2007](#)

Opinion of the Advisory Committee on Concentrations and Final report of the Hearing Officer in Case COMP/M.3868 – **Dong/Elsam/Energi E2** [...].

Opinion and Final report in Case COMP/M.3868 – Dong/Elsam/Energi E2

[O.J. of the EU, C 115/31, 25.05.2007](#)

[O.J. of the EU, C 115/34, 25.05.2007](#)

Prior notification of a concentration. (Case COMP/M.4540 – Nestlé/Novartis (Medical Nutrition Business)).
(Text with EEA relevance)

Prior notification of a concentration, (“Nestlé/“NMN”, Novartis”, Switzerland)

[O.J. of the EU, C 110/32, 16.05.2007](#)

Non-opposition to a notified concentration. (Case COMP/M.4620 – Swisscom/Fastweb).
(Text with EEA relevance)

Non-opposition to a notified concentration, (“Swisscom”, Switzerland)

[O.J. of the EU, C 110/03, 16.05.2007](#)

Initiation of proceedings. (Case COMP/M.4523 – Travelport/Worldspan).
(Text with EEA relevance)

Initiation of proceedings, Travelport/Worldspan

[O.J. of the EU, C 107/03, 11.05.2007](#)

Non-opposition to a notified concentration. (Case COMP/M.4619 – SCOR/Converium).
(Text with EEA relevance)

Non-opposition to a notified concentration, Converium Holding (‘Converium’, Switzerland)

[O.J. of the EU, C 99/03, 03.05.2007](#)

8. Public Procurement

9. Economic Matters and Financial Services, Taxation

10. Industrial and Intellectual Property

10.6 Case Law

Joined Cases T-241/05, T-262/05 to T-264/05, T-346/05, T-347/05, T-29/06 to T-31/06, Procter & Gamble v Office for Harmonisation in the Internal Market (OHIM) (Tablette carrée blanche avec un dessin floral de couleur).

Community trade mark – Applications for three-dimensional trade marks – Square white tablets with coloured floral design – Absolute ground for refusal – Article 7(1)(b) of Regulation (EC) No 40/94 – Absence of distinctive character.

Intellectual property, Community trade mark

[Curia, Cases T-241/05, T-262/05 to T-264/05, T-346/05, T-347/05, T-29/06 to T-31/06, 23.05.2007](#)

Joined Cases T-239/05, T-240/05, T-245/05 to T-247/05, T-255/05, T-274/05 to T-280/05, Black & Decker v Office for Harmonisation in the Internal Market (OHIM) - Atlas Copco (Représentation tridimensionnelle d'un outil électrique jaune and noir). **Community trade mark** – Opposition proceedings – Opposition period – Transmission by telecopier – Admissibility – Clear identification of the earlier trade mark [...].

**Intellectual property,
Community trade mark**

[Curia, Cases T-239/05, T-240/05, T-245/05 to T-247/05, T-255/05, T-274/05 to T-280/05, 15.05.2007](#)

Case T-47/06, Antartica v Office for Harmonisation in the Internal Market (OHIM) - Nasdaq Stock Market (nasdaq). **Community trade mark** – Opposition proceedings – Application for Community figurative mark nasdaq – Earlier Community word mark NASDAQ – Relative ground for refusal – Reputation – Article 8(5) of Regulation (EC) No 40/94.

**Intellectual property,
Community trade mark**

[Curia, Case T-47/06, 10.05.2007](#)

11. Human rights, Data Protection, Consumer Affairs

11.4 Preparatory Acts, Reports

Common Position (EC) No 4/2007 adopted by the Council on 5 March 2007 with a view to adopting Decision No .../.../EC of the European Parliament and of the Council of ... establishing for the period 2007-2013 a **specific programme to prevent and combat violence against children, young people and women and to protect victims and groups at risk** (Daphne III programme) as part of the General Programme 'Fundamental Rights and Justice'.

Specific programme to prevent and combat violence against children, young people and women and to protect victims and groups at risk

[O.J of the l'EU, C 103 E/01, 08.05.2007](#)

Communication from the Commission to the European Parliament and the Council on **Promoting Data Protection by Privacy Enhancing Technologies (PETs)**.

[COM\(2007\) 228 final, 02.05.2007](#)

12. Telecommunications, Education, Research and Technology

12.3 Community Legislation

Commission Decision of 16 May 2007 granting a derogation requested by France pursuant to Decision 2006/804/EC on **harmonisation** of the **radio spectrum** for **radio frequency identification (RFID) devices operating in the ultra high frequency (UHF) band**.
(Only the French text is authentic)

Harmonisation of the radio spectrum for radio frequency identification (RFID) devices operating in the ultra high frequency (UHF) band

[O.J. of the EU, L 130/43, 22.05.2007](#)

Commission Decision of 16 May 2007 on **harmonised availability of information regarding spectrum use** within the **Community**.
(Text with EEA relevance)

Harmonised availability of information regarding spectrum use

[O.J. of the EU, L 129/67, 17.05.2007](#)

Commission Decision of 15 May 2007 amending Decision 2003/43/EC establishing the **classes of reaction-to-fire performance for certain construction products** as regards **wood-based panels**.
(Text with EEA relevance)

Establishment of classes of reaction-to-fire performance for certain construction products as regards wood-based panels

[O.J. of the EU, L 131/21, 23.05.2007](#)

12.4 Preparatory Acts, Reports

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. **GALILEO at a cross-road: the implementation of the European GNSS programmes**.

GALILEO at a cross-road: the implementation of the European GNSS programmes

[COM\(2007\) 261 final, 16.05.2007](#)

Proposal for a Council Regulation on the **establishment of the "ARTEMIS Joint Undertaking"** to implement a **Joint Technology Initiative in Embedded Computing Systems**.

Establishment of the "ARTEMIS Joint Undertaking", Joint Technology Initiative in Embedded Computing Systems

[COM\(2007\) 243 final, 15.05.2007](#)

Commission communication in the framework of the implementation of the Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the **approximation** of the **laws** of the **Member States concerning pressure equipment**.

(Text with EEA relevance)

[O.J. of the EU, C 118/01, 26.05.2007](#)

Harmonised standards relating to pressure equipment

Commission communication in the framework of the implementation of the Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the **approximation** of the **laws** of the Member States **relating to machinery**.

(Text with EEA relevance)

[O.J. of the EU, C 104/01, 08.05.2007](#)

Harmonised standards relating to machinery: lifts, escalators [...]

Report from the Commission to the Council and European Parliament. **Report on the Development, Validation and Legal Acceptance of Alternative Methods to Animal Tests in the Field of Cosmetics** (2005).

[COM\(2007\) 232 final, 03.05.2007](#)

Alternative Methods to Animal Tests in the Field of Cosmetics

12.5 Calls

MEDIA 2007. Call for proposals — EACEA/11/07 I2I audiovisual.

[O.J. of the EU, C 112/13, 22.05.2007](#)

Calls, MEDIA, I2I audiovisual

MEDIA 2007. Call for Proposals — EACEA/14/07. Measures to support **Promotion** and **Market Access**.

[O.J. of the EU, C 109/22, 15.05.2007](#)

Calls, MEDIA, measures to support Promotion and Market Access

MEDIA 2007. Call for proposals — EACEA/15/07. **Measures to support Promotion in countries, which are not members** of the **MEDIA programme**.

[O.J. of the EU, C 109/21, 15.05.2007](#)

Calls, promotion in countries, which are not members of the MEDIA programme

Youth in Action. Action 1 — **Youth for Europe**. Pilot Projects on Thematic Networking. Call for Proposals — EACEA/08/07.

[O.J. of the EU, C 119/13, 30.05.2007](#)

Youth for Europe, Pilot Projects on Thematic Networking

Call for Proposals DG EAC/20/07 (Directorate-General for Education and Culture) under the Lifelong Learning Programme — **Award of grants for actions to develop and test the European Qualifications Framework (EQF), including national and sectoral qualifications frameworks.**

[O.J. of the EU, C 115/39, 25.05.2007](#)

Calls for proposals under the work programme for 2007 of the **Information and Communication Technologies Policy Support Programme** as part of the **Competitiveness and Innovation Framework Programme (2007 to 2013).**

[O.J. of the EU, C 115/43, 25.05.2007](#)

Calls for proposals under the work programmes of the **7th EC Framework Programme for Research, Technological Development and Demonstration Activities.**

[O.J. of the EU, C 114/10, 24.05.2007](#)

12.6 Case Law

Case T-500/04, Commission of the European Communities v IIC. **Arbitration clause** – Jurisdiction of the Court of First Instance – **Repayment** of the **advance paid** by the **Community for projects financed in the domain of trans-European telecommunications networks** – Forfeiture – Eligibility of the costs purportedly incurred.

[Curia, case T-500/04, 22.05.2007](#)

13. Transport, Environment, Energy and Health

13.3 Community Legislation

Regulation No 51 of the Economic Commission for Europe of the United Nations (UN/ECE) — **Uniform provisions concerning the approval of motor vehicles having at least four wheels with regard to their noise emissions.**

[O.J. of the EU, L 137/68, 30.05.2007](#)

Calls, award of grants for actions to develop and test the European Qualifications Framework (EQF), including national and sectoral qualifications frameworks

Call, Information and Communication Technologies Policy Support Programme as part of the Competitiveness and Innovation Framework Programme

Call, EC Framework Programme for Research, Technological Development and Demonstration Activities

Research, information, education, statistics, Arbitration clause

Approval of motor vehicles having at least four wheels with regard to their noise emissions

Regulation No 48 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the **approval of vehicles** with regard to the **installation of lighting and light-signalling devices**.

Approval of vehicles with regard to the installation of lighting and light-signalling devices

[O.J. of the EU, L 137/01, 30.05.2007](#)

Commission Directive 2007/29/EC of 30 May 2007 amending Directive 96/8/EC as regards **labelling, advertising or presenting foods** intended for use in **energy-restricted diets for weight reduction**.

Labelling, advertising or presenting foods intended for use in energy-restricted diets for weight reduction

(Text with EEA relevance)

[O.J. of the EU, L 139/22, 31.05.2007](#)

Commission Decision of 15 May 2007 authorising the **placing on the market of oil enriched with phytosterols/phytosterols** as a **novel food ingredient** under Regulation (EC) No 258/97 of the European Parliament and of the Council.

Placing on the market of oil enriched with phytosterols/phytosterols as a novel food ingredient

(Only the English text is authentic)

[O.J. of the EU, L 129/63, 17.05.2007](#)

Commission Directive 2007/28/EC of 25 May 2007 amending certain Annexes to Council Directives 86/363/EEC and 90/642/EEC as regards **maximum residue levels for azoxystrobin, chlorfenapyr, folpet, iprodione, lambda-cyhalothrin, maleic hydrazide, metalaxyl-M and trifloxystrobin**.

Maximum levels for pesticide residues in and on foodstuffs of animal origin

(Text with EEA relevance)

[O.J. of the EU, L 135/06, 26.05.2007](#)

Commission Directive 2007/27/EC of 15 May 2007 amending certain Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards **maximum residue levels for etoxazole, indoxacarb, mesosulfuron, 1-methylcyclopropene, MCPA and MCPB, tolylfluanid and triticonazole**.

Maximum residue levels for etoxazole, indoxacarb, mesosulfuron, 1-methylcyclopropene, MCPA and MCPB, tolylfluanid and triticonazole

(Text with EEA relevance)

[O.J. of the EU, L 128/31, 16.05.2007](#)

Commission Decisions of 25 April 2007 on the **withdrawal** from the **market of maize, hybrid oilseed rape** [...].

Withdrawal from the market of maize, hybrid oilseed rape

[O.J. of the EU, L 117/14-25, 05.05.2007](#)

Commission Recommendation of 3 May 2007 on the **monitoring of acrylamide levels in food**.
(Text with EEA relevance)

Monitoring of acrylamide levels in food

[O.J. of the EU, L 123/33, 12.05.2007](#)

Commission Directive 2007/26/EC of 7 May 2007 amending Directive 2004/6/EC to **extend its period of application**.
(Text with EEA relevance)

Chemical substances added for specific nutritional purposes to some foods for particular nutritional uses, extension of the period of application

[O.J. of the EU, L 118/05, 08.05.2007](#)

Commission Regulation (EC) No 506/2007 of 8 May 2007 imposing **testing and information requirements** on the **importers or manufacturers of certain priority substances** in accordance with Council Regulation (EEC) No 793/93 on the evaluation and control of the **risks of existing substances**.
(Text with EEA relevance)

Testing and information requirements on the importers or manufacturers of certain priority substances

[O.J. of the EU, L 119/24, 09.05.2007](#)

Commission Decision of 4 May 2007 laying down **protective measures** concerning uses of **plant protection products** containing **tolyfluanid** leading to the **contamination of drinking water**.
(Text with EEA relevance)

Protective measures concerning uses of plant protection products containing tolyfluanid leading to the contamination of drinking water

[O.J. of the EU, L 119/49, 09.05.2007](#)

Commission Decision of 21 May 2007 on guidelines to assist Member States in preparing the **single integrated multi-annual national control plan** provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council.
(Text with EEA relevance)

Official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules

[O.J. of the EU, L 138/24, 30.05.2007](#)

Commission Regulation (EC) No 516/2007 of 10 May 2007 concerning the **permanent authorisation** of an **additive** in **feedingstuffs**.

(Text with EEA relevance)

[O.J. of the EU, L 122/22, 11.05.2007](#)

Commission Regulation (EC) No 500/2007 of 7 May 2007 amending Regulation (EC) No 1463/2004 as regards the introduction of a **maximum residue limit** for the **feed additive 'Sacox 120 microGranulate'**, belonging to the group of **coccidiostats** and other **medicinal substances**.

(Text with EEA relevance)

[O.J. of the EU, L 118/03, 08.05.2007](#)

Commission Regulation (EC) No 538/2007 of 15 May 2007 concerning the **authorisation** of a **new use of *Enterococcus faecium* DSM 7134 (Bonvital)** as a **feed additive**.

(Text with EEA relevance)

[O.J. of the EU, L 128/16, 16.05.2007](#)

Commission Regulation (EC) No 537/2007 of 15 May 2007 concerning the **authorisation** of the **fermentation product of *Aspergillus oryzae* (NRRL 458) (Amaferm)** as a **feed additive**.

(Text with EEA relevance)

[O.J. of the EU, L 128/13, 16.05.2007](#)

Commission Regulation (EC) No 497/2007 of 4 May 2007 concerning the **authorisation of endo-1,4-beta-xylanase EC 3.2.1.8 (Safizym X)** as a **feed additive**.

(Text with EEA relevance)

[O.J. of the EU, L 117/11, 05.05.2007](#)

Commission Regulation (EC) No 496/2007 of 4 May 2007 amending Regulation (EC) No 600/2005 as regards the introduction of a **maximum residue limit** for the **feed additive 'Salinomax 120G'**, belonging to the group of **coccidiostats** and other **medicinal substances**.

(Text with EEA relevance)

[O.J. of the EU, L 117/09, 05.05.2007](#)

Permanent authorisation of an additive in feedingstuffs

Introduction of a maximum residue limit for the feed additive 'Sacox 120 microGranulate', belonging to the group of coccidiostats and other medicinal substances

Authorisation of a new use of *Enterococcus faecium* DSM 7134 (Bonvital) as a feed additive

Authorisation of *Aspergillus oryzae* (NRRL 458) (Amaferm) as a feed additive

Authorisation of endo-1,4-beta-xylanase EC 3.2.1.8 (Safizym X) as a feed additive

Maximum residue limit for the feed additive 'Salinomax 120G', belonging to the group of coccidiostats and other medicinal substances

Commission Decision of 25 May 2007 concerning the **non-inclusion of thiodicarb** in Annex I to Council Directive 91/414/EEC and the **withdrawal of authorisations for plant protection products containing that substance.**
(Text with EEA relevance)

[O.J. of the EU, L 139/28, 31.05.2007](#)

Non-inclusion of thiodicarb and the withdrawal of authorisations for plant protection products containing that substance

Commission Decision of 21 May 2007 concerning the **non-inclusion of trichlorfon** in Annex I to Council Directive 91/414/EEC and the **withdrawal of authorisations for plant protection products containing that substance.**
(Text with EEA relevance)

[O.J. of the EU, L 133/42, 25.05.2007](#)

Non-inclusion of trichlorfon and the withdrawal of authorisations for plant protection products containing that substance

Commission Decision of 21 May 2007 concerning the non-inclusion of **carbaryl** in Annex I to Council Directive 91/414/EEC and the **withdrawal of authorisations for plant protection products containing that substance.**
(Text with EEA relevance)

[O.J. of the EU, L 133/40, 25.05.2007](#)

Non-inclusion of carbaryl and the withdrawal of authorisations for plant protection products containing that substance

Commission Decision of 8 May 2007 allowing Member States to **extend provisional authorisations** granted for the new active substances **benalaxyl-M, fluoxastrobin, prothioconazole, spiroadiclofen, spiromesifen and sulfuryl fluoride.**
(Text with EEA relevance)

[O.J. of the EU, L 125/27, 15.05.2007](#)

Placing of plant protection products on the market

Commission Decision of 20 April 2007 recognising in principle the completeness of the dossier submitted for **detailed examination** in view of the **possible inclusion of pyroxsulam** in Annex I to Council Directive 91/414/EEC.
(Text with EEA relevance)

[O.J. of the EU, L 116/59, 04.05.2007](#)

Placing of plant protection on the market, possible inclusion of pyroxsulam

Commission Decision of 13 April 2007 on the **implementation of surveillance programmes for avian influenza in poultry and wild birds** to be carried out in the Member States and amending Decision 2004/450/EC.

[O.J. of the EU, L 115/03, 03.05.2007](#)

Implementation of surveillance programmes for avian influenza in poultry and wild birds

Commission Decision of 26 April 2007 amending Annex E to Council Directive 92/65/EEC to include **additional health measures** for the **trade in live bees**, and to update the **health certificates models**.
(Text with EEA relevance)

Health measures for the trade in live bees, and to update the health certificates models

[O.J. of the EU, L 114/17, 01.05.2007](#)

Commission Decision of 23 April 2007 amending Decision 2004/210/EC setting up **Scientific Committees** in the field of **consumer safety, public health** and the **environment**.
(Text with EEA relevance)

Scientific Committees in the field of consumer safety, public health and the environment

[O.J. of the EU, L 114/14, 01.05.2007](#)

13.4 Preparatory Acts, Reports

Report from the Commission to the European Parliament and the Council on the Application by the Member States of Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the **technical roadside inspection** of the **roadworthiness** of **commercial vehicles circulating** in the Community.

Technical roadside inspection of the roadworthiness of commercial vehicles circulating

[COM\(2007\) 270 final, 23.05.2007](#)

Report from the Commission to the Council and the European Parliament on the **consequences** of the **exclusion** of **self employed drivers** from the **scope** of the Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the **organisation** of the **working time** of **persons performing mobile road transport activities**.

Organisation of the working time of persons performing mobile road transport activities, report

[COM\(2007\) 266 final, 23.05.2007](#)

Proposal for a Regulation of the European Parliament and of the Council on **access** to the **market** in the **carriage** of **goods by road** within the **Community** to or from the **territory** of a **Member State** or **passing across the territory** of **one or more Member States**.

Access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States

[COM\(2007\) 265 final, 23.05.2007](#)

Proposal for a Regulation of the European Parliament and of the Council on **common rules** for the **international carriage** of **passengers** by **coach** and **bus**, (recast).

Common rules for the international carriage of passengers by coach and bus

[COM\(2007\) 264 final, 23.05.2007](#)

Proposal for a Regulation of the European Parliament and of the Council **establishing common rules** concerning the **conditions** to be **complied with** to **pursue the occupation** of **road transport operator**.

Establishment of common rules for the occupation of road transport operator

[COM\(2007\) 263 final, 23.05.2007](#)

Common Position (EC) No 6/2007 adopted by the Council on 22 March 2007 with a view to adopting Regulation (EC) No .../2007 of the European Parliament and of the Council of ... **laying down general rules** for the **granting** of Community **financial aid** in the **field** of the **trans-European transport and energy networks**.

Financial aid in the field of the trans-European transport and energy networks

[O.J. of the EU, C 103 E/26, 08.05.2007](#)

Proposal for a Directive of the European Parliament and of the Council on **rear-view mirrors** for **wheeled agricultural or forestry tractors**.

Rear-view mirrors for wheeled agricultural or forestry tractors

[COM\(2007\) 236 final, 07.05.2007](#)

Communication from the Commission to the Council and the European Parliament. Report on the experience gained in the application of the Regulation (EC) No 1228/2003 "**Regulation on Cross-Border Exchanges in Electricity**".

Regulation on Cross-Border Exchanges in Electricity, report

[COM\(2007\) 250 final, 15.05.2007](#)

Opinion of the Commission pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's common position regarding the proposal for a Directive of the European Parliament and of the Council on the **assessment and management of floods**.

Assessment and management of floods

[COM\(2007\) 294 final, 25.05.2007](#)

Communication from the Commission establishing **formal recognition** that a **certain act** of **Community law** in the field of **environment** has **become obsolete**.
(Text with EEA relevance)

A certain act of **Community law** in the field of **environment** has become obsolete

[O.J. of the EU, C 110/01, 16.05.2007](#)

Report from the Commission to the Council and the European Parliament. Pursuant to Article 16 of Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on **detergents**, concerning the **use of phosphates**.

Detergents, concerning the use of phosphates

[COM\(2007\) 234 final, 04.05.2007](#)

Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions. **Report** of the **Environmental Technologies Action Plan** (2005-2006).

Report of the Environmental Technologies Action Plan

[COM\(2007\) 162 final, 02.05.2007](#)

White Paper on A **Strategy for Europe on Nutrition, Overweight** and **Obesity** related **health issues**.

Nutrition, Overweight and Obesity related health issues

[COM\(2007\) 279 final, 30.05.2007](#)

Communication from the Commission to the European Parliament and the Council. **Organ donation and transplantation: policy actions** at EU level.

Organ donation and transplantation: policy actions at EU level

[COM\(2007\) 275 final, 30.05.2007](#)

Summary of Community decisions on marketing authorizations in respect of **medicinal products** from 1 April 2007 to 30 April 2007.

Marketing authorizations in respect of medicinal products

[O.J. of the EU, C 115/10, 25.05.2007](#)

Summary of Community decisions on marketing authorizations in respect of **medicinal products** from 1 April 2007 to 30 April 2007.

Marketing authorizations in respect of medicinal products

[O.J. of the EU, C 115/03, 25.05.2007](#)

Proposal for a Council Regulation **setting up the Innovative Medicines Initiative Joint Undertaking.**

Innovative Medicines Initiative Joint Undertaking

[COM\(2007\) 241 final, 15.05.2007](#)

Common Position (EC) No 7/2007 adopted by the Council on 19 April 2007 with a view to adopting Directive 2007/.../EC of the European Parliament and of the Council of ... amending Council Directive 76/769/EEC relating to **restrictions on the marketing of certain measuring devices containing mercury.**

Restrictions on the marketing of certain measuring devices containing mercury

(Text with EEA relevance)

[O.J. of the EU, C 109 E/01, 15.05.2007](#)

Summary of notifications received in 2006 by the Commission pursuant to Article 5 of Regulation (EC) No 258/97 of the European Parliament and of the Council.

Placing on the market novel foods or novel food ingredients

[O.J. of the EU, C 107/06, 11.05.2007](#)

Common Position (EC) No 5/2007 adopted by the Council on 22 March 2007 with a view to adopting Decision No .../2007/EC of the European Parliament and of the Council of ... establishing a **second programme of Community action in the field of health (2007-2013).**

Establishment a second programme of Community action in the field of health (2007-2013)

[O.J. of the EU, C 103 E/11, 08.05.2007](#)

13.5 Calls

Call for proposals under the draft multi-annual work programme for grants in the field of the **Trans-European Transport Network (TEN-T)** for the period 2007-2013 (Commission Decision C(2007) 2158).

Call, draft multi-annual work programme for grants in the field of the Trans-European Transport Network (TEN-T)

[O.J. of the EU, C 115/42, 25.05.2007](#)

Call for proposals under the **draft annual work programme** for grants in the field of the **Trans-European Transport Network (TEN-T)** for 2007 (Commission Decision C(2007) 2183).

Call, draft annual work programme for grants in the field of the Trans-European Transport Network (TEN-T)

[O.J. of the EU, C 115/41, 25.05.2007](#)

Call for proposals under the work programme of the **7th Euratom Framework Programme for Nuclear Research and Training activities**.

[O.J. of the EU, C 112/15, 22.05.2007](#)

Call for proposals — SUB 01-2007.

[O.J. of the EU, C 105/04, 09.05.2007](#)

Call, 7th Euratom Framework Programme for Nuclear Research and Training activities.

Call for promoting transport policy objectives

13.6 Case Law

Case T-216/05, Mebrom v Commission of the European Communities. **Protection of the ozone layer – Importation of methyl bromide into the European Union** – Refusal to allocate an import quota to the applicant for critical use for 2005 – Action for annulment – Admissibility – Implementation of Articles 3, 4, 6 and 7 of Regulation (EC) No 2037/2000 – Legitimate expectations – Legal certainty.

[Curia, Case T-216/05, 22.05.2007](#)

Environment, Protection of the ozone layer

Case T-198/05, Mebrom v Commission of the European Communities. **Non-contractual liability – Importation of methyl bromide into the European Union** – Delay in setting up an Internet site for requesting and obtaining import licences and quotas – Articles 6 and 7 of Regulation (EC) No 2037/2000 – Damage resulting from loss of profit – Actual damage.

[Curia, Case T-198/05, 22.05.2007](#)

Environment, non-contractual liability

Case C-252/05, Thames Water Utilities. **Waste** – Directives 75/442/EEC, 91/156/EEC and 91/271/EEC – **Waste water which escapes from a sewerage network** – Classification – Scope of Directives 75/442/EEC and 91/271/EEC.

[Curia, Case C-252/05, 10.05.2007](#)

Environment, waste

Case C-508/04, Commission of the European Communities v Austria. Failure of a Member State to fulfil obligations – Directive 92/43/EEC – **Conservation of natural habitats and of wild fauna and flora** – Measures transposing the directive.

[Curia, Case C-508/04, 10.05.2007](#)

Environment, conservation of natural habitats and of wild fauna and flora

Case C-391/06, Commission of the European Communities v Ireland. Failure of a Member State to fulfil obligations – Directive 2003/4/EC – **Freedom of access to information** – **Environmental information** – Failure to transpose within the prescribed period.

Environment, freedom of access to information

[Curia, Case C-391/06, 03.05.2007](#)