



Institut suisse de droit comparé
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Swiss Institute of Comparative Law

EUROPEAN DOCUMENTATION CENTRE

EU News: Click & Read

Editors : [Elisabeth Meurling](#) & [Karen Jeanneret-Druckman](#), No 18, January 2008
Staff Legal Advisers

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. Written in English, the newsletter offers links to documents in both French and English.

The SICL is organising the 20th annual “Journée du droit international privé” to be held on 14 March 2008 on the theme of the [November 2007 version](#) of the EC “Rome I” Regulation. Additional information concerning this conference will be posted on the SICL internet site: www.isdc.ch.

The contributions to last year’s 19th “Journée de droit international privé” concerning the Lugano Convention have now been published under the title: *La Convention de Lugano – Passé, présent et devenir*, Schulthess, 2007 ([Table of Contents](#) & [Information on Placing an Order](#)).

Are you familiar with the SICL’s other Newsletter? The “ISDC’s Letter” is published every month and offers information about international legal developments as well as the activities at the SICL. [The ISDC’s Letter is accessible on line](#). If you would like to receive it by e-mail please contact Beatrice Angehrn: Beatrice.Angehrn@isdc-dfjp.unil.ch.

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

Highlights

[Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon, 13 December 2007 - FR](#)

[Charter of Fundamental Rights of the European Union \(2007/C 303/01\) - FR](#)

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1. EU- Swiss Relations

International Agreements

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[OJ of the EU, C 306/1 of 17 December 2007 - FR](#)

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2. External Relations / Foreign Policy

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[OJ of the EU, L 332/68 of 18 December 2007 - FR](#)

Agreement between the European Community and the Republic of Albania on the **facilitation of the issuance of visas**

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Agreement between the European Community and the Republic of Serbia on the **facilitation of the issuance of visas**

[OJ of the EU, L 334/137 of 19 December 2007 - FR](#)

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[OJ of the EU, L 334/169 of 19 December 2007 - FR](#)

Interim Agreement on **trade and trade-related matters** between the European Community and the **Republic of Montenegro**

[OJ of the EU, L 345/2 of 28 December 2007 - FR](#)

Protocol on the Implementation of the **1991 Alpine Convention** in the field of Transport (**Transport protocol**)

[OJ of the EU, L 323/15 of 8 December 2007 - FR](#)

Community Legislation

Regulation No 14 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the **approval of vehicles with regard to safety-belt anchorages**, Isofix anchorages systems and Isofix top tether anchorages
[OJ of the EU, L 321/1 of 6 December 2007 - FR](#)

Regulation No 66 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform technical prescriptions concerning the **approval of large passenger vehicles** with regard to the strength of their superstructure
[OJ of the EU, L 321/55 of 6 December 2007 - FR](#)

Regulation (EC) No 1490/2007 of the European Parliament and of the Council of 11 December 2007 repealing Council Regulation (EEC) No 954/79 concerning the **ratification by Member States of, or their accession to, the United Nations Convention on a Code of Conduct for Liner Conferences** (Text with EEA relevance)
[OJ of the EU, L 332/1 of 18 December 2007 - FR](#)

Council Regulation (EC) No 1528/2007 of 20 December 2007 applying the **arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States** provided for in agreements establishing, or leading to the establishment of, **Economic Partnership Agreements**
[OJ of the EU, L 348/1 of 31 December 2007 - FR](#)

Case Law

Case C-349/06: Judgment of the Court (Seventh Chamber) of 4 October 2007 (reference for a preliminary ruling from the Verwaltungsgericht Darmstadt – Germany) – **Murat Polat v Stadt Rüsselsheim (EEC-Turkey Association Agreement** – Article 59 of the Additional Protocol – First paragraph of Article 7 and Article 14 of Decision No 1/80 of the Association Council – Directive 2004/38/EC – **Right of residence of a Turkish worker's child** – Adult child who is no longer dependent on his parents – Numerous criminal convictions – Lawfulness of an expulsion order)
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Case C-117/06: Judgment of the Court (Second Chamber) of 11 October 2007 (reference for a preliminary ruling from the Kammergericht Berlin – Germany) – **Proceedings brought by Gerda Möllendorf and Christiane Möllendorf-Niehuus (Common foreign and security policy** – Specific restrictive measures directed against **persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban – Freezing of funds and economic resources** – Regulation (EC) No 881/2002 – Articles 2(3) and 4(1) – Prohibition on making economic resources available to persons listed in Annex I to that Regulation – Scope of prohibition – Sale of immovable property – Contract concluded before inclusion of a buyer in the list in Annex I – Application for registration of the transfer of ownership in the Land Register subsequent to that inclusion)
[OJ of the EU, C 297/9 of 8 December 2007 - FR](#)

Case C-273/04: Judgment of the Court (Grand Chamber) of 23 October 2007 – Republic of Poland v Council of the European Union (Action for annulment – Council Decision 2004/281/EC – Common agricultural policy – **Act concerning the conditions of accession to the European Union** – Adaptation – Infringement of principle of non-discrimination)
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Case C-101/05: Judgment of the Court of Justice of 18 December 2007 – Skatteverket v A – The Court of Justice clarifies the **application of the principle of free movement of capital** in relations between member states and third countries
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Preparatory Acts, Reports, Calls, Memos, Common Positions

Council Decision of 12 October 2006 on the signature, on behalf of the Community, of the Protocol on the Implementation of the **Alpine Convention** in the field of transport (**Transport Protocol**) (2007/799/EC)

[OJ of the EU, L 323/13 of 8 December 2007 - FR](#)

Council Decision of 19 November 2007 on the conclusion, on behalf of the European Community and its Member States, of a Protocol to the Agreement on **Cooperation and Customs Union between the European Economic Community and the Republic of San Marino**, regarding the participation, as contracting parties, of the **Republic of Bulgaria and Romania**, following their accession to the European Union (2007/810/EC)

[OJ of the EU, L 325/83 of 11 December 2007 - FR](#)

3. Agriculture and Fisheries / Maritime Affairs

Community Legislation

Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the **second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC** of the European Parliament and of the Council concerning the placing of **biocidal products on the market** (Text with EEA relevance)

[OJ of the EU, L 325/3 of 11 December 2007 - FR](#)

Commission Regulation (EC) No 1433/2007 of 5 December 2007 amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 on the **common organisation of the market in wine** with regard to market mechanisms

[OJ of the EU, L 320/18 of 6 December 2007 - FR](#)

Regulation (EC) No 1523/2007 of the European Parliament and of the Council of 11 December 2007 banning the placing on the market and the import to, or export from, the Community of **cat and dog fur**, and products containing such fur (Text with EEA relevance)

[OJ of the EU, L 343/1 of 27 December 2007 - FR](#)

Commission Regulation (EC) No 1535/2007 of 20 December 2007 on the application of Articles 87 and 88 of the EC Treaty to **de minimis aid in the sector of agricultural production**

[OJ of the EU, L 337/35 of 21 December 2007 - FR](#)

Case Law

Case C-273/04: Judgment of the Court (Grand Chamber) of 23 October 2007 — Republic of Poland v Council of the European Union (Action for annulment — Council Decision 2004/281/EC — Common agricultural policy — **Act concerning the conditions of accession to the European Union** — Adaptation — Infringement of principle of non-discrimination)

[OJ of the EU, C 315/2 of 22 December 2007 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Council Decision of 26 November 2007 amending Decision 2003/17/EC on the equivalence of field inspections carried out in third countries on **seed-producing crops** and on the equivalence of seed produced in third countries

[OJ of the EU, L 314/20 of 1 December 2007 - FR](#)

Commission Decision of 6 December 2007 establishing a model for the lists of entities approved by Member States in accordance with various provisions of **Community veterinary legislation**, and the rules applying to the transmission of these lists to the Commission (notified under document number C(2007) 5882) (Codified version) (Text with EEA relevance) (2007/846/EC)

[OJ of the EU, L 333/72 of 19 December 2007 - FR](#)

4. Audiovisual and Media and Information Society

Preparatory Acts, Reports, Calls, Memos, Common Positions

Commission Decision of 6 December 2007 amending Decision 2002/627/EC establishing the **European Regulators Group for Electronic Communications Networks and Services** (Text with EEA relevance) (2007/804/EC)

[OJ of the EU, L 323/43 of 8 December 2007 - FR](#)

Common Position (EC) No 18/2007 adopted by the Council on 15 October 2007 with a view to adopting Directive 2007/.../EC of the European Parliament and of the Council of ... amending Council Directive 89/552/EEC on **the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities** (Text with EEA relevance)(2007/C 307 E/01)

[OJ of the EU, C 307E/1 of 18 December 2007 - FR](#)

Common Position (EC) No 19/2007 adopted by the Council on 8 November 2007 with a view to adopting Directive 2007/.../EC of the European Parliament and of the Council of ... amending Council Directive 97/67/EC with regard to **the full accomplishment of the internal market of Community postal services** (2007/C 307 E/02)

[OJ of the EU, C 307E/22 of 18 December 2007 - FR](#)

5. Competition

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Case C-280/06: Judgment of the Court of Justice of 11 December 2007 — Autorità Garante della Concorrenza e del Mercato and Others v Ente tabacchi italiani and Others — Responsibility for breach of the competition rules can be passed on from one economic entity to the one that succeeds it, if both answer to the same public authority

[CURIA – Judgment in Case C-280/06 of the Court of Justice of 11 December 2007 - FR](#)

Commission Decision of 13 September 2007 relating to a proceeding pursuant to **Article 81 of the EC Treaty** (Case COMP/E-2/39.140 — **DaimlerChrysler**) (notified under document number C(2007) 4275)

[OJ of the EU, L 317/76 of 5 December 2007 - FR](#)

Decision IP/07/1959 of the European Commission of 19 December 2007 — Antitrust — Prohibition of MasterCard's intra-EEA Multilateral Interchange Fees

[European Commission – Press release of 19 December 2007 - FR](#)

6. Customs

Community Legislation

Update of the list of border crossing points referred to in Article 2(8) of **Regulation (EC) No 562/2006** of the European Parliament and of the Council of 15 March 2006 establishing a **Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)** (2007/C 316/01)

[OJ of the EU, C 316/1 of 28 December 2007 - FR](#)

Case Law

Council Decisions of 6 December 2007 on the **full application of the provisions of the Schengen *acquis*** in the **Czech Republic**, the **Republic of Estonia**, the **Republic of Latvia**, the **Republic of Lithuania**, the **Republic of Hungary**, the **Republic of Malta**, the **Republic of Poland**, the **Republic of Slovenia** and the **Slovak Republic** (2007/801/EC)
[OJ of the EU, L 323/34 of 8 December 2007 - FR](#)

7. Economic and Monetary Affairs, Taxation, Enterprise

Community Legislation

Regulation (EC) No 1392/2007 of the European Parliament and of the Council of 13 November 2007 amending Council Regulation (EC) No 2223/96 with respect to the **transmission of national accounts data** (Text with EEA relevance)
[OJ of the EU, L 324/1 of 10 December 2007 - FR](#)

Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on **payment services** in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC
[OJ of the EU, L 319/1 of 5 December 2007 - FR](#)

Case Law

Case C-101/05: Judgment of the Court of Justice of 18 December 2007 — Skatteverket v A — The Court of Justice clarifies the **application of the principle of free movement of capital** in relations between member states and third countries
[CURIA – Judgment in Case C-101/05 of the Court of Justice of 18 December 2007 - FR](#)

Decision of the EEA Joint Committee No 95/2007 of 6 July 2007 amending Annex XXII (**Company law**) to the EEA Agreement
[OJ of the EU, L 328/48 of 13 December 2007 - FR](#)

Decision No 1482/2007/EC of the European Parliament and of the Council of 11 December 2007 establishing a Community programme to improve the operation of **taxation systems in the internal market** (Fiscalis 2013) and repealing Decision No 2235/2002/EC
[OJ of the EU, L 330/1 of 15 December 2007 - FR](#)

Decision IP/07/1959 of the European Commission of 19 December 2007 — Antitrust — **Prohibition of MasterCard's intra-EEA Multilateral Interchange Fees**
[European Commission – Press release of 19 December 2007 - FR](#)

8. Education, Training, Youth, Culture, Research and Innovation

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Joined Cases C-11/06 and C-12/06: Judgment of the Court (Grand Chamber) of 23 October 2007 (references for a preliminary ruling from the Verwaltungsgericht Aachen (Germany)) — **Rhiannon Morgan (C-11/06) v Bezirksregierung Köln, Iris Bucher (C-12/06) v Landrat des Kreises Düren** (**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)
[OJ of the EU, C 315/11 of 22 December 2007 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Council Resolution of 15 November 2007 on **education and training** as a key driver of the Lisbon Strategy (2007/C 300/01)

[OJ of the EU, C 300/1 of 12 December 2007 - FR](#)

9. Employment and Social Affairs

Community Legislation

Commission Regulation (EC) No 1430/2007 of 5 December 2007 amending Annexes II and III to Directive 2005/36/EC of the European Parliament and of the Council on the **recognition of professional qualifications** (Text with EEA relevance)

[OJ of the EU, L 320/3 of 6 December 2007 - FR](#)

Regulation (EC) No 1445/2007 of the European Parliament and of the Council of 11 December 2007 establishing **common rules for the provision of basic information on Purchasing Power Parities and for their calculation and dissemination** (Text with EEA relevance)

[OJ of the EU, L 336/1 of 20 December 2007 - FR](#)

Case Law

Case C-460/06: Judgment of the Court (Third Chamber) of 11 October 2007 (reference for a preliminary ruling from the Tribunal du travail de Brussels, Belgium) — **Nadine Paquay v Société d'architectes Hoet + Minne SPRL** (Social policy — Protection of pregnant women — **Directive 92/85/EEC** — Article 10 — Prohibition on dismissal from the beginning of pregnancy to the end of maternity leave — Period of protection — Decision to dismiss a female worker during that period of protection — Notification and implementation of the decision to dismiss after the expiry of that period — **Equal treatment for male and female workers** — Directive 76/207/EEC — Articles 2(1), 5(1) and 6 — Direct discrimination on grounds of sex — Sanctions)

[OJ of the EU, C 297/16 of 8 December 2007 - FR](#)

Case C-438/05: Judgment of the Court of Justice of 11 December 2007 — **The International Transport Workers' Federation & The Finnish Seamen's Union v Viking Line ABP & Oü Viking Line Eesti** — Collective action seeking to induce a foreign undertaking to conclude a **collective labour agreement with a trade union** and liable to deter it from exercising its **freedom of establishment** is a restriction on that freedom

[CURIA – Judgment in Case C-438/05 of the Court of Justice of 11 December 2007 - FR](#)

Case C-341/05: Judgment of the Court of Justice of 18 December 2007 — **Laval un Partneri Ltd v Svenska Byggnadsarbetareförbundet** and Others — The court rules on whether collective action by which a **trade union attempts to force a foreign service provider to enter into negotiations** on pay and to sign a collective agreement is **consistent with community law**

[CURIA – Judgment in Case C-341/05 of the Court of Justice of 18 December 2007 - FR](#)

Joined Cases C-396/05, C-419/05 and C-450/05: Judgment of the Court of Justice of 18 December 2007 — **Habelt, Möser and Wachter v. Deutsche Rentenversicherung Bund** — **Payment of an old-age pension to displaced persons** of German nationality or origin must not be refused on the ground that they reside in another Member State

[CURIA – Judgment in Joined Cases C-396/05, C-419/05 and C-450/05 of the Court of Justice of 18 December 2007 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Council Resolution of 15 November 2007 on the **new skills for new jobs**

[OJ of the EU, C 290/1 of 4 December 2007 - FR](#)

10. Energy and Environment

Community Legislation

Commission Regulation (EC) No 1418/2007 of 29 November 2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 of the European Parliament and of the Council to certain countries to which the OECD Decision on the control of **transboundary movements of wastes** does not apply

[OJ of the EU, L 316/6 of 4 December 2007 - FR](#)

Commission Regulation (EC) No 1422/2007 of 4 December 2007 amending Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council in respect of their application thresholds for the **procedures for the award of contracts**

[OJ of the EU, L 317/34 of 5 December 2007 - FR](#)

Commission Regulation (EC) No 1497/2007 of 18 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, **standard leakage checking requirements for stationary fire protection systems containing certain fluorinated greenhouse gases** (Text with EEA relevance)

[OJ of the EU, L 333/4 of 19 December 2007 - FR](#)

Commission Regulation (EC) No 1494/2007 of 17 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, **the form of labels and additional labelling requirements as regards **products and equipment containing certain fluorinated greenhouse gases**** (Text with EEA relevance)

[OJ of the EU, L 332/25 of 18 December 2007 - FR](#)

Commission Regulation (EC) No 1516/2007 of 19 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, **standard leakage checking requirements for stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases** (Text with EEA relevance)

[OJ of the EU, L 335/10 of 20 December 2007 - FR](#)

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Case C-263/05: Judgment of the Court (Third Chamber) of 4 October 2007 – Commission v. Italian Republic - Italy's law excluding certain substances or objects **intended for disposal or recovery operations and also certain **production waste** of which the holder disposes or intends to dispose from the scope of the directive represents a failure to fulfil its obligations under Article 1(a) of Council Directive 75/442 of 15 July 1975 on waste (OJ 1975 L 194, p. 39), as amended by Council Directive 91/156/EEC of 18 March 1991 (OJ 1991 L 78, p. 32)**

[CURIA – Judgment in Case C-263/05 of the Court \(Third Chamber\) of 18 December 2007 - FR](#)

Case C-194/05: Judgment of the Court (Third Chamber) of 18 December 2007 – Commission v. Italian Republic - Italy's law excluding **excavated earth and rocks intended for re-use from the scope of the directive represents a failure to fulfil its obligations under Article 1(a) of Council Directive 75/442/EEC of 15 July 1975 on waste (OJ 1975 L 194, p. 39), as amended by Council Directive 91/156/EEC of 18 March 1991 (OJ 1991 L 78, p. 32)**

[CURIA – Judgment in Case C-194/05 of the Court \(Third Chamber\) of 18 December 2007 - FR](#)

Case C-195/56: Judgment of the Court (Third Chamber) of 18 December 2007 – Commission v. Italian Republic - Italy's law concerning health and hygiene requirements relating to the use for **animal feed** of materials and by-products deriving from the **production and commercial cycle of the agro-food industry** excluding certain substances or objects intended for disposal or recovery operations and also certain production waste of which the holder disposes or intends to dispose from the scope of the directive represents a failure to fulfil its obligations under Article 1(a) of Council Directive 75/442 of 15 July 1975 on waste (OJ 1975 L 194, p. 39), as amended by Council Directive 91/156/EEC of 18 March 1991 (OJ 1991 L 78, p. 32)

[CURIA – Judgment in Case 195/05 of the Court \(Third Chamber of 18 December 2007 - FR](#)

11. Food Safety, Public Health and Consumers

Community Legislation

Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004

[OJ of the EU, L 324/121 of 10 December 2007 - FR](#)

Commission Regulation (EC) No 1428/2007 of 4 December 2007 amending Annex VII 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

[OJ of the EU, L 317/61 of 5 December 2007 - FR](#)

Commission Regulation (EC) No 1432/2007 of 5 December 2007 amending Annexes I, II and VI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the marking and transport of animal by-products

[OJ of the EU, L 310/13 of 6 December 2007 - FR](#)

Commission Regulation (EC) No 1441/2007 of 5 December 2007 amending Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs (Text with EEA relevance)

[OJ of the EU, L 322/12 of 7 December 2007 - FR](#)

Commission Regulation (EC) No 1432/2007 of 5 December 2007 amending Annexes I, II and VI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the marking and transport of animal by-products (Text with EEA relevance)

[OJ of the EU, L 320/13 of 6 December 2007 - FR](#)

Commission Regulation (EC) No 1520/2007 of 19 December 2007 concerning the permanent authorisation of certain additives in feedingstuffs (Text with EEA relevance)

[OJ of the EU, L 335/17 of 20 December 2007 - FR](#)

Commission Regulation (EC) No 1576/2007 of 21 December 2007 amending Regulation (EC) No 92/2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and the Council as regards means of disposal or uses of animal by-products (Text with EEA relevance)

[OJ of the EU, L 340/89 of 22 December 2007 - FR](#)

Commission Directive 2007/73/EC of 13 December 2007 amending certain Annexes to Council Directives 86/362/EEC and 90/642/EEC as regards maximum residue levels for acetamiprid, atrazine, deltamethrin, imazalil, indoxacarb, pendimethalin, pymetrozine, pyraclostrobin, thiacloprid and trifloxystrobin (Text with EEA relevance)

[OJ of the EU, L 329/40 of 14 December 2007 - FR](#)

Case Law

Case C-374/05: Judgment of the Court (Second Chamber) of 8 November 2007 (reference for a preliminary ruling from the Bundesgerichtshof (Germany)) – **Gintec International Import-Export GmbH v Verband Sozialer Wettbewerb eV** (Directives 2001/83/EC and 92/28/EEC – **National legislation prohibiting advertising of medicinal products by way of statements of third parties or prize draws** – Use of generally positive results of a consumer survey and a monthly prize draw to win a pack of the product)

[OJ of the EU, C 315/7 of 22 December 2007 - FR](#)

Commission Decision of 3 December 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, Romania and Poland (notified under document number C(2007) 6109)

[OJ of the EU, L 316/62 of 4 December 2007 - FR](#)

Commission Decision of 5 December 2007 amending Decision 2007/554/EC concerning certain **protection measures against foot-and-mouth disease** in the **United Kingdom** (notified under document number C(2007) 5890) (Text with EEA relevance) (2007/796/EC)

[OJ of the EU, L 322/37 of 7 December 2007 - FR](#)

Commission Decision of 11 December 2007 concerning **approval of Salmonella control programmes in breeding flocks of Gallus gallus in certain third countries** in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and amending Decision 2006/696/EC, as regards certain public health requirements at import of poultry and hatching eggs (notified under document number C(2007) 6094) (Text with EEA relevance)(2007/843/EC)

[OJ of the EU, L 332/81 of 18 December 2007 - FR](#)

Commission Decision of 11 December 2007 approving certain national programmes for the **control of salmonella** in flocks of laying hens of *Gallus gallus* (notified under document number C(2007) 6100) (Text with EEA relevance) (2007/848/EC)

[OJ of the EU, L 333/83 of 19 December 2007 - FR](#)

Commission Decision of 13 December 2007 amending Decision 2007/554/EC concerning certain **protection measures against foot-and-mouth disease in the United Kingdom** (notified under document number C(2007) 6256) (Text with EEA relevance) (2007/833/EC)

[OJ of the EU, L 329/59 of 14 December 2007 - FR](#)

Commission Decision of 13 December 2007 amending Decision 2007/718/EC concerning certain **protection measures against foot-and-mouth disease in Cyprus** (notified under document number C(2007) 6251) (Text with EEA relevance) (2007/832/EC)

[OJ of the EU, L 329/56 of 14 December 2007 - FR](#)

Commission Decision of 21 December 2007 amending Decision 2005/692/EC concerning certain **protection measures in relation to avian influenza in several third countries** (notified under document number C(2007) 6693) (Text with EEA relevance) (2007/869/EC)

[OJ of the EU, L 340/104 of 22 December 2007 - FR](#)

Commission Decision of 26 December 2007 amending Decision 2006/415/EC concerning certain **protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in Germany** (Text with EEA relevance) (2007/885/EC)

[OJ of the EU, L 346/23 of 29 December 2007 - FR](#)

Case C-195/56: Judgment of the Court (Third Chamber) of 18 December 2007 – Commission v. Italian Republic - Italy's law concerning health and hygiene requirements relating to the use for **animal feed** of materials and by-products deriving from the **production and commercial cycle of the agro-food industry** excluding certain substances or objects intended for disposal or recovery operations and also certain production waste of which the holder disposes or intends to dispose from the scope of the directive represents a failure to fulfil its obligations under Article 1(a) of Council Directive 75/442 of 15 July 1975 on waste (OJ 1975 L 194, p. 39), as amended by Council Directive 91/156/EEC of 18 March 1991 (OJ 1991 L 78, p. 32)

[CURIA – Judgment in Case 195/05 of the Court \(Third Chamber\) of 18 December 2007 - FR](#)

12. Human Rights

Case Law

Case C-460/06: Judgment of the Court (Third Chamber) of 11 October 2007 (reference for a preliminary ruling from the Tribunal du travail de Brussels, Belgium) – **Nadine Paquay v Société d'architectes Hoet + Minne SPRL** (Social policy – Protection of pregnant women – **Directive 92/85/EEC** – Article 10 – Prohibition on dismissal from the beginning of pregnancy to the end of maternity leave – Period of protection – Decision to dismiss a female worker during that period of protection – Notification and implementation of the decision to dismiss after the expiry of that period – **Equal treatment for male and female workers** – Directive 76/207/EEC – Articles 2(1), 5(1) and 6 – Direct discrimination on grounds of sex – Sanctions)

[OJ of the EU, C 297/16 of 8 December 2007 - FR](#)

13. Internal Market and Single Market

Community Legislation

Regulation (EC) No 1523/2007 of the European Parliament and of the Council of 11 December 2007 banning the placing on the market and the import to, or export from, the Community of **cat and dog fur, and products containing such fur** (Text with EEA relevance)

[OJ of the EU, L 343/1 of 27 December 2007 - FR](#)

Case Law

Case C-186/05: Judgment of the Court (Sixth Chamber) of 4 October 2007 – Commission of the European Communities v Kingdom of Sweden (Failure of a Member State to fulfil obligations – **National monopoly on retail sales of alcoholic beverages** – Importation by private individuals prohibited) (2007/C 297/05)

[OJ of the EU, C 297/4 of 8 December 2007 - FR](#)

Joined Cases C-11/06 and C-12/06: Judgment of the Court (Grand Chamber) of 23 October 2007 (references for a preliminary ruling from the Verwaltungsgericht Aachen (Germany)) – **Rhiannon Morgan (C-11/06) v Bezirksregierung Köln, Iris Bucher (C-12/06) v Landrat des Kreises Düren** (**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)

[OJ of the EU, C 315/11 of 22 December 2007 - FR](#)

Case C-77/05 and Case C-137/05: Judgments of the Court of Justice of 18 December 2007 — United Kingdom of Great Britain and Northern Ireland v Council of the European Union — The United Kingdom and Ireland may take part in the adoption of measures developing the **Schengen acquis** only to the extent that they already take part in the provisions on which the new measure is based
[CURIA – Judgment in Cases C-77/05 \(- FR\) and C-137/05 \(- FR\) of the Court of Justice of 18 December 2007](#)

Joined Cases C-396/05, C-419/05 and C-450/05: Judgment of the Court of Justice of 18 December 2007 — Habelt, Möser and Wachter v. Deutsche Rentenversicherung Bund — **Payment of an old-age pension to displaced persons** of German nationality or origin must not be refused on the ground that they reside in another Member State
[CURIA – Judgment in Joined Cases C-396/05, C-419/05 and C-450/05 of the Court of Justice of 18 December 2007 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Common Position (EC) No 17/2007 adopted by the Council on 15 October 2007 with a view to adopting **Regulation (EC) No .../...** of the European Parliament and of the Council of ... laying down the Community Customs Code (**Modernised Customs Code**) (2007/C 298 E/01)
[OJ of the EU, C 298E/1 of 11 December 2007 - FR](#)

Common Position (EC) No 19/2007 adopted by the Council on 8 November 2007 with a view to adopting Directive 2007/.../EC of the European Parliament and of the Council of ... amending Council Directive 97/67/EC with regard to the full accomplishment of the internal market of **Community postal services** (2007/C 307 E/02)
[OJ of the EU, C 307E/22 of 18 December 2007 - FR](#)

Corrigendum to Commission Regulation (EC) No 1875/2006 of 18 December 2006 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the **Community Customs Code** (Official Journal of the European Union L 360 of 19 December 2006)
[OJ of the EU, L 327/32 of 13 December 2007 - FR](#)

14. Intellectual Property

Case Law

Case C-238/06 P: Judgment of the Court (Eighth Chamber) of 25 October 2007 — Develey Holding GmbH & Co. Beteiligungs KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (Appeal — Community trade mark — **Three-dimensional mark** — Shape of a plastic bottle — Refusal to register — Absolute grounds for refusal — Lack of distinctive character — **Earlier national trade mark** — Paris Convention — TRIPs Agreement — Article 7(1)(b) of Regulation (EC) No 40/94)
[OJ of the EU, C 315/16 of 22 December 2007 - FR](#)

Case T-90/05: Judgment of the Court of First Instance of 6 November 2007 — Omega v OHIM — **Omega Engineering (Ω OMEGA) (Community trade mark** — Opposition proceedings — Application for the figurative and word Community trade mark Ω OMEGA — Earlier national word mark OMEGA — Relative ground for refusal — **Reliance by the applicant for the Community trade mark on a national trade mark identical to that applied for and earlier than the national mark cited in opposition** — **Likelihood of confusion**)
[OJ of the EU, C 315/35 of 22 December 2007 - FR](#)

Case T-38/04: Judgment of the Court of First Instance of 15 November 2007 — Sunplus Technology v OHIM — Sun Microsystems (SUN PLUS) (**Community trade mark** — Opposition proceedings — Application for figurative mark SUNPLUS — **Earlier national word mark SUN** — **Likelihood of confusion** — **Similarity between goods** — **Similarity between marks**)
[OJ of the EU, C 315/33 of 22 December 2007 - FR](#)

Case T-134/06: Judgment of the Court of First Instance of 13 December 2007 — Xentral LLC v OHIM — The sign “pagesjaunes.com” cannot be registered as a community trade mark
[CURIA – Judgment in Case T-134/06 of the Court of First Instance of 13 December 2007 - FR](#)

15. Justice, Freedom and Security (incl. Judicial Cooperation)

International Agreements

Convention on **jurisdiction and the recognition and enforcement of judgments in civil and commercial matters**

[OJ of the EU, L 339/3 of 21 December 2007 - FR](#)

Community Legislation

Regulation (EC) No 1392/2007 of the European Parliament and of the Council of 13 November 2007 amending Council Regulation (EC) No 2223/96 with respect to the **transmission of national accounts data** (Text with EEA relevance)

[OJ of the EU, L 324/1 of 10 December 2007 - FR](#)

Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the **service in the Member States of judicial and extrajudicial documents in civil or commercial matters** (service of documents), and repealing Council Regulation (EC) No 1348/2000

[OJ of the EU, L 324/79 of 10 December 2007 - FR](#)

Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directives 89/665/EEC and 92/13/EEC with regard to **improving the effectiveness of review procedures concerning the award of public contracts** (Text with EEA relevance)

[OJ of the EU, L 335/31 of 20 December 2007 - FR](#)

Case Law

Case C-98/06: Judgment of the Court (Third Chamber) of 11 October 2007 (reference for a preliminary ruling from the Högsta domstolen — Sweden) — **Freeport plc v Olle Arnoldsson** (**Regulation (EC) No 44/2001** — **Article 6(1)** — Special jurisdiction — More than one defendant — Legal bases of the actions — Abuse — Likelihood of success of an action brought in the courts for the place where one of the defendants is domiciled)

[OJ of the EU, C 297/9 of 8 December 2007 - FR](#)

Case C-403/05: Judgment of the Court (Grand Chamber) of 23 October 2007 — **European Parliament v Commission of the European Communities** (Action for annulment — Commission decision approving a project relating to border security in the Philippines — Decision adopted on the basis of Regulation (EEC) No 443/92 — **Commission's implementing powers** — Limits)

[OJ of the EU, C 315/8 of 22 December 2007 - FR](#)

Case C-463/06: Judgment of the Court of Justice of 13 December 2007 — **FBTO Schadeverzekeringen N.V. v Jack Odenbreit** — The injured party in a road traffic accident may bring an **action directly against the insurer of the person responsible** before the courts for the place where that injured party is domiciled

[CURIA – Judgment in Case C-463/06 of the Court of Justice of 13 December 2007 - FR](#)

Council Decision of 15 October 2007 on the signing, on behalf of the Community, of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (2007/712/EC)

[OJ of the EU, L 339/1 of 21 December 2007 - FR](#)

Council Decision of 8 November 2007 concerning the accession of the Republic of Bulgaria and of Romania to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980 (2007/856/EC)

[OJ of the EU, L 347/1 of 29 December 2007 - FR](#)

Council Decision of 8 November 2007 amending Annex I to the 2005 Act of Accession (2007/857/EC)

[OJ of the EU, L 347/3 of 29 December 2007 - FR](#)

Council Decision of 8 November 2007 establishing a Community Civil Protection Mechanism (recast)

[OJ of the EU, L 314/9 of 1 December 2007 - FR](#)

Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime

[OJ of the EU, L 332/103 of 18 December 2007 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Initiative of the Kingdom of Belgium with a view to adopting Council Framework Decision 2008/.../JHA of ... on the recognition and enforcement of prohibitions arising from convictions for sexual offences committed against children (2007/C 295/07)

[OJ of the EU, C 295/18 of 7 December 2007 - FR](#)

Opinion of the Committee of the Regions on 'Better lawmaking 2005 and 2006' (2007/C 305/08)

[OJ of the EU, C 305/38 of 15 December 2007 - FR](#)

16. Transport

Community Legislation

Commission Regulation (EC) No 1422/2007 of 4 December 2007 amending Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the award of contracts

[OJ of the EU, L 317/34 of 5 December 2007 - FR](#)

Commission Regulation (EC) No 1432/2007 of 5 December 2007 amending Annexes I, II and VI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the marking and transport of animal by-products (Text with EEA relevance)

[OJ of the EU, L 320/13 of 6 December 2007 - FR](#)

Commission Regulation (EC) No 1477/2007 of 13 December 2007 amending Regulation (EC) No 622/2003 laying down measures for the implementation of the common basic standards on aviation security (Text with EEA relevance)

[OJ of the EU, L 329/22 of 14 December 2007 - FR](#)

Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007 amending Council Directive 91/440/EEC on the development of the Community's railways and Directive 2001/14/EC on the **allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure**

[OJ of the EU, L 315/44 of 3 December 2007 - FR](#)

Protocol on the Implementation of the 1991 Alpine Convention in the field of Transport (**Transport protocol**)

[OJ of the EU, L 323/15 of 8 December 2007 - FR](#)