

4. The Combined Nomenclature set out in Annex I to Regulation No 2658/87, in the versions resulting, successively, from Implementing Regulations No 1006/2011, No 927/2012 and No 1001/2013, must be interpreted as meaning that a video camera recorder which is capable of recording from signals from external sources, without, however, being able to reproduce them by means of an external television receiver or monitor, that video camera recorder being able to play on an external screen or monitor only files which it has itself recorded through its lens, cannot be classified under tariff subheading 8525 80 99 of that Combined Nomenclature.

⁽¹⁾ OJ C 363, 3.11.2015.
OJ C 106, 21.3.2016.

Judgment of the Court (Third Chamber) of 5 April 2017 — European Commission v Republic of Bulgaria

(Case C-488/15) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Environment — Directive 2008/50/EC — Ambient air quality — Article 13(1) — Annex XI — Daily and annual limit values for PM₁₀ concentrations — Systematic and continuous exceedance of the limit values — Article 22 — Postponement of the deadlines set to attain certain limit values — Conditions under which applicable — Article 23(1) — Air quality plans — ‘Shortest possible’ exceedance period — Appropriate measures — Information needed for an assessment)

(2017/C 168/12)

Language of the case: Bulgarian

Parties

Applicant: European Commission (represented by: E. Kružíková, S. Petrova, P. Mihaylova and E. Manhaeve, Agents)

Defendant: Republic of Bulgaria (represented by: E. Petranova and M. Georgieva, Agents)

Intervener in support of the defendant: Republic of Poland (represented by: A. Gawłowska, B. Majczyna and D. Krawczyk, Agents)

Operative part of the judgment

The Court:

1. Declares that:

— by exceeding the daily and annual limit values for PM₁₀ concentrations systematically and continuously from 2007 until 2014 inclusive in the zones and agglomerations BG0001 AG Sofia, BG0002 AG Plovdiv, BG0004 North Bulgaria, BG0005 South-West Bulgaria and BG0006 South-East Bulgaria;

— by exceeding the daily limit value for PM₁₀ concentrations systematically and continuously from 2007 until 2014 inclusive in the zone BG0003 AG Varna and the annual limit value in 2007, 2008 and from 2010 until 2014 inclusive in zone BG0003 AG Varna,

the Republic of Bulgaria has failed to fulfil its obligations under the provisions of Article 13(1) of, in conjunction with Annex XI to, Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, and

— in view of the fact that the daily and annual limit values for PM₁₀ concentrations in all of the abovementioned zones and agglomerations continued to be exceeded, the Republic of Bulgaria has failed to fulfil its obligations under the second subparagraph of Article 23(1) of that directive and in particular the obligation to keep the exceedance period as short as possible, as regards the period from 11 June 2010 to the year 2014 inclusive;

2. Orders the Republic of Bulgaria to bear its own costs and to pay those incurred by the European Commission;

3. Orders the Republic of Poland to bear its own costs.

⁽¹⁾ OJ C 389, 23.11.2015.