

**Judgment of the Court (Grand Chamber) of 7 October 2014 — Federal Republic of Germany v
Council of the European Union**

(Case C-399/12) ⁽¹⁾

(Action for annulment — EU external action — Article 218(9) TFEU — Establishing the position to be adopted on behalf of the European Union in a body set up by an international agreement — International agreement to which the European Union is not a party — International Organisation of Vine and Wine (OIV) — ‘Acts having legal effects’ — OIV recommendations)

(2014/C 421/03)

Language of the case: German

Parties

Applicant: Federal Republic of Germany (represented by: T. Henze, B. Beutler and N. Graf Vitzthum, acting as Agents)

Interveners in support of the applicant: Czech Republic (represented by: M. Smolek, E. Ruffer and D. Hadroušek, acting as Agents), Grand Duchy of Luxembourg (represented by: P. Frantzen, acting as Agent), Hungary (represented by: M.Z. Fehér and K. Szíjjártó, acting as Agents), Kingdom of the Netherlands (represented by: M. Bulterman, B. Koopman and J. Langer, acting as Agents), Republic of Austria (represented by: C. Pesendorfer, acting as Agent), Slovak Republic (represented by: B. Ricziová, acting as Agent), United Kingdom of Great Britain and Northern Ireland (represented by: J. Holmes, Barrister)

Defendant: Council of the European Union (represented by: E. Sitbon and J.-P. Hix, acting as Agents)

Intervener in support of the defendant: European Commission (represented by: F. Erlbacher, B. Schima and B. Eggers, acting as Agents)

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders the Federal Republic of Germany to pay the costs;*
- 3) *Orders the Czech Republic, the Grand Duchy of Luxembourg, Hungary, the Kingdom of the Netherlands, the Republic of Austria, the Slovak Republic, the United Kingdom of Great Britain and Northern Ireland and the European Commission to bear their own costs.*

⁽¹⁾ OJ C 343, 10.11.2012.

**Judgment of the Court (Fourth Chamber) of 2 October 2014 (request for a preliminary ruling from
the Gerechtshof te 's-Hertogenbosch — Netherlands) — X v Voorzitter van het managementteam van
het onderdeel Belastingdienst/Z van de rijksbelastingdienst**

(Case C-426/12) ⁽¹⁾

*(Reference for a preliminary ruling — Directive 2003/96/EC — Taxation of energy products and
electricity — Article 2(4)(b) — Dual use of energy products — Concept)*

(2014/C 421/04)

Language of the case: Dutch

Referring court

Gerechtshof te 's-Hertogenbosch