

3. Article 2(2) of Regulation No 2777/2000, as amended by Regulation No 111/2001, and Article 4 and Article 5(4), second subparagraph, of Council Directive 85/73/EEC of 29 January 1985 on the financing of veterinary inspections and controls covered by Directives 89/662/EEC, 90/425/EEC, 90/675/EEC and 91/496/EEC, as amended and consolidated by Council Directive 96/43/EC of 26 June 1996, must be interpreted as not precluding Member States from charging national fees intended to finance the cost of testing for bovine spongiform encephalopathy. The total amount of the fees concerning the slaughter procedures for bovine animals intended for human consumption must be set in accordance with the principles adopted for Community fees, according to which that amount may not exceed the costs incurred, which cover salary and social-security costs and the administrative costs of carrying out those tests and any direct or indirect refund of such fees is prohibited.

(<sup>1</sup>) OJ C 297, 8.12.2007.

**Judgment of the Court (Grand Chamber) of 7 July 2009 (Reference for a preliminary ruling from the High Court of Justice (Queen's Bench Division) (United Kingdom) — The Queen, on the application of S.P.C.M. SA, C.H. Erbslöh KG, Lake Chemicals and Minerals Ltd, Hercules Inc. v Secretary of State for the Environment, Food and Rural Affairs**

(Case C-558/07) (<sup>1</sup>)

**(Regulation (EC) No 1907/2006 — Chemicals — Registration, evaluation, authorisation and restriction of chemicals (REACH) — Concept of 'monomer substances' — Validity — Proportionality — Equal treatment)**

(2009/C 205/08)

Language of the case: English

#### Referring court

High Court of Justice (Queen's Bench Division)

#### Parties to the main proceedings

*Applicants:* The Queen, on the application of S.P.C.M. SA, C.H. Erbslöh KG, Lake Chemicals and Minerals Ltd, Hercules Inc.

*Defendants:* Secretary of State for the Environment, Food and Rural Affairs

#### Re:

Reference for a preliminary ruling — High Court of Justice, Queen's Bench Division — Interpretation and validity of Article 6(3) of Regulation (EC) No 1907/2006 of the

European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC — Concept of 'monomer substances'

#### Operative part of the judgment

1. The concept of 'monomer substances' in Article 6(3) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC relates only to reacted monomers which are integrated in polymers;
2. Examination of the second question has revealed no factor of such a kind as to affect the validity of Article 6(3) of Regulation No 1907/2006.

(<sup>1</sup>) OJ C 51, 23.2.2008.

**Judgment of the Court (First Chamber) of 2 July 2009 (reference for a preliminary ruling from the Hoge Raad der Nederlanden (Netherlands)) — Har Vaessen Douane Service BV v Staatssecretaris van Financiën**

(Case C-7/08) (<sup>1</sup>)

**(Relief from import duties — Regulation (EEC) No 918/83 — Article 27 — Goods of a negligible individual value dispatched as a grouped consignment — Consignments dispatched direct from a third country to a consignee in the Community)**

(2009/C 205/09)

Language of the case: Dutch

#### Referring court

Hoge Raad der Nederlanden

#### Parties to the main proceedings

*Applicant:* Har Vaessen Douane Service BV

*Defendant:* Staatssecretaris van Financiën