

**Re:**

Reference for a preliminary ruling *College van Beroep voor het Bedrijfsleven* — Interpretation of Article 3a of Commission Regulation (EC) No 795/2004 of 21 April 2004 laying down detailed rules for the implementation of the single payment scheme provided for in Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers (OJ 2004 L 141, p.1) and of Article 2 of Commission Regulation (EC) No 2419/2001 of 11 December 2001 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes established by Council Regulation (EEC) No 3508/92 — Integrated administration and control system for certain aid schemes — Single payment scheme — Fixing of the reference amount — Reductions and exclusions.

**Operative part of the judgment**

Article 3a of Commission Regulation (EC) No 795/2004 of 21 April 2004 laying down detailed rules for the implementation of the single payment scheme provided for in Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, as amended by Commission Regulation (EC) No 1974/2004 of 29 October 2004, must be interpreted as meaning that reductions and exclusions based on Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal are not to be taken into account in the calculation provided for in Article 37(1) of Regulation No 1782/2003.

---

<sup>(1)</sup> OJ C 197, 2.8.2008.

---

**Judgment of the Court (Fifth Chamber) of 18 June 2009**  
(reference for a preliminary ruling from the *Gerechtshof te Amsterdam* (Netherlands)) — *Kloosterboer Services BV v Inspecteur van de Belastingdienst/Douane Rotterdam*

(Case C-173/08) <sup>(1)</sup>

*(Common Customs Tariff — Tariff headings — Cooling systems for computers composed of a heat sink and a fan — Classification in the Combined Nomenclature)*

(2009/C 180/31)

Language of the case: Dutch

**Referring court**

*Gerechtshof te Amsterdam*

**Parties to the main proceedings**

*Applicant:* *Kloosterboer Services BV*

*Defendant:* *Inspecteur van de Belastingdienst/Douane Rotterdam, kantoor Laan op Zuid*

**Re:**

Reference for a preliminary ruling — *Gerechtshof te Amsterdam* — Interpretation of Commission Regulation (EC) No 384/2004 of 1 March 2004 concerning the classification of certain goods in the Combined Nomenclature (OJ 2004 L 64, p. 21) — Classification of cooling systems for computers composed of a 'heat sink' and a fan

**Operative part of the judgment**

Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended by Commission Regulation (EC) No 1789/2003 of 11 September 2003, must be interpreted as meaning that goods, such as those at issue in the main proceedings, made up of a heat sink and a fan and which are solely intended to be incorporated in a computer must be classified under subheading 8473 30 90 of the Combined Nomenclature in Annex I to that regulation.

---

<sup>(1)</sup> OJ C 183, 19.7.2008.

---

**Judgment of the Court (Fourth Chamber) of 4 June 2009**  
(Reference for a preliminary ruling from the *Budaörsi Városi Bíróság* (Hungary)) — *Pannon GSM Zrt v Erzsébet Sustikné Gyórfi*

(Case C-243/08) <sup>(1)</sup>

*(Directive 93/13/EEC — Unfair terms in consumer contracts — Legal effects of an unfair term — Power of and obligation on the national court to examine of its own motion the unfairness of a term conferring jurisdiction — Criteria for assessment)*

(2009/C 180/32)

Language of the case: Hungarian

**Referring court**

*Budaörsi Városi Bíróság*