

Judgment of the Court (Fourth Chamber) of 21 May 2015 (request for a preliminary ruling from the Tribunal du travail de Nivelles (Belgium)) — Charlotte Rosselle v Institut national d'assurance maladie-invalidité (INAMI), Union nationale des mutualités libres (UNM)

(Case C-65/14) ⁽¹⁾

(Reference for a preliminary ruling — Social policy — Directive 92/85/EEC — Measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding — Article 11(2) and (4) — Established public servant assigned non-active status for personal reasons in order to work as a salaried employee — Refusal to grant her a maternity allowance on the ground that she has not completed, as a salaried employee, the minimum contribution period required in order to be eligible to receive certain social benefits)

(2015/C 236/20)

Language of the case: French

Referring court

Tribunal du travail de Nivelles

Parties to the main proceedings

Applicant: Charlotte Rosselle

Defendants: Institut national d'assurance maladie-invalidité (INAMI), Union nationale des mutualités libres (UNM)

Intervening party: Institut pour l'égalité des femmes et des hommes (IEFH)

Operative part of the judgment

The second subparagraph of Article 11(4) of Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) must be interpreted as precluding a Member State from granting a worker a maternity allowance on the ground that, as an established public servant having obtained non-active status for personal reasons in order to work as a salaried employee, she has not completed, in the context of her work as a salaried employee, the minimum contribution period required under national law in order to be eligible to receive that maternity allowance, even if she has worked for over 12 months immediately prior to the presumed date of confinement.

⁽¹⁾ OJ C 129, 28.4.2014.

Judgment of the Court (Second Chamber) of 4 June 2015 — European Commission v United Kingdom of Great Britain and Northern Ireland

(Case C-161/14) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Common system of value added tax — Directive 2006/112/EC — Article 98(2) — Category (10) of Annex III — Reduced rate of VAT applicable to the provision, construction, renovation and alteration of housing, as part of a social policy — Category (10a) of Annex III — Reduced rate of VAT applicable to renovation and repairing of private dwellings, excluding materials which account for a significant part of the value of the service supplied — National legislation applying a reduced rate of VAT to supplies of services of installing 'energy-saving materials' and supplies of such materials)

(2015/C 236/21)

Language of the case: English

Parties

Applicant: European Commission (represented by: M. Clausen and C. Soulay, acting as Agents)

Defendant: United Kingdom of Great Britain and Northern Ireland (represented by: L. Christie and M Holt, acting as Agents, and K. Lasok QC)

Operative part of the judgment

The Court:

1) Declares that, by applying a reduced rate of value added tax to supplies of services of installing 'energy-saving materials' and to supplies of such materials by a person who installs those materials in residential accommodation:

— to the extent that those supplies cannot be considered as 'the provision, construction, renovation and alteration of housing, as part of a social policy' for the purposes of Category 10 of Annex III to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, as amended by Council Directive 2009/47/EC of 5 May 2009;

— to the extent that those supplies fall outside the purview of 'renovation and repairing of private dwellings' for the purposes of Category 10a of Annex III to that directive, and

— to the extent that even where those supplies fall within the purview of renovation and repairing of private dwellings for the purposes of Category (10a) of Annex III to that directive, those supplies include materials which account for a significant part of the value of the services supplied,

the United Kingdom of Great Britain and Northern Ireland has failed to fulfil its obligations under Article 98 of Directive 2006/112, as amended by Directive 2009/47, read together with Annex III to that directive;

2) Orders the United Kingdom of Great Britain and Northern Ireland to pay the costs.

(¹) OJ C 212, 7.7.2014.

Judgment of the Court (Ninth Chamber) of 4 June 2015 (request for a preliminary ruling from the Bundesgerichtshof (Germany)) — Bundesverband der Verbraucherzentralen und Verbraucherverbände — Verbraucherzentrale Bundesverband e.V. v Teekanne GmbH & Co. KG

(Case C-195/14) (¹)

(Reference for a preliminary ruling — Directive 2000/13/EC — Labelling and presentation of foodstuffs — Articles 2(1)(a)(i) and 3(1)(2) — Labelling such as could mislead the purchaser as to the composition of foodstuffs — List of ingredients — Use of the indication 'raspberry and vanilla adventure' and of depictions of raspberries and vanilla flowers on the packaging of a fruit tea not containing those ingredients)

(2015/C 236/22)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Applicant: Bundesverband der Verbraucherzentralen und Verbraucherverbände — Verbraucherzentrale Bundesverband e.V.