

Operative part of the judgment

Heading 3822 of the Combined Nomenclature in Annex 1 to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended by Commission Regulation (EU) No 861/2010 of 5 October 2010, must be interpreted as meaning that temperature indicators, such as the products marketed under the names 'WarmMark' and 'ColdMark', which, by the effect of a change in colour caused by the variation in volume of the liquids that they contain, indicate, irreversibly, whether a temperature higher or lower than a specified threshold has been reached, are not covered by that heading.

⁽¹⁾ OJ C 9, 11.1.2014.

Judgment of the Court (Third Chamber) of 9 October 2014 (request for a preliminary ruling from the Hovrätten för Västra Sverige — Sweden) — criminal proceedings against Ove Ahlström, Lennart Kjellberg, Fiskeri Ganthi AB, Fiskeri Nordic AB

(Case C-565/13) ⁽¹⁾

(Reference for a preliminary ruling — External relations — Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco — Exclusion of any possibility for Community vessels to carry out fishing activities in Moroccan fishing zones on the basis of a licence issued by the Moroccan authorities without the intervention of the competent European Union authorities)

(2014/C 439/18)

Language of the case: Swedish

Referring court

Hovrätten för Västra Sverige

Parties in the criminal proceedings in the main proceedings

Ove Ahlström, Lennart Kjellberg, Fiskeri Ganthi AB, Fiskeri Nordic AB

Operative part of the judgment

The Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco, approved on behalf of the Community by Council Regulation (EC) No 764/2006 of 22 May 2006, in particular Article 6 of that agreement, must be interpreted as excluding any possibility for Community vessels to carry out fishing activities in Moroccan fishing zones on the basis of a licence issued by the Moroccan authorities without the intervention of the competent European Union authorities.

⁽¹⁾ OJ C 15, 18.1.2014.

Judgment of the Court (Second Chamber) of 22 October 2014 — British Telecommunications plc v European Commission and BT Pension Scheme Trustees Ltd

(Case C-620/13 P) ⁽¹⁾

(Appeal — State aid — Exemption of a pension fund from the obligation to pay a contribution to a pension protection fund in respect of certain employees — Selective nature of the measure)

(2014/C 439/19)

Language of the case: English

Parties

Appellant: British Telecommunications plc (represented by: J. Holmes, Barrister, and H. Legge QC)

Other parties to the proceedings: European Commission (represented by: L. Flynn and N. Khan, Agents), BT Pension Scheme Trustees Ltd (represented by: J. Derenne and A. Müller-Rappard, avocats, instructed by M. Farley, Solicitor)

Operative part of the judgment

The Court:

- 1) Dismisses the appeal;
- 2) Orders British Telecommunications plc and BT Pension Scheme Trustees Ltd to pay the costs.

⁽¹⁾ OJ C 61, 1.3.2014.

Judgment of the Court (Eighth Chamber) of 9 October 2014 — Kingdom of Spain v European Commission

(Case C-641/13 P) ⁽¹⁾

(Appeal — Cohesion Fund — Reduction of financial assistance — Public works contracts — Directive 93/37/EEC — Award criteria — Experience of previous works — Qualitative selection criteria)

(2014/C 439/20)

Language of the case: Spanish

Parties

Appellant: Kingdom of Spain (represented by: A. Rubio González, acting as Agent)

Other party to the proceedings: European Commission (represented by: S. Pardo Quintillán and A. Steiblyté, acting as Agents)

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders the Kingdom of Spain to pay the costs.

⁽¹⁾ OJ C 31, 1.2.2014.

Judgment of the Court (Third Chamber) of 9 October 2014 (request for a preliminary ruling from the Supreme Court — Ireland) — C v M

(Case C-376/14 PPU) ⁽¹⁾

(Reference for a preliminary ruling — Urgent preliminary ruling procedure — Judicial cooperation in civil matters — Jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility — Regulation (EC) No 2201/2003 — Wrongful retention — Habitual residence of the child)

(2014/C 439/21)

Language of the case: English

Referring court

Supreme Court, Ireland

Parties to the main proceedings

Applicant: C

Defendant: M