JUDGMENT OF THE COURT (First Chamber)
28 June 1989 *

In Case 164/88

REFERENCE to the Court under Article 177 of the EEC Treaty by the tribunal de grande instance (Regional Court), Paris, 31st Criminal Chamber, of a question for a preliminary ruling in the proceedings pending before that court between

Ministère public (Public Prosecutor)

and

(1) **J-P. M. Rispal,**

(2) **G. M. R. Vairon,**

(3) **J. N. A. Cresson,**

(4) **R. Bizot,**

(5) **SA Sodetair,** a company incorporated under French law, whose registered office is in Paris,

(6) **SA Fret et transit aérien,** a company incorporated under French law, whose registered office is at Orly,

(7) **SA Frecom,** a company incorporated under French law, whose registered office is in Paris,

on the tariff classification of goods known as 'magic cubes' or 'magicubes'.

* Language of the case: French

THE COURT (First Chamber)

composed of: R. Joliet, President of Chamber, Sir Gordon Slynn and G. C. Rodríguez Iglesias, Judges,

(the grounds of the judgment are not reproduced)

in answer to the question referred to it by the tribunal de grande instance, Paris, 31st Criminal Chamber, by judgment of 15 January 1988, hereby rules:

In March, April and May 1981, Heading 97.03 of the Common Customs Tariff was to be interpreted as including goods known as 'magic cubes'.