

JUDGMENT OF THE COURT

(Sixth Chamber)

of 5 July 1988

in Case 291/86: (reference for a preliminary ruling made by the Finanzgericht Düsseldorf): Central-Import Münster GmbH & Co. KG v. Hauptzollamt Münster ⁽¹⁾

(Dried grapes — Protective measures)

(88/C 211/06)

(Language of the Case: German)

(Provisional translation: the definitive translation will be published in the Reports of Cases before the Court)

In Case 291/86: reference to the Court under Article 177 of the EEC Treaty by the Finanzgericht [Finance Court] Düsseldorf for a preliminary ruling in the proceedings pending before that court between Central-Import Münster GmbH & Co. KG and Hauptzollamt [Principal Customs Office] Münster — on the validity of Article 2 of Commission Regulation (EEC) No 2742/82 on protective measures applicable to imports of dried grapes (Official Journal 1982 No L 290, p. 28) and the interpretation of certain provisions of Council Regulation (EEC) No 516/77 of 14 March 1977 governing the organization of the market in products processed from fruit and vegetables (Official Journal 1977 No L 73, p. 1) and of Council Regulation (EEC) No 521/77 of 14 March 1977 (Official Journal 1977 No L 73, p. 28) laying down detailed rules for applying protective measures in those markets, — the Court (Sixth Chamber), composed of O. Due, President of the Chamber, T. Koopmans, K. Bahlmann, C. N. Kakouris and T. F. O'Higgins, Judges; Sir Gordon Slynn, Advocate-General; D. Louterman, Administrator, for the Registrar, gave a judgment on 5 July 1988, the operative part of which is as follows:

1. *Consideration of the questions submitted has not disclosed any factor of such a kind as to affect the validity of Commission Regulation (EEC) No 2742/82 of 13 October 1982 on protective measures applicable to imports of dried grapes, as successively amended, in so far as it introduced a minimum price and a countervailing charge which is imposed where the import price of dried grapes from non-member countries is lower than the minimum price fixed.*
2. *Commission Regulation (EEC) No 2742/82 of 13 October 1982, as successively amended, is invalid in so far as it introduced the countervailing charge at a fixed rate equal to the difference between the minimum price and the lowest price on the world market.*

⁽¹⁾ OJ No C 327, 20. 12. 1986.

JUDGMENT OF THE COURT

(Sixth Chamber)

of 5 July 1988

in Case 21/87: (reference for a preliminary ruling made by the Bundessozialgericht): Felix Borowitz v. Bundesversicherungsanstalt für Angestellte ⁽¹⁾

(Social security — Regulation (EEC) No 1408/71 — Social security convention concluded between a Member State and a non-member country)

(88/C 211/07)

(Language of the Case: German)

(Provisional translation: the definitive translation will be published in the Reports of Cases before the Court)

In Case 21/87: reference to the Court under Article 177 of the EEC Treaty by the Bundessozialgericht (Federal Social Court) for a preliminary ruling in the proceedings pending before that Court between Felix Borowitz and the Bundesversicherungsanstalt für Angestellte (Federal Insurance Office for Clerical Staff) — on the interpretation of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (Official Journal, English Special Edition 1971 (II), p. 416), as amended in particular by Council Regulation (EEC) No 1390/81 of 12 May 1981 extending that regulation to self-employed persons and members of their families (Official Journal 1981 No L 143, p. 1) — the Court (Sixth Chamber), composed of O. Due, President of the Chamber, T. Koopmans, K. Bahlmann, C. N. Kakouris and T. F. O'Higgins, Judges; Sir Gordon Slynn, Advocate-General; D. Louterman, Administrator, acting as Registrar, gave a judgment on 5 July 1988, the operative part of which is as follows:

Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community permits a German insurance institution, in deciding whether to take interrupting periods (Ausfallzeiten) into account for purposes of the German legislation on social security, to treat as compulsory contributions paid under German legislation and as insurance under the German pension insurance scheme not only compulsory contributions paid under the legislation of other Member States and insurance under the insurance schemes of other Member States but also compulsory contributions and insurance in a non-Member country (in this case, Poland) with which the Federal Republic of Germany has concluded a convention on the reciprocal assimilation of insurance periods.

⁽¹⁾ OJ No C 44, 21. 2. 1987.