

**ORDER OF THE COURT****(Fifth Chamber)****of 21 January 2005**

**in Case C-75/04 (reference for a preliminary ruling from the Hof van Beroep te Antwerpen): Ministerie van Financiën v Hendrik Hanssens and Others** <sup>(1)</sup>

**(Reference for a preliminary ruling — Inadmissibility)**

(2005/C 106/22)

*(Language of the case: Dutch)*

In Case C-75/04: reference for a preliminary ruling under Article 234 EC from the Hof van Beroep te Antwerpen (Court of Appeal, Antwerp) (Belgium), by decision of 11 February 2004, received at the Court on 17 February 2004, in the proceedings pending before that court between **Ministerie van Financiën** and **Hendrik Hanssens, Rudi Verhoeven and World Wide Shipping and Forwarding NV (WWSF)** — the Court (Fifth Chamber), composed of R. Silva de Lapuerta, President of the Chamber, R. Schintgen (Rapporteur) and J. Makarczyk, Judges; P. Léger, Advocate General; R. Grass, Registrar, has made an order on 21 January 2005, the operative part of which is as follows:

*The reference for a preliminary ruling submitted by the Hof van Beroep te Antwerpen by decision of 11 February 2004 is inadmissible.*

<sup>(1)</sup> OJ C 94 of 17.04.2004.

**ORDER OF THE COURT****(Fifth Chamber)****of 26 January 2005**

**in Case C-153/04 P: Euroagri Srl v Commission of the European Communities** <sup>(1)</sup>

**(Appeal — EAGGF — Financial participation — Pilot and demonstration project for the use of a new technique called ‘Endovena’ on fruit trees)**

(2005/C 106/23)

*(Language of the case: Italian)*

In Case C-153/04 P, appeal under Article 56 of the Statute of the Court of Justice, brought on 23 March 2004 by **Euroagri Srl**, established in Monte Vidon Combatte (Italy) (Lawyer: W. Massucci), the other party to the proceedings being the **Commission of the European Communities** (Agents: C.

Cattabriga and L. Visaggio) — the Court (Fifth Chamber), composed of R. Silva de Lapuerta, President of the Chamber, J. Makarczyk and P. Kūris (Rapporteur), Judges; M. Poiares Maduro, Advocate General; R. Grass, Registrar, has made an order on 26 January 2005, the operative part of which is as follows:

1. *The appeal is dismissed.*
2. *Euroagri Srl shall pay the costs.*

<sup>(1)</sup> OJ C 106 of 30.04.2004.

**ORDER OF THE COURT****(Fifth Chamber)****of 28 January 2005**

**in Case C-208/04: Reference for a preliminary ruling from the Conseil d’État in Inter-Environnement Wallonie ASBL v Région wallonne** <sup>(1)</sup>

**(Article 104(3) of the Rules of Procedure — Directives 75/442/EEC and 91/156/EEC — Concept of waste — List of materials that are equatable with products)**

(2005/C 106/24)

*(Language of the case: French)*

In Case C-208/04: reference for a preliminary ruling under Article 234 EC from the Conseil d’État (Council of State, Belgium), made by decision of 29 April 2004, received at the Court on 11 May 2004, in the proceedings between **Inter-Environnement Wallonie ASBL** and **Région wallonne** — the Court (Fifth Chamber), composed of R. Silva de Lapuerta, President of the Chamber, P. Kūris (Rapporteur) and J. Klučka, Judges; C. Stix-Hackl, Advocate General; R. Grass, Registrar, made an order on 28 January 2005, the operative part of which is as follows:

*Article 1(a) of Council Directive 75/442/EEC of 15 July 1975 on waste, as amended by Council Directive 91/156/EEC of 18 March 1991, precludes the introduction by States of a new category of materials which do not come under either the category of waste or that of products even though that new category of materials may contain substances or objects liable to meet the definition of ‘waste’ within the meaning of that provision.*

<sup>(1)</sup> OJ C 179 of 10.7.2004.