

Judgment of the Court (Fourth Chamber) of 3 April 2014 — European Commission v United Kingdom of Great Britain and Northern Ireland

(Case C-60/13) ⁽¹⁾

(Failure of a Member State to fulfil obligations — European Union's own resources — Decision 2000/597/EC, Euratom — Article 8 — Regulation (EC, Euratom) No 1150/2000 — Articles 2, 6, 9, 10 and 11 — Refusal to make own resources available to the European Union — Erroneous Binding Tariff Information documents — Imports of fresh garlic as frozen garlic — Imputability of the error to the national customs authorities — Financial liability of the Member States)

(2014/C 159/12)

Language of the case: English

Parties

Applicant: European Commission (represented by: A. Caeiros and L. Flynn, Agents)

Defendant: United Kingdom of Great Britain and Northern Ireland (represented by: S. Brighthouse and J. Beeko, Agents, assisted by K. Beal, QC)

Re:

Failure of a Member State to fulfil obligations — Infringement of Article 4(3) TEU, Article 8 of Council Decision 2000/597/EC, Euratom, of 29 September 2000 on the system of the European Communities' own resources (OJ 2000 L 253, p. 42) and Articles 2, 6, 9, 10 and 11 of Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 implementing Decision 2000/597, as amended by Council Regulation (EC, Euratom) No 2028/2004 of 16 November 2004

Operative part of the judgment

The Court:

1. Declares that, by refusing to make available the amount of GBP 20 061 462,11 corresponding to the duties payable on imports of fresh garlic covered by erroneous binding tariff information, the United Kingdom of Great Britain and Northern Ireland failed to fulfil its obligations under Article 8 of Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the Communities' own resources and Articles 2, 6, 9, 10 and 11 of Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 implementing Decision 2000/597, as amended by Council Regulation (EC, Euratom) No 2028/2004 of 16 November 2004;
2. Orders the United Kingdom of Great Britain and Northern Ireland to pay the costs.

⁽¹⁾ OJ C 141, 18.5.2013.

Judgment of the Court (Second Chamber) of 3 April 2014 (request for a preliminary ruling from the Thüringer Oberlandesgericht — Germany) — Udo Rätzke v S+K Handels GmbH

(Case C-319/13) ⁽¹⁾

(Reference for a preliminary ruling — Energy — Energy labelling of televisions — Delegated Regulation (EU) No 1062/2010 — Responsibilities of dealers — Television supplied to the dealer without the label before the regulation became applicable — Dealer's obligation to label that television from the date on which the regulation became applicable and to obtain a label subsequently)

(2014/C 159/13)

Language of the case: German

Referring court

Thüringer Oberlandesgericht