Re:

Appeal brought against the judgment of the Court of First Instance (First Chamber) of 13 September 2005 in Case T-53/02 *Ricosmos* v *Commission*, by which the Court of First Instance dismissed the application for annulment of Commission Decision REM 09/00 of 16 November 2001 informing the Netherlands authorities that there were no grounds for remission of import duties in respect of a consignment of cigarettes intended for the Czech Republic on the ground that fraud committed by third parties in the course of an external Community transit operation does not constitute a special situation justifying remission of the import duties.

Operative part

1. The appeal is dismissed.

2. Ricosmos BV is ordered to pay the costs.

Order of the Court (Fifth Chamber) of 23 May 2007 — Greser v Bundesagentur für Arbeit

(Case C-438/06)

Preliminary reference — Manifest inadmissibility

Preliminary rulings — Whether admissible — Questions not providing sufficient explanation of the factual and legislative context (Art. 234 EC) (see paras 6-11)

Re:

Reference for a preliminary ruling — Sozialgericht Würzburg — Interpretation of Article 71(1)(b) of Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ, English Special Edition 1971 (II), p. 416) — Calculation of the unemployment benefits of a boatman on the Rhine ('Rheinschiffer') who was resident, during his last period of employment, on the territory of a Member State other than the State of employment and returned, in accordance with his contract of employment, only every second week to his place of residence — Classification of that worker as 'a frontier worker' or 'a worker, other than a frontier worker'.

Operative part

The reference for a preliminary ruling made by the Sozialgericht Würzburg by decision of 28 September 2006 is manifestly inadmissible.

Order of the Court (Sixth Chamber) of 23 May 2007 — Smanor and Others v Commission

(Case C-99/07 P)

Appeals — Order of the Court of First Instance — Actions for failure to act — Complaints of alleged failure to act by a Member State — Commission not taking a position — Appeal manifestly inadmissible

Appeals — Grounds — Mere repetition of the pleas and arguments put forward before the Court of First Instance — Error of law relied on not identified — Inadmissible (Art. 225 EC; Statute of the Court of Justice, Art. 58, para. 1; Rules of Procedure of the Court, Art. 112(1)(c)) (see paras 15-17)