JUDGMENT OF THE COURT (Second Chamber)
13 July 1989 *

In Joined Cases 248/88, 254/88 to 258/88, 309/88 and 316/88

REFERENCE to the Court under Article 177 of the EEC Treaty by the tribunale civile e penale (Civil and Criminal District Court), Venice, for a preliminary ruling in the proceedings pending before that court between

(1) **Chimica del Friuli SPA,** a company incorporated under Italian law, having its registered office at Torviscosa (Case 248/88),

(2) **Carburanti & Succedanei SRL,** a company incorporated under Italian law, having its registered office at Canzo di Peschiera Borromeo (Case 254/88),

(3) **Colorificio Bevini SRL,** a company incorporated under Italian law, having its registered office at Modena (Case 255/88),

(4) **Ditta Alkim SNC,** a partnership governed by Italian law, based at Sergnano (Case 256/88),

(5) **Cambiaghi Giuseppe SAS,** a limited partnership governed by Italian law, based at Milan (Case 257/88),

(6) **Angelo Muggia & Figlio,** an undertaking established at Bologna (Case 258/88),

(7) **Conserchimica SRL,** a company incorporated under Italian law, having its registered office at Venice (Case 309/88),

(8) **SAI — Società approvvigionamenti industriali — SPA,** a company incorporated under Italian law, having its registered office at Milan (Case 316/88),

and

Amministrazione delle finanze dello Stato (Ministry of Finance),

* Language of the case: Italian.

on the interpretation of Commission Regulation No 1535/77 of 4 July 1977 determining the conditions under which certain goods are eligible upon importation for a favourable tariff arrangement by reason of their end-use,

THE COURT (Second Chamber)

composed of: T. F. O'Higgins, President of Chamber, G. F. Mancini and F. A. Schockweiler, Judges

(the grounds of the judgment are not reproduced)

in answer to the question referred to it by the tribunale civile e penale, Venice, by orders of 5 May, 19 May, 26 May and 23 June 1988, hereby rules:

Article 7 of Commission Regulation No 1535/77 of 4 July 1977 determining the conditions under which certain goods are eligible upon importation for a favourable tariff arrangement by reason of their end-use must be interpreted as meaning that when goods are transferred the transferee must hold an authorization granted in accordance with Article 3 of that regulation, whether the transfer takes place between one Member State and another or within the same Member State.