



Institut suisse de droit comparé
Schweizerisches Institut für Rechtsvergleichung
Istituto svizzero di diritto comparato
Swiss Institute of Comparative Law

EUROPEAN DOCUMENTATION CENTRE

EU News: Click & Read

Editors: [Elisabeth Meurling](#) & [Karen Jeanneret-Druckman](#), Staff No 23 June 2008
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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. Written in English, the newsletter offers links to documents in both French and English.

The Institute will host, on **July 3**, a conference on “**Business Law in Transition in a Comparative Context - The Russian Federation, Ukraine, the Baltic States, Romania and Bulgaria**” ([program](#)). The conference will focus on aspects of private law which have an economic impact, in particular on the influence of recent reforms in contract law, company law, property law, procedural law and private international law. It will be followed, on **July 4**, by the seminar: “**Comparative Law Seminar - Theory and Case Studies**” ([program](#)). For questions contact [Martine Do](#). For registration see [registration form](#).

The Institute offers a series of lectures on current legal issues entitled “*Conférences de jeudi à l'ISDC*” which take place once a month on a Thursday at the SICL.

On **June 16** at 5 pm, Dr. Josef Skála, Legal Adviser of the SICL, will present a conference on the theme of “*Successions d'états et ordres juridiques en Europe de l'Est*”.

On **July 24** at 5 pm, Dr. Sami Aldeeb, Legal Adviser of the SICL will present a conference on the theme of “*Testaments et successions en droits musulman et arabe*”.

Admission is free for members of the AiSDC, students, university teachers and the media; admission for all others is 20 CHF per person. Tickets are available at the door. For more information visit www.isdc.ch; or contact [Elodie Arnaud](#).

The **2007 Yearbook of Private International Law**, co-edited by the SICL, has just been published by [Sellier](#).

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

Highlights

Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC - FR

Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters - FR

Case C-133/06: Judgment of the Court (Grand Chamber) of 22 May 2008 – European Parliament v. Commission of the European Communities – Action for annulment – Common policy on asylum – Directive 2005/85/EC – Procedures in Member States for granting and withdrawing refugee status – Safe countries of origin – European safe third countries – Minimum common lists – Procedure for adopting or amending the minimum common lists – Article 67(1) and first indent of Article 67(5) EC – No power - FR

Case C-91/05: Judgment of the Court (Grand Chamber) of 20 May 2008 – Commission of the European Communities v Council of the European Union – Action for annulment – Article 47 EU – Common foreign and security policy – Decision 2004/833/CFSP – Implementation of Joint Action 2002/589/CFSP – Combating the proliferation of small arms and light weapons – Community competence – Development cooperation policy - FR

Table of contents

Table of contents.....	2
1. EU-Swiss Relations.....	3
2. External Relations / Foreign Policy.....	3
3. Agriculture and Fisheries / Maritime Affairs.....	4
4. Audiovisual and Media and Information Society.....	5
5. Competition.....	5
6. Customs.....	5
7. Economic and Monetary Affairs, Taxation, Enterprise.....	6
8. Education, Training, Youth, Culture, Research and Innovation.....	8
9. Employment and Social Affairs.....	9
10. Energy and Environment.....	9
11. Food Safety, Public Health and Consumers.....	11
12. Human Rights.....	13
13. Intellectual Property.....	13
14. Justice, Freedom and Security (incl. Judicial Cooperation).....	14
15. Transport.....	15

Subheadings

International Agreements

Community Legislation

Case Law

Preparatory Acts, Reports, Calls, Memos, Common Positions

1. EU-Swiss Relations

Community Legislation

Decision No 2/2007 of the Joint Community/Switzerland Air Transport Committee set up under the Agreement between the European Community and the Swiss Confederation on **Air Transport** of 15 December 2007 replacing the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport

[OJ of the EU, L 127/58 of 15 May 2008 - FR](#)

2. External Relations / Foreign Policy

International Agreements

Council Decision 2008/389/CFSP of 7 April 2008 concerning the conclusion of the **Agreement between the European Union and the Central African Republic** on the **status of the European Union-led forces** in the Central African Republic

[OJ of the EU, L 136/45 of 24 May 2008 - FR](#)

Regulation No 79 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the **approval of vehicles with regard to steering equipment**

[OJ of the EU, L 137/25 of 27 May 2008 - FR](#)

Community Legislation

Commission Decision of 29 April 2008 imposing special conditions governing **guar gum originating in or consigned from India** due to **contamination risks of those products by pentachlorophenol and dioxins** (notified under document number C(2008) 1641) (Text with EEA relevance) (2008/352/EC)

[OJ of the EU, L117/42 of 1 May 2008 - FR](#)

Regulation No 83 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the **approval of vehicles with regard to the emission of pollutants according to engine fuel requirements**

[OJ of the EU, L 119/1 of 6 May 2008 - FR](#)

Council Regulation (EC) No 426/2008 of 14 May 2008 amending Regulation (EC) No 1212/2005 imposing a definitive **anti-dumping duty on imports of certain castings originating in the People's Republic of China**

[OJ of the EU, L 129/1 of 17 May 2008 - FR](#)

Case Law

Case C-91/05: Judgment of the Court (Grand Chamber) of 20 May 2008 – **Commission of the European Communities v Council of the European Union** – **Action for annulment** – Article 47 EU – Common foreign and security policy – Decision 2004/833/CFSP – Implementation of Joint Action 2002/589/CFSP – **Combating the proliferation of small arms and light weapons** – **Community competence** – Development cooperation policy

[CURIA – Judgment of the Court \(Grand Chamber\) in Case C-91/05 of 20 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Notice published pursuant to Article 27(4), Chapter II of Protocol 4 to the Agreement between the EFTA States on the **establishment of a Surveillance Authority and a Court of Justice (the 'Surveillance and Court Agreement')** in Case 61114 — **Liechtensteinische Kraftwerke Anstalt and Telecom Liechtenstein AG**

[OJ of the EU, C 118/31 of 15 May 2008 - FR](#)

Council Joint Action 2008/368/CFSP of 14 May 2008 in support of the implementation of **United Nations Security Council Resolution 1540 (2004)** and in the framework of the implementation of the **EU strategy against the proliferation of weapons of mass destruction**
[OJ of the EU, L 127/78 of 15 May 2008 - FR](#)

IP/08/774 of 20 May 2008: “Barcelona Process: Union for the Mediterranean”. Commission adopts proposals to enhance the partnership between the EU and its Mediterranean neighbours
[IP/08/774 Information - FR](#)

3. Agriculture and Fisheries / Maritime Affairs

Community Legislation

Commission Regulation (EC) No 394/2008 of 30 April 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain **animals of susceptible species from the exit ban** provided for in Council Directive 2000/75/EC (Text with EEA relevance)
[OJ of the EU, L 117/22 of 1 May 2008 - FR](#)

Council Regulation (EC) No 361/2008 of 14 April 2008 amending Regulation (EC) No 1234/2007 establishing a **common organisation of agricultural markets** and on specific provisions for certain agricultural products (Single CMO Regulation)
[OJ of the EU, L 121/1 of 7 May 2008 - FR](#)

Commission Decision 2008/392/EC of 30 April 2008 implementing Council Directive 2006/88/EC as regards an Internet-based information page to make **information on aquaculture production businesses** and authorised processing establishments available by electronic means (notified under document number C(2008) 1656) (Text with EEA relevance)
[OJ of the EU, L 138/12 of 28 May 2008 - FR](#)

Commission Regulation (EC) No 460/2008 of 27 May 2008 amending Regulation (EC) No 85/2004 laying down **the marketing standard for apples**
[OJ of the EU, L 138/3 of 28 May 2008 - FR](#)

Commission Regulation (EC) No 467/2008 of 28 May 2008 amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements **for milk and milk products** and **opening tariff quotas**
[OJ of the EU, L 139/12 of 29 May 2008 - FR](#)

Council Regulation (EC) No 470/2008 of 26 May 2008 amending Regulation (EC) No 1782/2003 as regards **the transfer of tobacco** aid to the Community Tobacco Fund for the years 2008 and 2009 and Regulation (EC) No 1234/2007 with regard to financing of the Community Tobacco Fund
[OJ of the EU, L 140/1 of 30 May 2008 - FR](#)

Case Law

Case C-361/06: Conclusions of the Advocate General Mme Juliane Kokott of 22 May 2008 – Feinchemie Schwebda GmbH & Bayer CropScience AG, Third party: Agrichem BV, Länsstyrelsen i Gävleborgs län – Plant protection products – Authorisation to place on the market – Ethofumesate – Directives 91/414/EEC and 2002/37/EC – Regulation (EEC) No 3600/92 – Application for reopening of the oral procedure
[CURIA – Judgment of the Court \(Third Chamber\) in Case C-361/06 of 22 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

IP/08/762 of 20 May 2008: **Food and farming: Health Check** will modernise the CAP and free farmers to respond to growing demand

[IP/08/762 Information](#) - FR

4. Audiovisual and Media and Information Society

Community Legislation

Decision of the Standing Committee of the EFTA States No 3/2007/SC of 6 December 2007 on **public access to EFTA documents** and repealing Decision No 3/2005/SC of the Standing Committee of the EFTA States

[OJ of the EU, L 122/33 of 8 May 2008](#) - FR

Commission Decision 2008/383/EC of 30 April 2008 **exempting express and courier services in Italy** from the application of Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (notified under document number C(2008) 1642) (Text with EEA relevance)

[OJ of the EU, L 132/18 of 22 May 2008](#) - FR

Commission Decision 2008/392/EC of 30 April 2008 implementing Council Directive 2006/88/EC as regards an Internet-based information page to make **information on aquaculture production businesses** and authorised processing establishments available **by electronic means** (notified under document number C(2008) 1656) (Text with EEA relevance)

[OJ of the EU, L 138/12 of 28 May 2008](#) - FR

Commission Regulation (EC) No 482/2008 of 30 May 2008 establishing a **software safety assurance** system to be implemented by **air navigation service providers** and amending Annex II to Regulation (EC) No 2096/2005 (Text with EEA relevance)

[OJ of the EU, L 141/5 of 31 May 2008](#) - FR

5. Competition

Preparatory Acts, Reports, Calls, Memos, Common Positions

MEMO/08/284 of 5 May 2008: **Antitrust**: Commission confirms sending **Statement of Objections** to alleged participants in a **marine hoses cartel**

[MEMO/08/284 Information](#) - [French version not available]

MEMO/08/297 of 8 May 2008: **Antitrust**: Commission **closes investigation into transport of bulk liquids by sea**

[MEMO/08/297 Information](#) - [French version not available]

IP/08/740 of 14 May 2008: **Mergers**: Commission opens **in-depth investigation into StatoilHydro's proposed acquisition** of ConocoPhillips' **Jet petrol stations** in Scandinavia

[IP/08/740 Information](#) - FR

6. Customs

Community Legislation

Commission Decision No 2008/333/EC of 4 March 2008 adopting the **SIRENE Manual** and other implementing **measures for the second generation Schengen Information System (SIS II)** (notified under document number C(2008) 774)

[OJ of the EU, L 123/1 of 8 May 2008](#) - FR

Commission Decision No 2008/334/JHA of 4 March 2008 adopting the **SIRENE Manual** and other implementing **measures for the second generation Schengen Information System (SIS II)**
[OJ of the EU, L 123/39 of 8 May 2008 - FR](#)

Council Decision No. 2008/374/EC of 29 April 2008 amending Annex 3, Part I, to the Common Consular **Instructions on third-country nationals subject to airport visa requirements**
[OJ of the EU, L 129/46 of 17 May 2008 - FR](#)

Commission Decision 2008/387/EC of 30 April 2008 amending Decisions 2001/881/EC and 2002/459/EC as regards the **list of border inspection posts** (notified under document number C(2008) 1646) (Text with EEA relevance)
[OJ of the EU, L 136/18 of 24 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

IP/08/717 of 7 May 2008: Roadmap on **visa free travel** opens EU doors to **Serbia**
[IP/08/717 Information - FR](#)

Council of the European Union - 9165/08 (Presse 121) of 22 May 2008: **Return of illegally staying third-country nationals**
[9165/08 Information - \[French version not available\]](#)

7. Economic and Monetary Affairs, Taxation, Enterprise

Community Legislation

Commission Regulation (EC) No 407/2008 of 7 May 2008 amending Council Regulation (EC) No 2007/2000 introducing **exceptional trade measures for countries and territories participating** in or linked to **the European Union's Stabilisation and Association process**
[OJ of the EU, L 122/7 of 8 May 2008 - FR](#)

Council Decision No 2008/376/EC of 29 April 2008 on the adoption of the Research Programme of **the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme**
[OJ of the EU, L 130/7 of 20 May 2008 - FR](#)

Council Regulation (EC) No 435/2008 of 19 May 2008 amending Regulation (EC) No 1371/2005 imposing a definitive **anti-dumping duty on imports of grain-oriented flat-rolled products of silicon-electrical steel** originating in the **United States of America** and **Russia** and repealing the anti-dumping duties imposed by Regulation (EC) No 1371/2005 on imports of grain-oriented flat-rolled products of silicon-electrical steel originating in Russia
[OJ of the EU, L 132/1 of 22 May 2008 - FR](#)

Commission Decision No 2008/384/EC of 21 May 2008 amending Decision 2005/622/EC accepting undertakings offered in connection with the **anti-dumping proceeding concerning imports of grain oriented flat-rolled products of silicon-electrical steel** originating in the United States of America and Russia
[OJ of the EU, L 132/20 of 22 May 2008 - FR](#)

Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on **credit agreements for consumers** and repealing Council Directive 87/102/EEC
[OJ of the EU, L 133/66 of 22 May 2008 - FR](#)

Commission Regulation (EC) No 447/2008 of 22 May 2008 amending Regulation (EC) No 883/2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the **keeping of accounts by the paying agencies, declarations of expenditure and revenue and the conditions for reimbursing expenditure under the EAGF and the EAFRD**

[OJ of the EU, L 134/13 of 23 May 2008 - FR](#)

Commission Decision 2008/394/EC of 30 April 2008 on the clearance of the accounts of certain paying agencies in Germany, Italy and Slovakia concerning **expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF)**, Guarantee Section, for the 2006 financial year (notified under document number C(2008) 1709)

[OJ of the EU, L 139/22 of 29 May 2008 - FR](#)

Decision 2008/402/EC of the European Central Bank of 15 May 2008 on security **accreditation procedures for manufacturers of euro secure** items for euro banknotes (ECB/2008/3)

[OJ of the EU, L 140/26 of 30 May 2008 - FR](#)

Case Law

Case C-138/07: Opinion of Advocate General Sharpston of 8 May 2008 — *Belgische Staat v N.V. Cobelfret* – Directive 90/435/EEC – Tax – Companies – **Profits distributed by subsidiary to parent** – **Exemption** from taxation

[CURIA – Opinion of Advocate General Sharpston in Case C-138/07 of 8 May 2008 - FR](#)

Case C-392/07: Judgment of the Court (Seventh Chamber) of 8 May 2008 — *Commission of the European Communities v Belgium* – Failure of a Member State to fulfil obligations– Directive 2005/19/EC – **Common tax regime applicable to mergers, spin-offs, additions to assets and exchanges of stock of companies from different Member States** – Non-transposition within the applicable deadline

[CURIA – Judgment of the Court \(Seventh Chamber\) in case C-392/07 of 8 May 2008 - \[English version not available\]](#)

Case C-73/07: Opinion of Advocate General Mme Juliane Kokott of 8 May 2008 — *Tietosuojavaltutettu v Satakunnan Markkinapörssi Oy et Satamedia Oy* – Directive 95/46/CE – Protection of individuals with respect to the processing of data of a personal matter - **Protection of privacy** – **Tax data concerning revenues and assets** – Freedom of expression – Privilege of the media –

[CURIA – Opinion of Advocate General Mme Juliane Kokott in Case C-73/07 of 8 May 2008 - \[English version not available\]](#)

Case C-194/06: Judgment of the Court (Grand Chamber) of 20 May 2008 — *Staatssecretaris van Financiën v Orange European Smallcap Fund NV* – Articles 56 EC to 58 EC – Free movement of capital – Taxation of dividends – **Concession granted to a fiscal investment enterprise on account of tax deducted at source by another State from dividends received by that enterprise** – **Restriction of that concession to the amount** that a shareholder resident in the Member State of establishment of that enterprise who has made an investment without such an enterprise acting as intermediary **could have had credited to income tax on the basis of a convention for the prevention of double taxation** – Restriction of that concession by reference to the shares of non-resident shareholders in the capital of that enterprise

[CURIA – Judgment of the Court \(Grand Chamber\) in Case C-194/06 of 20 May 2008 - FR](#)

Case C-210/06: Opinion of Advocate General Poiares Maduro of 22 May 2008 — *Cartesio Oktató és Szolgáltató bt* – Articles 43 EC and 48 EC preclude national rules which make it **impossible for a company constituted under national law to transfer its operational headquarters to another Member State**

[CURIA – Opinion of Advocate General Poiares Maduro in Case C-210/06 of 22 May 2008 - FR](#)

Case C-162/07: Judgment of the Court (Third Chamber) of 22 May 2008 – Amplificativa Srl, Amplifin SpA v Ministero dell'Economia e delle Finanze, Agenzia delle Entrate – Sixth VAT directive – Taxable persons – Second subparagraph of Article 4(4) – Parent companies and subsidiaries – **Implementation by the Member State of the single taxable person scheme** – Conditions – Consequences

[CURIA – Judgment of the Court \(Third Chamber\) in Case C-162/07 of 22 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

IP/08/695 of 6 May 2008: **Budget 2009**: highest spending for growth and employment

[IP/08/695 Information - FR](#)

Commission Recommendation 2008/362/EC of 6 May 2008 on **external quality assurance** for **statutory auditors and audit firms** auditing public interest entities (notified under document number C(2008) 1721)

[OJ of the EU, L 120/20 of 7 May 2008 - FR](#)

Commission Decision No.2008/358/EC of 25 April 2008 amending Decision 2005/380/EC establishing a **group of non-governmental experts on corporate governance and company law**

[OJ of the EU, L 120/14 of 7 May 2008 - FR](#)

Commission Decision No.2008/359/EC of 28 April 2008 setting up **the High Level Group** on the Competitiveness of the **Agro-Food Industry**

[OJ of the EU, L 120/15 of 7 May 2008 - FR](#)

Commission Decision of 30 April 2008 setting up a group **of experts on financial education**

[OJ of the EU, L 125/36 of 9 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on the '**Impact of the territoriality of tax law on industrial change**'

[OJ of the EU, C120/51 of 16 May 2008 - FR](#)

Decision of the European Parliament and of the Council of 10 April 2008 on the mobilisation of the European **Globalisation Adjustment Fund** in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on **budgetary discipline and sound financial management**

[OJ of the EU, L 128/6 of 16 May 2008 - FR](#)

Council Recommendation 2008/390/EC of 14 May 2008 **on the broad economic policy guidelines** for the Member States and the Community (2008-2010)

[OJ of the EU, L 137/13 of 27 May 2008 - FR](#)

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

Preparatory Acts, Reports, Calls, Memos, Common Positions

Commission Decision of 30 April 2008 setting up a group **of experts on financial education**

[OJ of the EU, L 125/36 of 9 May 2008 - FR](#)

Council Decision No 2008/376/EC of 29 April 2008 on the adoption of the Research Programme of **the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme**

[OJ of the EU, L 130/7 of 20 May 2008 - FR](#)

9. Employment and Social Affairs

Community Legislation

Commission Regulation (EC) No 391/2008 of 30 April 2008 amending Regulation (EC) No 102/2007 adopting the specifications of the 2008 **ad hoc module on the labour market situation of migrants and their immediate descendants** (Text with EEA relevance)

[OJ of the EU, L 117/15 of 1 May 2008 - FR](#)

Case Law

Case C-39/07: Judgment of the Court (Second Chamber) of 8 May 2008 — **Commission of the European Communities v Kingdom of Spain** – Failure of a Member State to fulfil obligations – Directive 89/48/EEC – Recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration – **National legislation not providing for the recognition of diplomas allowing access to the profession of hospital pharmacist** – Failure to transpose the directive

[CURIA – Judgment of the Court \(Second Chamber\) in Case C-39/07 of 8 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European **Qualifications Framework for lifelong learning** (Text with EEA relevance)

[OJ of the EU, C 111/1 of 6 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on '**Cross-border agricultural labour**'

[OJ of the EU, C 120/19 of 16 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on the '**Agricultural employment situation**'

[OJ of the EU, C 120/25 of 16 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on the 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Promoting **solidarity between the generations**' – COM(2007) 244 final

[OJ of the EU, C 120/66 of 16 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on '**Migration and development: opportunities and challenges**'

[OJ of the EU, C 120/82 of 16 May 2008 - FR](#)

Council Recommendation 2008/399/EC of 14 May 2008 on the 2008 update of the broad guidelines for the **economic policies** of the Member States and the Community and on the implementation of Member States' **employment policies**

[OJ of the EU, L 139/57 of 29 May 2008 - FR](#)

10. Energy and Environment

International Agreements

Regulation No 83 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the **approval of vehicles with regard to the emission of pollutants according to engine fuel requirements**

[OJ of the EU, L 119/1 of 6 May 2008 - FR](#)

Community Legislation

Commission Decision of 29 April 2008 imposing special conditions governing **guar gum originating in or consigned from India** due to **contamination risks of those products by pentachlorophenol and dioxins** (notified under document number C(2008) 1641) (Text with EEA relevance) (2008/352/EC)
[OJ of the EU, L 117/42 of 1 May 2008 - FR](#)

Commission Regulation (EC) No 465/2008 of 28 May 2008 imposing, pursuant to Council Regulation (EEC) No 793/93, testing and information requirements **on importers and manufacturers of certain substances that may be persistent, bioaccumulating and toxic** and are listed in the European Inventory of Existing Commercial Chemical Substances (Text with EEA relevance)
[OJ of the EU, L 139/8 of 29 May 2008 - FR](#)

Commission Regulation (EC) No 466/2008 of 28 May 2008 imposing testing and information requirements on the importers and 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)
[OJ of the EU, L 139/10 of 29 May 2008 - FR](#)

Council Regulation (EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the **Registration, Evaluation, Authorisation and Restriction of Chemicals** (REACH) (Text with EEA relevance)
[OJ of the EU, L 142/1 of 31 May 2008 - FR](#)

Case Law

Case C-233/07: Judgment of the Court (Seventh Chamber) of 8 May 2008 – Commission of the European Communities v Portugese Republic – Failure of Member State to fulfil obligations – Environment – Directive 91/271/CEE – Treatment of residual urban water (sewage?) – **Decision 2001/720/CE – Derogation concerning en ce Treatment of residual urban water (sewage?) of the populated region of the Coast of Estoril** – Violation of articles 2, 3 and 5 of such decision -
[CURIA - Judgment of the Court \(Seventh Chamber\) in Case C-233/07 of 8 May 2008 - FR](#)

Case C-251/07: Conclusions of the Advocate General Mme Juliane Kokott of 22 May 2008 – Gävle Kraftvärme AB v Länsstyrelsen i Gävleborgs län – Directive 2000/76 – Incineration of refuse – **Qualification of a co-generation facility** – Incineration and co-incineration facilities – **goal of thermal treatment of refuse or production of energy or material products**
[CURIA – Opinion of Advocate General Mme Juliane Kokott in Case C-251/07 of 22 May 2008 - \[English version not available\]](#)

Case C-439/06: Judgment of the Court (Third Chamber) of 22 May 2008 (preliminary ruling) – citi-works AG, Sächsisches Staatsministerium für Wirtschaft und Arbeit and Flughafen Leipzig/Halle GmbH – Internal market in electricity – Directive 2003/54/EC – Article 20(1) – **Open access of third parties to electricity transmission and distribution systems**
[CURIA – Judgment of the Court \(Third Chamber\) in Case C-439/06 of 22 May 2008 - FR](#)

Case C-127/07: Opinion of the Advocate General M. M. Poiares Maduro of 22 May 2008 – Société Arcelor Atlantique et Lorraine, et al. v Prime Minister, Minister of Ecology and Sustainable Development, Minister of Economy, Finance and Industry– Integrated prevention and reduction of pollution – System of exchange of **greenhouse effect gas quotas** – **Difference in treatment between the steel industry and the aluminium and plastic industries** all of which emit greenhouse effect gases
[CURIA – Opinion of the Advocate General M. M. Poiares Maduro in Case C-127/07 of 22 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

IP/08/705 of 6 May 2008: **Italy: Commission pursues legal action over waste management** in the Campania and Lazio regions

[IP/08/705 Information - FR](#)

Opinion of the European Economic and Social Committee on 'The role of the National Councils for Sustainable Development'

[OJ of the EU, C 120/29 of 16 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on the Green Paper from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: **Adapting to climate change in Europe** — Options for EU action - COM(2007) 354 final

[OJ of the EU, C 120/38 of 16 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on the 'Impact of European environmental rules on industrial change'

[OJ of the EU, C 120/57 of 16 May 2008 - FR](#)

Common Position (EC) No 13/2008 of 18 April 2008 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 Directive of the European Parliament and of the Council amending Directive 2003/87/EC so as **to include aviation activities in the scheme for greenhouse gas emission** allowance trading within the Community

[OJ of the EU, C 122E/19 of 20 May 2008 - FR](#)

COD/2007/0022: Legislative resolution of 21 May 2008: Protection of the environment through criminal law

[COD/2007/0022 European Parliament resolution - FR](#)

Commission Decision 2008/401/EC, Euratom of 30 April 2008 amending its Rules of Procedure as regards detailed rules for the application of Regulation (EC) No 1367/2006 of the European Parliament and of the Council on the application of the provisions of the Aarhus Convention on **Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters** to Community institution and bodies

[OJ of the EU, L 140/22 of 30 May 2008 - FR](#)

11. Food Safety, Public Health and Consumers

Community Legislation

Commission Decision of 29 April 2008 imposing special conditions governing **guar gum originating in or consigned from India** due to **contamination risks of those products by pentachlorophenol and dioxins** (notified under document number C(2008) 1641) (Text with EEA relevance) (2008/352/EC)

[OJ of the EU, L 117/42 of 1 May 2008 - FR](#)

Commission Regulation (EC) No 423/2008 of 8 May 2008 on laying down certain detailed rules for implementing Council Regulation (EC) No 1493/1999 and establishing a Community code of **oenological practices and processes** (Codified version)

[OJ of the EU, L 127/13 of 15 May 2008 - FR](#)

Commission Regulation (EC) No 428/2008 of 8 May 2008 on determining **the intervention centres for cereals** (Codified version)

[OJ of the EU, L 129/8 of 17 May 2008 - FR](#)

Commission Decision No 2008/377/EC of 8 May 2008 concerning certain **protection measures relating to classical swine fever in Slovakia** (notified under document number C(2008) 1765(Text with EEA relevance)

[OJ of the EU, L 130/18 of 20 May 2008 - FR](#)

Commission Regulation (EC) No 437/2008 of 21 May 2008 amending Annexes VII, X and XI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the **requirements for the processing of milk and milk products** defined as Category 3 material (Text with EEA relevance)

[OJ of the EU, L 132/7 of 22 May 2008 - FR](#)

Commission Regulation (EC) No 460/2008 of 27 May 2008 amending Regulation (EC) No 85/2004 laying down **the marketing standard for apples**

[OJ of the EU, L 138/3 of 28 May 2008 - FR](#)

Commission Regulation (EC) No 467/2008 of 28 May 2008 amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements **for milk and milk products** and opening tariff quotas

[OJ of the EU, L 139/12 of 29 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Common Position (EC) No 6/2008 of 10 March 2008 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 **establishing a common authorisation procedure for food additives, food enzymes and food flavourings** (Text with EEA relevance)

[OJ of the EU, C 111E/1 of 6 May 2008 - FR](#)

Common Position (EC) No 7/2008 of 10 March 2008 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 food additives** (Text with EEA relevance)

[OJ of the EU, C 111E/10 of 6 May 2008 - FR](#)

Common Position (EC) No 8/2008 of 10 March 2008 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 food enzymes** and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 (Text with EEA relevance)

[OJ of the EU, C 111E/32 of 6 May 2008 - FR](#)

Common Position (EC) No 9/2008 of 10 March 2008 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 flavourings and certain food ingredients with flavouring properties for use in and on foods** and amending Council Regulations (EEC) No 1576/89 and (EEC) No 1601/91, Regulation (EC) No 2232/96 and Directive 2000/13/EC (Text with EEA relevance)

[OJ of the EU, C 111E/46 of 6 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on the 'Proposal for a Council Regulation **on the common organisation of the market in wine** and amending certain Regulations' – COM (2007) 372 final – 2007/0138 (CNS)

[OJ of the EU, C 120/42 of 16 May 2008 - FR](#)

IP/08/763 of 20 May 2008: Commission outlines European response to mitigate effects of **rising global food prices**

[IP/08/763 Information - FR](#)

12. Human Rights

Community Legislation

Commission Decision 2008/393/EC of 8 May 2008 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the **adequate protection of personal data in Jersey** (notified under document number C(2008) 1746) (Text with EEA relevance)

[OJ of the EU, L 138/21 of 28 May 2008 - FR](#)

Case Law

Case C-133/06: Judgment of the Court (Grand Chamber) of 22 May 2008 — European Parliament v. Commission of the European Communities – Action for annulment – Common policy on asylum – Directive 2005/85/EC – **Procedures in Member States for granting and withdrawing refugee status** – Safe countries of origin – **European safe third countries** – Minimum common lists – **Procedure for adopting or amending the minimum common lists** – Article 67(1) and first indent of Article 67(5) EC – No power

[CURIA – Judgment of the Court \(Grand Chamber\) in Case C-133/06 of 6 May 2008 - FR](#)

Case C-91/05: Judgment of the Court (Grand Chamber) of 20 May 2008 – Commission of the European Communities v Council of the European Union – **Action for annulment** – Article 47 EU – Common foreign and security policy – Decision 2004/833/CFSP – Implementation of Joint Action 2002/589/CFSP – **Combating the proliferation of small arms and light weapons** – **Community competence** – Development cooperation policy

[CURIA – Judgment of the Court \(Grand Chamber\) in Case C-91/05 of 20 May 2008 - FR](#)

13. Intellectual Property

Case Law

Case C-341/07: Judgment of the Court (Sixth Chamber) of 15 May 2008 — Commission of the European Communities v Kingdom of Sweden – Failure of Member State to fulfil obligations – Directive 2004/48/CE – **Respect of intellectual property rights** – **Failure to transpose prior to deadline**

[CURIA – Judgment of the Court \(Sixth Chamber\) in Case C-341/07 of 15 May 2008 - \[English version not available\]](#)

Case C-240/07: Opinion of Advocate General M. Dámaso Ruiz-Jarabo Colomer of 22 May 2008 – Sony Music Entertainment (Germany) GmbH v Falcon Neue Medien Vertrieb GmbH – Non-discrimination – **Copyrights and ancillary rights – Rights of citizens of non-member countries – TRIPS rules** – directive 2006/116/CE, Article 10, pars 2 & 3 – term of protection where right not previously protected

[CURIA – Opinion of Advocate General Dámaso Ruiz-Jarabo Colomer in Case C-240/07 of 22 May 2008 - \[English version not available\]](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

IP/08/757 of 19 May 2008: Customs: Commission publishes **2007 Customs seizures of counterfeit goods** at the EU's external border

[IP/08/757 Information - FR](#)

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

Community Legislation

Commission Regulation (EC) No 400/2008 of 5 May 2008 amending for the 95th 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 118/14 of 6 May 2008 - FR](#)

Commission Decision No 2008/357/EC of 23 April 2008 on **specific child safety** requirements to be met by European standards for lighters pursuant to Directive 2001/95/EC of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 120/11 of 7 May 2008 - FR](#)

Commission Decision No 2008/333/EC of 4 March 2008 adopting the **SIRENE Manual** and other implementing **measures for the second generation Schengen Information System (SIS II)** (notified under document number C(2008) 774)

[OJ of the EU, L 123/1 of 8 May 2008 - FR](#)

Commission Decision No 2008/334/JHA of 4 March 2008 adopting the **SIRENE Manual** and other implementing **measures for the second generation Schengen Information System (SIS II) (2008/334/JHA)**

[OJ of the EU, L 123/39 of 8 May 2008 - FR](#)

Council Decision No. 2008/374/EC of 29 April 2008 amending Annex 3, Part I, to the **Common Consular Instructions on third-country nationals subject to airport visa requirements**

[OJ of the EU, L 129/46 of 17 May 2008 - FR](#)

Council Decision 2008/381/EC of 14 May 2008 establishing a **European Migration Network**

[OJ of the EU, L 131/7 of 21 May 2008 - FR](#)

Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of **mediation in civil and commercial matters**

[OJ of the EU, L 136/3 of 24 May 2008 - FR](#)

Case Law

Case C-133/06: Judgment of the Court (Grand Chamber) of 22 May 2008 — European Parliament v Commission of the European Communities – Action for annulment – Common policy on asylum – Directive 2005/85/EC – **Procedures in Member States for granting and withdrawing refugee status** – Safe countries of origin – **European safe third countries** – Minimum common lists – **Procedure for adopting or amending the minimum common lists** – Article 67(1) and first indent of Article 67(5) EC – No power

[CURIA – Judgment of the Court \(Grand Chamber\) in Case C-133/06 of 6 May 2008 - FR](#)

Case C-14/07: Judgment of the Court (Third Chamber) of 8 May 2008 — Ingenieurbüro Michael Weiss und Partner GbR v Industrie- und Handelskammer Berlin, Nicholas Grimshaw & Partners Ltd – Judicial cooperation in civil matters – Regulation (EC) No 1348/2000 – **Service of judicial and extrajudicial documents** – **Annexes to the document not translated** – Consequences

[CURIA – Judgment of the Court \(Third Chamber\) in Case C-14/07 of 8 May 2008 - FR](#)

Case C-499/06: Judgment of the Court (Fourth Chamber) of 22 May 2008 – Halina Nerkowska v Zakład Ubezpieczeń Społecznych Oddział w Koszalinie – **Disability pension** granted to civilian victims of war or repression – **Condition requiring residence in national territory** – Article 18(1) EC

[CURIA – Judgment of the Court \(Fourth Chamber\) in Case C-499/06 of 22 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Council Joint Action 2008/368/CFSP of 14 May 2008 in support of the implementation of United Nations Security Council Resolution 1540 (2004) and in the framework of the implementation of the **EU strategy against the proliferation of weapons of mass destruction**

[OJ of the EU, L 127/78 of 15 May 2008 - FR](#)

Council Common Position 2008/369/CFSP of 14 May 2008 concerning restrictive measures against the Democratic Republic of the Congo and repealing Common Position 2005/440/CFSP

[OJ of the EU, L 127/84 of 15 May 2008 - FR](#)

Common Position (EC) No 11/2008 of 28 February 2008 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 Directive of the European Parliament and of the Council on certain **aspects of mediation in civil and commercial matters**

[OJ of the EU, C 122E/1 of 20 May 2008 - FR](#)

15. Transport

International Agreements

Decision No 2/2007 of the Joint Community/Switzerland Air Transport Committee set up under the Agreement between the European Community and the Swiss Confederation on **Air Transport** of 15 December 2007 replacing the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport

[OJ of the EU, L 127/58 of 15 May 2008 - FR](#)

Community Legislation

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**

[OJ of the EU, L 135/1 of 23 May 2008 - FR](#)

Commission Decision 2008/386/EC of 23 April 2008 modifying Annex A to Decision 2006/679/EC concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system and Annex A to Decision 2006/860/EC concerning the technical specification for interoperability relating to the **control-command and signalling subsystem of the trans-European high-speed rail system** (notified under document number C (2008) 1565) (Text with EEA relevance)

[OJ of the EU, L 136/11 of 24 May 2008 - FR](#)

Regulation No 79 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the **approval of vehicles with regard to steering equipment**

[OJ of the EU, L 137/25 of 27 May 2008 - FR](#)

Commission Regulation (EC) No 482/2008 of 30 May 2008 establishing a **software safety assurance** system to be implemented by **air navigation service providers** and amending Annex II to Regulation (EC) No 2096/2005 (Text with EEA relevance)

[OJ of the EU, L 141/5 of 31 May 2008 - FR](#)

Commission Regulation (EC) No 482/2008 of 30 May 2008 establishing a **software safety assurance** system to be implemented by **air navigation service providers** and amending Annex II to Regulation (EC) No 2096/2005 (Text with EEA relevance)

[OJ of the EU, L 141/5 of 31 May 2008 - FR](#)

Case Law

Case C-491/06: Judgment of the Court (Third Chamber) of 8 May 2008 (reference for a preliminary ruling from the *Vestre Landsret, Denmark*) — *Danske Svineproducenter v Justitsministeriet* — Directive 91/628/EEC — **Protection of animals during transport** — Implementation — Margin of discretion — Domestic animals of the porcine species — Journeys exceeding eight hours — Minimum height of each deck of the vehicle — Loading density

[CURIA – Judgment of the Court \(Third Chamber\) in Case C-491/06 of 8 May 2008 - FR](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

Common Position (EC) No 10/2008 of 7 April 2008 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 Directive of the European Parliament and of the Council **on the inland transport of dangerous goods** (Text with EEA relevance)

[OJ of the EU, C 117E/1 of 14 May 2008 - FR](#)

Opinion of the European Economic and Social Committee on the '**Green Paper on better ship dismantling**' – COM(2007) 269 final

[OJ of the EU, C 120/33 of 16 May 2008 - FR](#)

Common Position (EC) No 12/2008 of 3 March 2008 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 Directive of the European Parliament and of the Council amending Directive 2004/49/EC on safety on the **Community's railways** (Railway Safety Directive) (Text with EEA relevance)

[OJ of the EU, C 122E/10 of 20 May 2008 - FR](#)

Common Position (EC) No 13/2008 of 18 April 2008 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 Directive of the European Parliament and of the Council amending Directive 2003/87/EC so as **to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community**

[OJ of the EU, C 122E/19 of 20 May 2008 - FR](#)

Common Position (EC) No 14/2008 of 18 April 2008 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 for the operation of air services in the Community** (Recast) (Text with EEA relevance)

[OJ of the EU, C 129E/1 of 27 May 2008 - FR](#)