

## V

(Announcements)

## COURT PROCEEDINGS

## COURT OF JUSTICE

**Judgment of the Court (Grand Chamber) of 8 April 2008  
— Commission of the European Communities v Kingdom  
of Sweden**

(Case C-167/05) <sup>(1)</sup>

***(Failure of a Member State to fulfil obligations — Second  
paragraph of Article 90 EC — Internal taxes imposed on  
products from other Member States — Taxation liable to  
protect other products indirectly — Prohibition on discrimina-  
tion between imported products and competing domestic  
products — Excise duties — Different tax treatment of beer  
and wine — Burden of proof)***

(2008/C 128/02)

Language of the case: Swedish

**Parties**

*Applicant:* Commission of the European Communities (repre-  
sented by: L. Ström van Lier, K. Gross, K. Simonsson and R.  
Lyal, Agents)

*Defendant:* Kingdom of Sweden (represented by: K. Wistrand,  
Agent)

*Intervener in support of the defendant:* Republic of Latvia (repre-  
sented by: E. Balode-Buraka and E. Broks, Agents)

**Re:**

Failure of Member State to fulfil its obligations — Infringement  
of the second paragraph of Article 90 EC — Internal taxation  
of alcohol and alcoholic drinks affecting wine more heavily than  
beer

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders the Commission of the European Communities to pay the costs;
3. Orders the Republic of Latvia to bear its own costs.

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<sup>(1)</sup> OJ C 171, 9.7.2005.

**Judgment of the Court (Grand Chamber) of 8 April 2008  
— Commission of the European Communities v Italian  
Republic**

(Case C-337/05) <sup>(1)</sup>

***(Failure of a Member State to fulfil obligations — Public  
supply contracts — Directives 77/62/EEC and 93/36/EEC —  
Award of public contracts without prior publication of a  
notice — Absence of competitive tendering — Agusta and  
Agusta Bell helicopters)***

(2008/C 128/03)

Language of the case: Italian

**Parties**

*Applicant:* Commission of the European Communities (repre-  
sented by: D. Recchia and X. Lewis, avocat)

*Defendant:* Italian Republic (represented by: I.M. Braguglia,  
Agent, assisted by G. Fiengo, lawyer)