were unlawfully introduced into the customs territory of the Community which are competent to recover the customs debt and the value added tax, even if those goods were then transported to another Member State where they were discovered then seized. Articles 6(1) and 7(1) of Directive 92/12, as amended by Directive 96/99, must be interpreted as meaning that the authorities in that latter Member State are competent to recover the excise duty, provided that those goods are held for commercial purposes. It is for the national court to determine whether that condition is satisfied in the dispute before it.

(1) OJ C 197, 2.8.2008.

Judgment of the Court (Grand Chamber) of 20 April 2010 (reference for a preliminary ruling from the Tribunale Amministrativo Regionale per la Lombardia — Italy) — Federutility, Assogas, Libarna Gas SpA, Collino Commercio SpA, Sadori Gas SpA, Egea Commerciale, E.On Vendita Srl, Sorgenia SpA v Autorità per l'energia elettrica e il gas

(Case C-265/08) (1)

(Directive 2003/55/EC — Internal market in natural gas — State intervention on the price for the supply of natural gas after 1 July 2007 — Public service obligations of undertakings operating in the gas sector)

(2010/C 161/07)

Language of the case: Italian

Referring court

Tribunale amministrativo regionale per la Lombardia

Parties to the main proceedings

Applicants: Federutility, Assogas, Libarna Gas SpA, Collino Commercio SpA, Sadori Gas SpA, Egea Commerciale, E.On Vendita Srl, Sorgenia SpA

Defendant: Autorità per l'energia elettrica e il gas

Re:

Reference for a preliminary ruling — Tribunale amministrativo regionale per la Lombardia — Interpretation of Articles 3(2) and 23 of Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC (OJ 2003 L 176, p. 57) — National legislation providing for the fixing of prices for the supply of natural gas to domestic customers

Operative part of the judgment

Articles 3(2) and 23(1) of Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC do not preclude national legislation such as that at issue in the main proceedings, which permits determination of the price level for the supply of natural gas by the definition of 'reference prices', such as those at issue in the main proceedings, after 1 July 2007, provided that such intervention:

— *pursues a general economic interest consisting in maintaining the price of the supply of natural gas to final consumers at a reasonable level having regard to the reconciliation which Member States must make, taking account of the situation in the natural gas sector, between the objective of liberalisation and that of the necessary protection of final consumers pursued by Directive 2003/55;*

— *compromises the free determination of prices for the supply of natural gas after 1 July 2007 only in so far as is necessary to achieve such an objective in the general economic interest and, consequently, for a period that is necessarily limited in time;*

— *is clearly defined, transparent, non discriminatory and verifiable, and guarantees equal access for EU gas companies to consumers.*

(1) OJ C 236, 13.09.2008.

Judgment of the Court (Fourth Chamber) of 29 April 2010 (reference for a preliminary ruling from the House of Lords — United Kingdom) — The Queen, M and Others v Her Majesty's Treasury

(Case C-340/08) (1)

(Common foreign and security policy — Restrictive measures taken against persons and entities associated with Usama bin Laden, the Al-Qaeda network and the Taliban — Freezing of funds and economic resources — Regulation (EC) No 881/2002 — Article 2(2) — Prohibition of making funds available to the persons listed in Annex I to that regulation — Scope — Social security and social assistance benefits paid to the spouse of a person included in Annex I)

(2010/C 161/08)

Language of the case: English

Referring court

House of Lords