

Pleas in law and main arguments

Finland submits that in its order the Court of First Instance infringed Community law within the meaning of Article 58 of the Statute of the Court of Justice.

Finland submits that the Court of First Instance erred in law by considering that the contested decision of the Commission did not constitute a decision against which an action may be brought within the meaning of Article 230 EC.

In Finland's view, the contested decision of the Commission constitutes a decision against which an action may be brought within the meaning of Article 230. By its decision the Commission in fact denied Finland the opportunity to make a conditional payment within the meaning of the case-law of the Court of Justice.

The contested decision thus has binding legal effects on Finland, as required in the case-law on the application of Article 230 EC, which affect Finland's interests and clearly change Finland's legal position. The contested decision also caused Finland a loss of rights and is thus clearly adverse to Finland.

Finland submits that the Court of First Instance made several errors of law in assessing the case and as a result reached a decision contrary to Community law.

Reference for a preliminary ruling from the Regeringsrätten lodged on 16 November 2006 — Skatteverket v Gourmet Classic Ltd

(Case C-458/06)

(2006/C 326/89)

Language of the case: Swedish

Referring court

Regeringsrätten

Parties to the main proceedings

Applicant: Skatteverket

Defendant: Gourmet Classic Ltd

Question referred

Is the alcohol contained in cooking wine to be classified as ethyl alcohol as referred to in the first indent of Article 20 of Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages? ⁽¹⁾

⁽¹⁾ OJ L 316, 31.10.1992, p. 21.

Reference for a preliminary ruling from the Tribunal du travail de Bruxelles (Belgium) lodged on 17 November 2006 — Nadine Paquay v Société d'architectes Hoet + Minne SPRL

(Case C-460/06)

(2006/C 326/90)

Language of the case: French

Referring court

Tribunal du travail de Bruxelles (Belgium)

Parties to the main proceedings

Applicant: Nadine Paquay

Defendant: Société d'architectes Hoet + Minne SPRL

Questions referred

1. Must Article 10 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 (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) ⁽¹⁾ be interpreted as only prohibiting the notification of a decision of dismissal during the period of protection referred to in paragraph 1 of that article or does it also prohibit taking a decision of dismissal and attempting to find a permanent replacement for the employee before the end of the period of protection?