

Reference for a preliminary ruling from the Tribunal Superior de Justicia de Canarias (Spain) lodged on 2 April 2007 — Club Náutico de Gran Canaria v Comunidad Autónoma de Canarias

(Case C-186/07)

(2007/C 129/14)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia de Canarias

Parties to the main proceedings

Defendant: Comunidad Autónoma de Canarias

Applicant: Club Náutico de Gran Canaria

Question referred

Decides to refer the matter to the Court of Justice of the European Communities for the latter to give a preliminary ruling on the effects of its judgment of 7 May 1998 on Article 10.1.13 of Law 20/91 amending the fiscal aspects of the economic and fiscal rules applicable to the Canary Islands ⁽¹⁾.

⁽¹⁾ Case C-124/96 *Commission v Spain*, ECR [1998], p. I-2501.

Reference for a preliminary ruling from the Rechtbank Zutphen (Nederland) lodged on 3 April 2007 — Criminal proceedings against Dirk Endendijk

(Case C-187/07)

(2007/C 129/15)

Language of the case: Dutch

Referring court

Rechtbank Zutphen

Parties to the main proceedings

Dirk Endendijk

Questions referred

1. How is **tethered**, within the meaning of Directive 91/629/EEC ⁽¹⁾, in conjunction with Decision 97/182/EC ⁽²⁾ to be interpreted?

2. Is the material, the length or the purpose of the tethering of any significance in that respect?

⁽¹⁾ Council Directive 91/629/EEC of 19 November 1991 laying down minimum standards for the protection of calves (OJ 1991 L 340, p. 28).

⁽²⁾ Commission Decision of 24 February 1997 amending the Annex to Directive 91/629/EEC (OJ 1997 L 76, p. 30).

Reference for a preliminary ruling from the Cour de Cassation (France) lodged on 3 April 2007 — Commune de Mesquer v Total France, SA, Total International Ltd.

(Case C-188/07)

(2007/C 129/16)

Language of the case: French

Referring court

Cour de Cassation

Parties to the main proceedings

Appellant: Commune de Mesquer

Respondents: Total France, SA, formerly known as Total Raffinage Distribution, Total International Ltd.

Questions referred

1. Can heavy fuel oil, as the product of a refining process, meeting the user's specifications and intended by the producer to be sold as a combustible fuel, and referred to in Directive 68/414/EEC of 20 December 1968 ⁽¹⁾ as amended by Directive 98/93/EC of 14 December 1998 ⁽²⁾ relating to strategic resources to which a stock-holding obligation attaches, be treated as waste within the meaning of Article 1 of Directive 75/442/EEC of 15 July 1975 ⁽³⁾ as amended by Directive 91/156/EEC of 18 March 1991 ⁽⁴⁾ and codified by Directive 2006/12/EC ⁽⁵⁾?
2. Does a cargo of heavy fuel oil, transported by a ship and accidentally spilled into the sea, constitute — either in itself or on account of being mixed with water and sediment — waste falling within Category Q4 in Annex I to Directive 2006/12/EC?