

Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, the Kingdom of Belgium has failed to fulfil its obligations under Article 126 of that regulation;

2. Orders the Kingdom of Belgium to pay the costs.

**Judgment of the Court (Fifth Chamber) of 10 May 2011 —
Commission v Sweden**

(Case C-479/10)

(Failure of a Member State to fulfil obligations — Environment — Directive 1999/30/EC — Pollution control — Limit values for concentrations of PM10 in ambient air)

Actions for failure to fulfil obligations — Examination of the merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 258 TFEU; Council Directive 1999/30, Art. 5(1))

Re:

Failure of a Member State to fulfil obligations – Infringement of Article 5(1) of Council Directive 1999/30/EC of 22 April 1999 relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air (OJ 1999 L 163, p. 41) – PM10 particles exceeding limit values in ambient air in zones SW 2 and SW 4 in 2005, 2006 and 2007 and in zone SW 5 in 2005 and 2006.

Operative part

The Court:

1. Declares that, by exceeding the limit values for concentrations of PM10 in ambient air from 2005 to 2007 in zones SW 2 and SW 4 and in 2005 and 2006 in zone SW 5, the Kingdom of Sweden has failed to fulfil its obligations under Article 5(1) of Council Directive 1999/30/EC of 22 April 1999 relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air;
2. Orders the Kingdom of Sweden to pay the costs.

**Order of the Court (Fifth Chamber) of 11 May 2011 —
Semerdzhiev v Del-Pi-Krasimira Mancheva**

(Case C-32/10)

(Article 92(1) of the Rules of Procedure — Directive 90/314/EEC — Package travel, package holidays and package tours — Facts preceding the accession of the Republic of Bulgaria to the European Union — Manifest lack of jurisdiction of the Court to answer the questions referred)