

Operative part of the judgment

An individual cannot rely, in the context of legal proceedings against another individual concerning contractual liability, on the infringement by the latter of Articles 2 and 3 of Commission Decision 1999/93/EC of 25 January 1999 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards doors, windows, shutters, blinds, gates and related building hardware, and of Annexes II and III thereto.

(¹) OJ C 131, 3.6.2006.

Judgment of the Court (Fifth Chamber) of 7 June 2007
(reference for a preliminary ruling from the Bundesverwaltungsgericht (Germany)) — Manfred Otten v Landwirtschaftskammer Niedersachsen

(Case C-278/06) (¹)

(Council Regulation (EEC) No 3950/92, as amended by Council Regulation (EC) No 1256/1999 — Article 7(2) — Expiry of a rural lease — Temporary acquisition of a reference quantity by a lessor who is not, and does not intend to become, a milk producer — Transfer of the reference quantity, as soon as possible, through the State sales office to a producer)

(2007/C 170/13)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: Manfred Otten

Defendant: Landwirtschaftskammer Niedersachsen

Re:

Reference for a preliminary ruling — Bundesverwaltungsgericht — Interpretation of Article 7(2) of Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector (OJ 1992 L 405, p. 1), as amended by Council Regulation (EC) No 1256/1999 of 17 May 1999 (OJ 1999 L 160, p. 73) — Transfer of a reference quantity on the expiry of a rural lease on a dairy holding to the lessor who is not a producer himself

Operative part of the judgment

Article 7(2) of Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector, as amended by Council Regulation (EC) No 1256/1999 of 17 May 1999, is to be interpreted as meaning that, on the expiry of a rural lease on a milk production holding, the attached reference quantity can revert to the lessor in so far as that lessor, not being a producer himself and having no intention to become one, transfers the reference quantity as soon as possible through a State sales office to a third party who has that status.

(¹) OJ C 96, 22.4.2006.

Order of the Court (Fourth Chamber) of 10 May 2007
(reference for a preliminary ruling from the Regeringsrätten — Sweden) — Skatteverket v A and B

(Case C-102/05) (¹)

(First subparagraph of Article 104(3) of the Rules of Procedure — Free movement of capital — Freedom of establishment — Taxation — Dividends paid in respect of shares distributed by a ‘close company’ — ‘Wage rules’ — Taxation of those dividends as income from assets — Calculation of a flat-rate yield — Percentage of capital invested and fraction of salaries — Branch established in a third country — Failure to take into account employees’ wages at this branch)

(2007/C 170/14)

Language of the case: Swedish

Referring court

Regeringsrätten

Parties

Applicant: Skatteverket

Defendant: A and B

Re:

Reference for a preliminary ruling — Regeringsrätten — Interpretation of Articles 56 EC and 58 EC — Taxation of dividends paid by small public limited companies — Tax allowance corresponding to a notional return on capital invested which takes account of salaries paid by the company and its subsidiaries or branches in so far as those salaries are taxable in Sweden — Taking into account of salaries paid by a branch in a non-member State