JUDGMENT OF THE COURT

of 29 October 2008

in Case E-3/08

EFTA Surveillance Authority v Iceland

(*Failure by a Contracting Party to fulfil its obligations — Regulation (EC) No 648/2004 on detergents*)

(2009/C 99/09)

In Case E-3/08, EFTA Surveillance Authority v Iceland — application for a declaration that, by failing to adopt the measures necessary to make the Act referred to at point 12u of Chapter XV of Annex II to the EEA Agreement, i.e. Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents, as adapted to the EEA Agreement by Protocol 1 thereto, part of its internal legal order within the time-limit prescribed, the Republic of Iceland has failed to fulfil its obligations under Article 7 of the EEA Agreement, the Court, composed of: Carl Baudenbacher, President, Henrik Bull, Judge-Rapporteur, and Thorgeir Örlygsson, Judge, gave judgment on 29 October 2008, the operative part of which is as follows:

1. Declares that, by failing to adopt, within the time-limit prescribed, the measures necessary to make the Act referred to at point 12u of Chapter XV of Annex II to the EEA Agreement, i.e. Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents, as adapted to the EEA Agreement by Protocol 1 thereto, part of its internal legal order, the Republic of Iceland has failed to fulfil its obligations under Article 7 of the EEA Agreement.

2. Orders the Republic of Iceland to bear the costs of the proceedings.