Judgment of the Court (Eighth Chamber) of 18 July 2007 — Commission v United Kingdom

(Case C-155/06)

Failure of a Member State to fulfil obligations — Directive 96/29/Euratom — Protection of the health of workers and the general public against the dangers from ionising radiation — Failure to transpose fully within the prescribed period

Actions for failure to fulfil obligations — Examination of merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 226 EC) (see paras 18-20)

Re:

Failure of a Member State to fulfil its obligations — Failure to adopt all the provisions necessary to comply with Article 54 of Council Directive 96/29/Euratom of 31 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation (OJ 1996 L 159, p. 1) — Absence of provisions enabling the implementation of all appropriate intervention in all situations leading to lasting exposure resulting from the after-effects of a radiological emergency or a past or old practice or work activity.

Operative part

1. By not adopting, within the prescribed period, all the laws, regulations and administrative provisions necessary to allow for appropriate intervention in all situations leading to lasting exposure to ionising radiation resulting from the after-effects of a radiological emergency or a past practice, the United Kingdom of Great Britain and Northern Ireland has failed to fulfil its

obligations under Article 53 of Council Directive 96/29/Euratom of 31 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

2. The United Kingdom of Great Britain and Northern Ireland is ordered to pay the costs.

Judgment of the Court (Seventh Chamber) of 18 July 2007 — Op-en Overslagbedrijf Van der Vaart v Staatssecretaris van Financiën

(Case C-402/06)

Common Customs Tariff — Tariff classification — Combined Nomenclature — Product obtained from curdled milk and the extraction of a significant quantity of serum

Common Customs Tariff — Tariff headings (see paras 27, 35, operative parts 1, 2)

Re:

Reference for a preliminary ruling — Hoge Raad der Nederlanden — Interpretation of Annex I to Commission Regulation (EC) No 1734/96 of 9 September 1996 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ 1996 L 238, p. 1) — Product obtained from curdled milk and extraction of most of the serum containing not more than 2% of whey-albumin that has been broken down by the activity of an enzyme added during a drying process lasting 24 to 36 hours.