

4. *The right of residence in the host Member State of the parent who is the primary carer for a child of a migrant worker, where that child is in education in that State, ends when the child reaches the age of majority, unless the child continues to need the presence and care of that parent in order to be able to pursue and complete his or her education.*

(<sup>1</sup>) OJ C 32, 7.2.2009.

**Judgment of the Court (Second Chamber) of 25 February 2010 (reference for a preliminary ruling from the Bundesverwaltungsgericht, Germany) — Müller Fleisch GmbH v Land Baden-Württemberg**

(Case C-562/08) (<sup>1</sup>)

*(System for monitoring bovine spongiform encephalopathy — Regulation (EC) No 999/2001 — Bovine animals over 30 months of age — Slaughter under normal conditions — Meat intended for human consumption — Mandatory screening test — National rules — Obligation to screen — Extension — Bovine animals over 24 months of age)*

(2010/C 100/09)

Language of the case: German

**Referring court**

Bundesverwaltungsgericht

**Parties to the main proceedings**

Applicant: Müller Fleisch GmbH

Defendant: Land Baden-Württemberg

**Re:**

Reference for a preliminary ruling — Bundesverwaltungsgericht — Interpretation of Article 6(1) of, in conjunction with Annex III, Chapter A, Part I to, Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ 2001 L 147, p. 1), as amended by Commission Regulation (EC) No 1248/2001 of 22 June 2001 (OJ 2001 L 173, p. 12) —

Requirement to screen for BSE all bovine animals over 30 months of age subject to normal slaughter for human consumption — National legislation extending the obligation to screen to all bovine animals over 24 months of age

**Operative part of the judgment**

Article 6(1) of Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies and Annex III, Chapter A, Part I to that regulation, as amended by Commission Regulation (EC) No 1248/2001 of 22 June 2001, do not preclude national rules under which all bovine animals over 24 months of age must be screened for bovine spongiform encephalopathy.

(<sup>1</sup>) OJ C 69, 21.3.2009.

**Judgment of the Court (Fifth Chamber) of 25 February 2010 (reference for a preliminary ruling from the Fővárosi Bíróság (Republic of Hungary)) — Sió-Eckes kft. v Mezőgazdasági és Vidékfejlesztési Hivatal Központi Szerve**

(Case C-25/09) (<sup>1</sup>)

*(Common agricultural policy — Regulation (EC) No 2201/96 — Common organisation of the markets in processed fruit and vegetable products — Regulation (EC) No 1535/2003 — Aid scheme for products processed from fruit and vegetables — Processed products — Peaches in syrup and/or in natural fruit juice — Finished products)*

(2010/C 100/10)

Language of the case: Hungarian

**Referring court**

Fővárosi Bíróság

**Parties to the main proceedings**

Applicant: Sió-Eckes kft.

Defendant: Mezőgazdasági és Vidékfejlesztési Hivatal Központi Szerve

**Re:**

Reference for a preliminary ruling — Fővárosi Bíróság (Hungary) — Interpretation of Article 2(1) of Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products (OJ 1996 L 297, p.29), of Article 2(1) of Commission Regulation (EC) No 1535/2003 of 29 August 2003 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables (OJ 2003 L 218, p. 14) and Article 3 of Commission Regulation (EEC) No 2320/89 of 28 July 1989 on minimum quality requirements for peaches in syrup and peaches in natural fruit juice for the application of the production aid scheme (OJ 1989 L 220, p. 54) — Peach pulp produced in the context of the aid scheme for products processed from fruit and vegetables — Applicability of that aid scheme to peach pulp presented in a way not provided for under Regulation (EEC) No 2320/89, and to semi-finished products resulting from the separate phases of peach processing and intended for subsequent processing

**Operative part of the judgment**

1. Article 2(1) of Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products, as amended by Commission Regulation (EC) No 386/2004 of 1 March 2004, must be interpreted as meaning that a product which is covered by one of the CN codes listed in Annex I to that regulation, as amended, including CN code 2008 70 92, and which corresponds to the definition 'peaches in syrup and/or in natural fruit juice', within the meaning of that regulation, read in conjunction with Commission Regulation (EC) No 1535/2003 of 29 August 2003 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables, as amended by Regulation No 386/2004, and with Commission Regulation (EEC) No 2320/89 of 28 July 1989 laying down minimum quality requirements for peaches in syrup and/or in natural fruit juice under the production aid scheme, as amended by Commission Regulation (EC) No 996/2001 of 22 May 2001, qualifies for the aid scheme referred to in that provision.
2. The product obtained at the end of each different stage of processing of peaches may be regarded as being a finished product for the purposes of Regulations Nos 2201/96 and 1535/2003, as amended, provided that it has the characteristics set out in Article 2(1) of Regulation No 1535/2003, as amended.

**Judgment of the Court (Fifth Chamber) of 25 February 2010 — European Commission v French Republic**(Case C-170/09) <sup>(1)</sup>

**(Failure of a Member State to fulfil obligations — Directive 2005/60/EC — Money laundering and terrorist financing — Failure to transpose within the prescribed period)**

(2010/C 100/11)

Language of the case: French

**Parties**

**Applicant:** European Commission (represented by: V. Peere and P. Dejmek, Agents)

**Defendant:** French Republic (represented by: G. de Bergues and B. Messmer, Agents)

**Re:**

Failure of a Member State to fulfil obligations — Failure to have taken or communicated, within the prescribed period, all the necessary measures to comply with Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ 2005 L 309, p. 15)

**Operative part of the judgment**

The Court:

1. Declares that, by failing to adopt, within the prescribed period, all the laws, regulations and administrative provisions necessary to comply with Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, the French Republic has failed to fulfil its obligations under that directive;
2. Orders the French Republic to pay the costs.

<sup>(1)</sup> OJ C 82, 4.4.2009.

<sup>(1)</sup> OJ C 153, 4.07.2009.