

Judgment of the Court (Seventh Chamber) of 27 September 2007 — Commission of the European Communities v Ireland

(Case C-66/07) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Directive 2004/27/EC — Medicinal products for human use — Failure to transpose into national law within the prescribed period)

(2007/C 297/30)

Language of the case: English

Parties

Applicant: Commission of the European Communities (represented by: B. Stromsky and D. Lawunmi, Agents)

Defendant: Ireland (represented by: D. O'Hagan, Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, the provisions necessary to comply with Directive 2004/27/EC of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use (OJ 2004 L 136, p. 34)

Operative part of the judgment

The Court:

1) Declares that, by not adopting within the prescribed period the laws, regulations and administrative provisions necessary to comply with Directive 2004/27/EC of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use, Ireland has failed to fulfil its obligations under that directive;

2) Orders Ireland to pay the costs.

⁽¹⁾ OJ C 69, 24.3.2007.

Order of the Court of 5 July 2007 — Yedaş Tarim ve Otomotiv Sanayi ve Ticaret AŞ v Council of the European Union, Commission of the European Communities

(Case C-255/06 P) ⁽¹⁾

(Appeal — International agreements — EEC-Turkey Association Agreement — Customs Union between the European Community and Turkey — Compensatory financial aid)

(2007/C 297/31)

Language of the case: English

Parties

Applicant: Yedaş Tarim ve Otomotiv Sanayi ve Ticaret AŞ (represented by: R. Sinner, Lawyer)

Other parties to the proceedings: Council of the European Union (represented by: M. Bishop and D. Canga Fano, Agents) and Commission of the European Communities (represented by: X. Lewis and J. Hottiaux, Agents)

Re:

Appeal brought against the judgment of the Court of First Instance (Fifth Chamber) of 30 March 2006 in Case T-367/03 *Yedaş Tarim ve Otomotiv Sanayi ve Ticaret AŞ v Council of the European Union and Commission of the European Communities*, in which the Court of First Instance dismissed, as being unfounded, an action seeking to recover compensation in respect of damage allegedly suffered by the appellant as a result of the respondent institutions' failure to comply with the obligations laid down in the provisions governing the Customs Union between the European Union and Turkey, in particular the obligation to provide financial aid for the purpose of offsetting the negative effects of the Customs Union on the Turkish economy.

Operative part of the order

1. *The appeal is dismissed.*
2. *Yedaş Tarim ve Otomotiv Sanayi ve Ticaret AŞ is ordered to pay the costs.*

⁽¹⁾ OJ C 212, 2.9.2006.

Order of the Court of 10 July 2007 — AEPI Elliniki Etaireia pros Prostasian tis Pnevmatikis Idioktisiias AE v Commission of the European Communities

(Case C-461/06 P) ⁽¹⁾

(Appeal — Action for annulment — Refusal by the Commission to initiate proceedings for failure to fulfil obligations — Inadmissibility)

(2007/C 297/32)

Language of the case: Greek

Parties

Applicant(s): AEPI Elliniki Etaireia pros Prostasian tis Pnevmatikis Idioktisiias AE (represented by: T. Asprogerakas-Grivas, Δικηγόρος)

Other party to the proceedings: Commission of the European Communities (represented by: T. Christoforou and F. Castillo de la Torre, Agents)