

Action brought on 18 July 2008 — Commission of the European Communities v French Republic**(Case C-330/08)**

(2008/C 272/12)

*Language of the case: French***Parties***Applicant:* Commission of the European Communities (represented by: U. Wölker and G. Rozet, acting as Agents)*Defendant:* French Republic**Form of order sought**

— Declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage ⁽¹⁾, the French Republic has failed to fulfil its obligations under Article 19 of that directive;

— order the French Republic to pay the costs.

Pleas in law and main arguments

The period prescribed for transposition of Directive 2004/35/EC expired on 30 April 2007. At the date on which the present action was brought, the defendant had not yet adopted the measures necessary for transposition.

⁽¹⁾ OJ L 143, p. 56.

Action brought on 18 July 2008 — Commission of the European Communities v Grand Duchy of Luxembourg**(Case C-331/08)**

(2008/C 272/13)

*Language of the case: French***Parties***Applicant:* Commission of the European Communities (represented by: U. Wölker and G. Rozet, acting as Agents)*Defendant:* Grand Duchy of Luxembourg**Form of order sought**

— Declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage ⁽¹⁾, or in any event by failing to notify those provisions to the Commission, the Grand Duchy of Luxembourg has failed to fulfil its obligations under Article 19 of that directive;

— order the Grand Duchy of Luxembourg to pay the costs.

Pleas in law and main arguments

The period prescribed for transposition of Directive 2004/35/EC expired on 30 April 2007. At the date on which the present action was brought, the defendant had not yet adopted the measures necessary for transposition.

⁽¹⁾ OJ L 143, p. 56.

Action brought on 18 July 2008 — Commission of the European Communities v French Republic**(Case C-332/08)**

(2008/C 272/14)

*Language of the case: French***Parties***Applicant:* Commission of the European Communities (represented by: G. Rozet and A. Alcover San Pedro, acting as Agents)*Defendant:* French Republic**Form of order sought**

— Declare that, by failing to adopt all the laws, regulations and administrative provisions necessary to comply with Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air ⁽¹⁾, the French Republic has failed to fulfil its obligations under Article 10 of that directive;

— order the French Republic to pay the costs.