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EU News: Click & Read

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After a number of years under the helm of Inger Eriksson-Haider (now retired) and Bart Volders, EU News: Click & Read has changed editors. The newsletter will continue to be published monthly, although this first number will cover October and November of 2007. Written in English, the newsletter offers links to documents in both French and English.

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.

We would be most pleased to receive your comments concerning this newsletter, in particular concerning your preferences for future editions. Please contact either or both of us as follows:

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We hope you will find this issue both useful and a pleasure to read.

Highlights:

[Public policy rules concerning the implementation and functions of the .eu Top Level Domain Commission Regulation \(EC\) No 1255/2007 of 25 October 2007](#) 5.2

[Article 28 EC and Article 30 EC: Distinction between classification of garlic as a food supplement and as a medicinal product. Case C-319/05: Judgment of the Court \(First Chamber\) of 15 November 2007](#) 5.3

[Articles 17 EC and 18 EC: Education or training grant/ nationals of Member States pursuing their studies in another Member State/EU Citizenship. Joined Cases C-11/06 and C-12/06: Judgment of the Court \(Grand Chamber\) of 23 October 2007](#) 5.3

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Subheadings

1. International Agreements
2. Community Legislation
3. Case law
4. Preparatory Acts, Reports, Calls

Useful links:

[Search form for case law of the Court of Justice of the European Communities - FR](#)

[Integration Office FDFA/FDEA - FR](#)

1. EU-Swiss Relations

1.1 International Agreements

Agreement between the European Community and the Swiss Confederation in the **audiovisual field**, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007 (2007/745/EC)

[OJ of the EU, L 303/11 of 21 November 2007 - FR](#)

Final Act between the European Community and the Swiss Confederation in the **audiovisual field** (2007/745/EC)

[OJ of the EU, L 303/20 of 21 November 2007 - FR](#)

Nine decisions of the EEA Joint Committee, Nos 63-71/2007 of 15-29 June 2007 amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

[OJ of the EU, L 304/43-56 of 22 November 2007 - FR](#)

The Federal Council of Switzerland approved the **bilateral framework agreements** with **Cyprus, the Czech Republic, Estonia, Hungary, Malta, Poland, the Slovak Republic, and Slovenia** on **21 November 2007**

[Decision of Federal Council of 21 November 2007 - FR](#)

1.2 Community Legislation

Commission Regulation (EC) No 1399/2007 of 28 November 2007 opening and providing for the administration of an autonomous and transitional **import tariff quota for sausages and certain meat products originating in Switzerland**

[OJ of the EU, L 311/7 of 29 November 2007 - FR](#)

Council Regulation (EC) No 1355/2007 of 19 November 2007 adopting autonomous and transitional measures to **open Community tariff quotas** for the import of sausages and certain meat **products originating in Switzerland**

[OJ of the EU, L 304/3 of 22 November 2007 - FR](#)

Council Regulation (EC) No 1151/2007 of 26 September 2007 opening autonomous and transitional Community **tariff quotas for the import** of certain **agricultural products originating in Switzerland**

[OJ of the EU, L 258/1 of 4 October 2007 - FR](#)

Council Decision of 26 September 2007 concerning the conclusion of an **additional Agreement between the European Community, the Swiss Confederation and the Principality of Liechtenstein** extending to the Principality of Liechtenstein the Agreement between the European Community and the Swiss Confederation on **trade in agricultural products**

[OJ of the EU, L 270/5 of 13 October 2007 - FR](#)

2. External Relations of the EU

2.1 International Agreements

Regulation No 44 of the Economic Commission for Europe of the United Nations (UN/ECE) Uniform provisions concerning the approval of restraining devices for child occupants of power driven vehicles (**child restraint systems**)

[OJ of the EU, L 306/1 of 23 November 2007 - FR](#)

Council Decision of 19 November 2007 on the acceptance, on behalf of the European Community, of the **Protocol amending the TRIPS Agreement**, done at Geneva on 6 December 2005

[OJ of the EU, L 311/35 of 29 November 2007 - FR](#)

EFTA Surveillance Authority Notice on the handling of **complaints by the Authority under Articles 53 and 54 of the EEA Agreement**

[OJ of the EU, C 287/12 of 29 November 2007 - FR](#)

Joint Statement – EU-India Summit of 30 November 2007

[8th Joint Statement by EU and India](#) (only available in English)

Joint Statement – EU-China Summit of 28 November 2007

[10th Joint Statement by EU and China](#) (only available in English)

2.2 Community Legislation

Commission Regulation (EC) No 1389/2007 of 26 November 2007 amending for the 89th 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**

[OJ of the EU, L 310/6 of 28 November 2007 - FR](#)

Commission Regulation (EC) No 1367/2007 of 22 November 2007 on the issuing of **export licences** for **wine-sector** products

[OJ of the EU, L 305/15 of 23 November 2007 - FR](#)

Commission Regulation (EC) No 1347/2007 of 16 November 2007 amending Regulation (EC) No 1725/2003 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council as regards **International Financial Reporting Standard (IFRS) 8** (Text with EEA relevance)

[OJ of the EU, L 300/32 of November 17, 2007 - FR](#)

Commission Regulation (EC) No 1321/2007 of 12 November 2007 laying down implementing rules for the integration into a central repository of **information on civil aviation occurrences** exchanged in accordance with Directive 2003/42/EC of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 294/3 of 13 November 2007 - FR](#)

Commission Regulation (EC) No 1291/2007 of 31 October 2007 amending for the 88th 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**

[OJ of the EU, L 287/12 of 1 November 2007 - FR](#)

Commission Regulation (EC) No 1256/2007 of 25 October 2007 amending Regulation (EC) No 829/2007 as regards the transitional period granted for the use of **commercial documents and health certificates for animal by-products** (Text with EEA relevance)

[OJ of the EU, L 282/30 of 26 October 2007 - FR](#)

Commission Regulation (EC) No 1211/2007 of 17 October 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**

[OJ of the EU, L 274/5 of 18 October 2007 - FR](#)

Commission Decision of 14 November 2007 on a financial contribution from the Community towards certain measures in the field of animal health and welfare and certain technical and scientific measures (**cloning**)

[OJ of the EU, L 305/52 of 23 November 2007 - FR](#)

Commission Decision of 9 November 2007 amending Annex II to Council Decision 79/542/EEC as regards the list of **third countries** and parts thereof **from which imports into the Community of certain fresh meat is authorised** (*notified under document number C(2007) 5365*) (Text with EEA relevance)

[OJ of the EU, L 296/29 of 9 November 2007 - FR](#)

Commission Decision of 4 October 2006 relating to a proceeding pursuant to Article 81 of the EC Treaty and Article 53 of the EEA Agreement (Case COMP/C2/38.681 — The Cannes Extension Agreement)(**music copyrights**) (*notified under document number C(2006) 4350*) (Text with EEA relevance)

[OJ of the EU, L 296/27 of 15 November 2007 - FR](#)

Council Decision of 25 June 2007 on the exercise of **rights and obligations akin to membership ad interim** by the European Community **in the World Customs Organisation** (2007/668/EC)

[OJ of the EU, L 274/11 of 18 October 2007 - FR](#)

2.3 Preparatory Acts, Reports, Calls

Commission MEMO/07/533 of 30 November 2007 - Developing **external energy policy for the EU**
[Commission - MEMO/07/533 of 30 November 2007](#) (only available in English)

European Parliament resolution on the **alleged use of European countries by the CIA** for the transportation and illegal detention of prisoners (2006/2200(INI))

[OJ of the EU, C 287E/309 of 29 November 2007 - FR](#)

Opinion of the Advisory Committee on restrictive practices and dominant positions given at its 416th meeting on 18 September 2006 concerning a draft decision relating to Case COMP/C2/38.681 — **The Cannes Extension Agreement**

[OJ of the EU, C 272/18 of 15 November 2007 - FR](#)

Final report of the Hearing Officer in Case COMP/C2/38.681 — **The Cannes Extension Agreement** (Pursuant to Articles 15 and 16 of Commission Decision 2001/462/EC, ECSC of 23 May 2001 on the terms of reference of Hearing Officers in certain **competition proceedings** — OJ L 162, 19.6.2001, p. 21)

[OJ of the EU, C 272/19 of 15 November 2007 - FR](#)

Common Position (EC) No 11/2007 of 23 July 2007 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, **with a view to the adoption of a Decision** of the European Parliament and of the Council **on a paperless environment for customs and trade**

[OJ of the EU, C 242E/1 of 16 October 2007 - FR](#)

3 Judicial Cooperation

3.3 Case law

Case C-288/05: Judgment of the Court (Second Chamber) of 18 July 2007 (reference for a preliminary ruling from the Bundesgerichtshof – Germany) – Criminal proceedings against Jürgen Kretzinger (**Convention implementing the Schengen Agreement – Article 54 – Ne bis in idem principle** – Notion of ‘same acts’ – Contraband cigarettes – Importation into several Contracting States – **Prosecution in different Contracting States** – Notion of ‘enforcement’ of criminal penalties – Suspension of the execution of the sentence – Setting-off of brief periods of detention pending trial – **European arrest warrant**)

[OJ of the EU, C 235/4 of 6 October 2007 - FR](#)

Case C-367/05: Judgment of the Court (Second Chamber) of 18 July 2007 (reference for a preliminary ruling from the Hof van Cassatie van België – Belgium) – Criminal proceedings against Norma Kraaijenbrink - **Convention implementing the Schengen Agreement** – Article 54 – **Ne bis in idem principle** – Notion of ‘same acts’ – Different acts – Prosecution in two Contracting States – Acts linked together by the same criminal intention)

[OJ of the EU, C 235/6 of 6 October 2007 - FR](#)

3.4 Preparatory Acts, Reports, Calls

EFTA Surveillance Authority Decision No 228/05/COL of 21 September 2005 issuing a **Notice** entitled ‘**Guidelines on the application of Article 53 of the EEA Agreement to technology transfer agreements**’

[OJ of the EU, L 259/1 of 4 October 2007 - FR](#)

Press release from the 2827th **Council meeting** of the European Union of 8-9 November 2007 - **Justice and Home Affairs – Enlargement of Schengen area**(14617/07)

[Press release of the 2827th Council meeting - FR](#)

4. Internal Market (incl. Competition, Intellectual Property & Consumers)

4.2 Community Legislation

Commission Regulation (EC) No 1400/2007 of 28 November 2007 amending Regulation (EC) No 474/2006 establishing the Community list of **air carriers which are subject to an operating ban within the Community** (Text with EEA relevance)

[OJ of the EU, L 311/12 of 29 November 2007 - FR](#)

Commission Regulation (EC) No 1353/2007 of 20 November 2007 amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of **maximum residue limits** of veterinary medicinal products in foodstuffs of animal origin, as regards **Monensin, Lasalocid and Tyvalosin** (Text with EEA relevance)

[OJ of the EU, L 303/6 of 21 November 2007 - FR](#)

Commission Regulation (EC) No 1315/2007 of 8 November 2007 on safety oversight in air traffic management and amending Regulation (EC) No 2096/2005 (Text with EEA relevance)

[OJ of the EU, L 291/16 of 9 November 2007 - FR](#)

Commission Regulation (EC) No 1300/2007 of 6 November 2007 amending Regulation (EC) No 1622/2000 laying down certain detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine and **establishing a Community code of oenological practices and processes**

[OJ of the EU, L 289/8 of 7 November 2007 - FR](#)

Commission Regulation (EC) No 1275/2007 of 29 October 2007 amending Annex IX to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down **rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies** (Text with EEA relevance)

[OJ of the EU, L 284/8 of 30 October 2007 - FR](#)

Commission Regulation (EC) No 1278/2007 of 29 October 2007 amending Regulation (EC) No 318/2007 laying down animal **health conditions for imports of certain birds into the Community** and the quarantine conditions thereof (Text with EEA relevance)

[OJ of the EU, L 284/20 of 30 October 2007 - FR](#)

Commission Regulation (EC) No 1243/2007 of 24 October 2007 amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and the Council laying down **specific hygiene rules for food of animal origin** (Text with EEA relevance)

[OJ of the EU, L 281/8 of 25 October 2007 - FR](#)

Commission Regulation (EC) No 1244/2007 of 24 October 2007 amending Regulation (EC) No 2074/2005 as regards implementing **measures for certain products of animal origin intended for human consumption** and laying down **specific rules on official controls for the inspection of meat** (Text with EEA relevance)

[OJ of the EU, L 281/12 of 25 October 2007 - FR](#)

Commission Regulation (EC) No 1245/2007 of 24 October 2007 amending Annex I to Regulation (EC) No 2075/2005, as regards the **use of liquid pepsin for the detection of Trichinella in meat** (Text with EEA relevance)

[OJ of the EU, L 281/19 of 25 October 2007 - FR](#)

Commission Regulation (EC) No 1246/2007 of 24 October 2007 amending Regulation (EC) No 2076/2005 as regards the **extension of the transitional period** granted to food business operators importing **fish oil intended for human consumption** (Text with EEA relevance)

[OJ of the EU, L 281/21 of 25 October 2007 - FR](#)

Commission Regulation (EC) No 1237/2007 of 23 October 2007 amending Regulation (EC) No 2160/2003 of the European Parliament and of the Council and Decision 2006/696/EC as regards the placing on the market of **eggs from Salmonella infected flocks of laying hens** (Text with EEA relevance)

[OJ of the EU, L 280/ of 24 October 2007 - FR](#)

Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common **organisation of agricultural markets** and on specific provisions for certain agricultural products (**Single CMO Regulation**)

[OJ of the EU, L 299/1 of 16 November 2007 - FR](#)

Commission Regulation (EC) No 1137/2007 of 1 October 2007 concerning the authorisation of **Bacillus subtilis (O35) as a feed additive** (Text with EEA relevance)

[OJ of the EU, L 256/5 of 2 October 2007 - FR](#)

Commission Regulation (EC) No 1138/2007 of 1 October 2007 concerning the authorisation of a **new use of benzoic acid (VevoVital) as a feed additive** (Text with EEA relevance)

[OJ of the EU, L 256/8 of 2 October 2007 - FR](#)

Commission Regulation (EC) No 1139/2007 of 1 October 2007 concerning the authorisation of **L-arginine as a feed additive** (Text with EEA relevance)

[OJ of the EU, L 256/11 of 2 October 2007 - FR](#)

Commission Regulation (EC) No 1140/2007 of 1 October 2007 concerning the provisional authorisation of a **new use of an additive already authorised in feedingstuffs** (Text with EEA relevance)

[OJ of the EU, L 256/14 of 2 October 2007 - FR](#)

Commission Regulation (EC) No 1141/2007 of 1 October 2007 concerning the authorisation of **3-phytase** (ROVABIO PHY AP and ROVABIO PHY LC) **as a feed additive** (Text with EEA relevance)

[OJ of the EU, L 256/17 of 2 October 2007 - FR](#)

Commission Regulation (EC) No 1142/2007 of 1 October 2007 concerning the authorisation of a **new use of 3-phytase** (Natuphos) **as a feed additive** (Text with EEA relevance)

[OJ of the EU, L 256/20 of 2 October 2007 - FR](#)

Commission Regulation (EC) No 1143/2007 of 1 October 2007 amending Regulation (EC) No 256/2002 as regards the authorisation of the feed additive preparation of **Bacillus cereus var. toyoi**, belonging to the group of microorganisms (Text with EEA relevance)

[OJ of the EU, L 256/23 of 2 October 2007 - FR](#)

Council Regulation (EC) No 1152/2007 of 26 September 2007 amending Regulation (EC) No 1255/1999 on the **common organisation of the market in milk and milk products**

[OJ of the EU, L 258/3 of 4 October 2007 - FR](#)

Council Regulation (EC) No 1153/2007 of 26 September 2007 amending Regulation (EC) No 2597/97 laying down **additional rules on the common organisation of the market in milk and milk products for drinking milk**

[OJ of the EU, L 258/6 of 4 October 2007 - FR](#)

Commission Directive 2007/68/EC of 27 November 2007 amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain **food ingredients** (Text with EEA relevance)

[OJ of the EU, L 310/11 of 28 November 2007 - FR](#)

Directive 2007/63/EC of the European Parliament and of the Council of 13 November 2007 amending Council Directives 78/855/EEC and 82/891/EEC as regards the **requirement of an independent expert's report on the occasion of merger or division of public limited liability companies**

[OJ of the EU, L 300/47 of 17 November 2007 - FR](#)

Commission Directive 2007/62/EC of 4 October 2007 amending certain Annexes to Council Directives 86/362/EEC and 90/642/EEC as regards **maximum residue levels for bifenazate, pethoxamid, pyrimethanil and rimsulfuron** (Text with EEA relevance)

[OJ of the EU, L 260/4 of 5 October 2007 - FR](#)

Council Directive 2007/61/EC of 26 September 2007 amending Directive 2001/114/EC relating to certain partly or wholly **dehydrated preserved milk for human consumption**

[OJ of the EU, L 258/27 of 4 October 2007 - FR](#)

Directive 2007/51/EC of the European Parliament and of the Council of 25 September 2007 amending Council Directive 76/769/EEC relating to restrictions on the **marketing of certain measuring devices containing mercury** (Text with EEA relevance)

[OJ of the EU, L 257/13 of 3 October 2007 - FR](#)

Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of **motor vehicles** and their trailers, and **of systems, components and separate technical units** intended for such vehicles (Framework Directive) (Text with EEA relevance)

[OJ of the EU, L 263/1 of 9 October 2007 - FR](#)

Commission Decision of 13 November 2007 amending Decision 2006/415/EC concerning certain **protection measures** in relation to highly **pathogenic avian influenza** of the subtype H5N1 in poultry in the **United Kingdom** (notified under document number C(2007) 5549) (Text with EEA relevance)

[OJ of the EU, L 295/28 of 14 November 2007 - FR](#)

Commission Decision of 29 October 2007 amending Decision 2007/116/EC as regards the introduction of additional **reserved numbers beginning with '116'** (notified under document number C(2007) 5139) (Text with EEA relevance)

[OJ of the EU, L 284/31 of 30 October 2007 - FR](#)

Commission Decision of 15 October 2007 authorising the use of at risk bovine animals until the end of their productive lives **in Germany** following official confirmation of the presence of BSE (notified under document number C(2007) 4648)

[OJ of the EU, L 271/16 of 16 October 2007 - FR](#)

Commission Decision of 18 August 2006 declaring a **concentration compatible** with the common market and the functioning of the **EEA Agreement** (Case COMP/M.3848 – Sea-Invest/EMO-EKOM) (notified under document number C(2006) 3710) (Text with EEA relevance)
[OJ of the EU, L 282/47 of 26 October 2007 - FR](#)

Summary of **Community decisions on marketing authorizations in respect of medicinal products** from 1 September 2007 to 30 September 2007
[OJ of the EU, C 251/9 of 26 October 2007 - FR](#)

4.3 Case law

Case C-84/06: Judgment of the Court (First Chamber) of 20 September 2007 (reference for a preliminary ruling from the Hoge Raad der Nederlanden (Netherlands)) – Staat der Nederlanden v Antroposana, Patiëntenvereniging voor Antroposofische Gezondheidszorg, Nederlandse Vereniging van Antroposofische Artsen, Weleda Nederland NV, Wala Nederland NV, (Community code relating to medicinal products for human use – **Articles 28 EC and 30 EC – Registration and marketing authorisation** – Anthroposophic medicinal products)
[OJ of the EU, C 269/12 of 10 November 2007 - FR](#)

Case C-193/06 P: Judgment of the Court (Third Chamber) of 20 September 2007 – Société des Produits Nestlé SA v Office for Harmonisation in the Internal Market (Trade Marks and Designs), Quick Restaurants SA (Appeal – Community trade mark – Regulation (EC) No 40/94 – Article 8(1)(b) – **Figurative mark containing the word ‘QUICKY’** – Opposition of holder of earlier national word marks QUICKIES – Likelihood of confusion – Overall assessment)
[OJ of the EU, C 269/14 of 10 November 2007 - FR](#)

Case T-201/04: Judgment of the Court of First Instance (Grand Chamber) of 17 September 2007 – Microsoft v Commission (Competition – Abuse of dominant position – Client PC operating systems – Work group server operating systems – Streaming media players – **Decision finding infringements of Article 82 EC** – Refusal of the dominant undertaking to supply and authorise the use of interoperability information – Supply by the dominant undertaking of its client PC operating system conditional on the simultaneous acquisition of its media player – Remedies – Appointment of an independent monitoring trustee – Fine – Determination of the amount – **Proportionality**)
[OJ of the EU, C 269/45 of 10 November 2007 - FR](#)

Joined Cases C-439/05 P and C-454/05 P: Judgment of the Court (Third Chamber) of 13 September 2007 – Land Oberösterreich and Republic of Austria v Commission of the European Communities (Appeal – Directive 2001/18/EC – Decision 2003/653/EC – **Deliberate release into the environment of genetically modified organisms** – Article 95(5) EC – National provisions derogating from a harmonisation measure justified by new scientific evidence and by a problem specific to one Member State – Principle of the right to be heard)
[OJ of the EU, C 269/9 of 10 November 2007 - FR](#)

Case C-431/05: Judgment of the Court (Grand Chamber) of 11 September 2007 (reference for a preliminary ruling from the Supremo Tribunal de Justiça – Portugal) – Merck Genericos-Produtos Farmacêuticos L.^{da} v Merck & Co. Inc., Merck Sharp & Dohme, L.^{da} (Agreement establishing the World Trade Organisation – Article 33 of the Agreement on Trade-related Aspects of Intellectual Property Rights (**TRIPs**) – Patents – Minimum term of protection – Legislation of a Member State providing for a lesser term – **Article 234 EC** – Jurisdiction of the Court – **Direct effect**)
[OJ of the EU, C 269/9 of 10 November 2007 - FR](#)

4.4 Preparatory Acts, Reports, Calls

Commission communication in the framework of the implementation of the Council Directive 93/42/EEC concerning **medical devices** (Text with EEA relevance)

[OJ of the EU, C 267/10 of 9 November 2007 - FR](#)

Commission communication in the framework of the implementation of the Directive 98/79/EC of the European Parliament and of the Council on **in vitro diagnostic medical devices** (Text with EEA relevance)

[OJ of the EU, C 267/25 of 9 November 2007 - FR](#)

Commission communication in the framework of the implementation of the Council Directive 90/385/EEC on the approximation of the laws of the Member States relating to **active implantable medical devices** (Text with EEA relevance)

[OJ of the EU, C 267/28 of 9 November 2007 - FR](#)

Guideline of the European Central Bank of 20 September 2007 amending Annexes I and II to Guideline ECB/2000/7 **on monetary policy instruments and procedures of the Eurosystem**

[OJ of the EU, L 284/34 of 30 October 2007 - FR](#)

5. Miscellaneous

5.2 Community Legislation

Commission Regulation (EC) No 1255/2007 of 25 October 2007 amending Commission Regulation (EC) No 874/2004 laying down public policy rules concerning the implementation and functions of the **.eu Top Level Domain** and the principles governing registration (Text with EEA relevance)
[OJ of the EU, L 282/16 of 26 October 2007 - FR](#)

Commission Decision of 16 October 2007 amending Decision 2004/452/EC laying down a **list of bodies whose researchers may access confidential data for scientific purposes** (notified under document number C(2007) 4672) (Text with EEA relevance)
[OJ of the EU, L 280/22 of 24 October 2007 - FR](#)

5.3 Case law

Case C-319/05: Judgment of the Court (First Chamber) of 15 November 2007 – Failure of a Member State to fulfil its obligations – **Article 28 EC and Article 30 EC** – Directive 2001/83/EC – Garlic preparation in capsule form – Preparation legally marketed as a food supplement in a number of Member States – Preparation classified as a medicinal product in the Member State of importation – **Definition of ‘medicinal product’** – Obstacle – Justification – **Public health – Proportionality**
[CURIA - Judgment of the Court of 15 November 2007 - FR](#)

Joined Cases C-11/06 and C-12/06: Judgment of the Court (Grand Chamber) of 23 October 2007 – **Citizenship of the Union** – Articles 17 EC and 18 EC – Refusal to award an education or training grant to nationals of Member States pursuing their studies in another Member State – Requirement of continuation between studies pursued in another Member State and those pursued previously for at least one year in an establishment in the student’s Member State of origin
[CURIA - Judgment of the Court of 23 October 2007 - FR](#)

Case T-140/06: Judgment of the Court of First Instance of 12 September 2007 – **Philips Morris Products v OHIM (Shape of a packet of cigarettes)** (Community trade mark – Application for a three-dimensional Community trade mark – Shape of a packet of cigarettes – Refusal of registration – Absolute grounds for refusal – **Lack of distinctive character** – Article 7(1)(b) of Regulation (EC) No 40/94)
[OJ of the EU, C 247/32 of 20 October 2007 - FR](#)

5.4 Preparatory Acts, Reports, Calls

Commission MEMO/07/538 of 3 December 2007 - Transposition of the **Asylum Procedures Directive Commission - MEMO/07/538 of 3 December 2007** (only available in English)

Common Position (EC) No 16/2007 of 15 October 2007 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a **view to the adoption of a Regulation** of the European Parliament and of the Council on common rules **in the field of civil aviation and establishing a European Aviation Safety Agency**, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (Text with EEA relevance)

[OJ of the EU, C 277E/8 of 20 November 2007 - FR](#)

Commission notice concerning the **date of application of the protocols on rules of origin providing for diagonal cumulation** between the Community, Algeria, Egypt, Faroe Islands, Iceland, Israel, Jordan, Lebanon, Morocco, Norway, **Switzerland (including Liechtenstein)**, Syria, Tunisia, Turkey and West Bank and Gaza Strip (2007/C 271/06)

[OJ of the EU, C 271/9 of 14 November 2007 - FR](#)

Initiative of the Federal Republic of Germany with a view to the adoption of a Council Decision 2007/.../JHA of ... on the implementation of Decision 2007/.../JHA on the **stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime**

[OJ of the EU, C 267/4 of 9 November 2007 - FR](#)

Commission Decision of 17 October 2007 setting up the **Group of Experts on Trafficking in Human Beings** (2007/675/EC)

[OJ of the EU, L 277/29 of 20 October 2007 - FR](#)

Commission Non-opposition to a notified concentration (Case COMP/M.4748 — **T-Mobile/Orange**) (Text with EEA relevance)

[OJ of the EU, C 243/1 of 17 October 2007 - FR](#)