

Judgment of the Court (Fourth Chamber) of 13 June 2013 (request for a preliminary ruling from the Conseil d'État — France) — Syndicat OP 84 v Établissement national des produits de l'agriculture et de la mer (FranceAgriMer), successor in law to the Office national interprofessionnel des fruits, des légumes, des vins et de l'horticulture (VINIFLHOR), itself successor in law to the Office national interprofessionnel des fruits, des légumes et de l'horticulture (ONIFLHOR)

(Case C-3/12) ⁽¹⁾

(Agriculture — European Agricultural Guidance and Guarantee Fund — 'Scrutiny period' — Possibility for a Member State to extend the scrutiny period where it is impossible to carry out that scrutiny in the time allowed — Repayment of financial assistance — Penalties)

(2013/C 225/37)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Appellant: Syndicat OP 84

Respondent: Établissement national des produits de l'agriculture et de la mer (FranceAgriMer), successor in law to the Office national interprofessionnel des fruits, des légumes, des vins et de l'horticulture (VINIFLHOR), itself successor in law to the Office national interprofessionnel des fruits, des légumes et de l'horticulture (ONIFLHOR)

Re:

Request for a preliminary ruling — Conseil d'État — Interpretation of Article 2(4) of Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC (OJ 1989 L 388, p. 18) — 'Scrutiny period' — Possibility for a Member State to extend the scrutiny period where it is impossible to carry out that scrutiny owing to the conduct of the recipient of the financial assistance — Repayment of financial assistance — Penalties

Operative part of the judgment

The first subparagraph of Article 2(4) of Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund

and repealing Directive 77/435/EEC, as amended by Council Regulation (EC) No 3094/94 of 12 December 1994, must be interpreted as meaning that the authorities may, if necessary, carry out the scrutiny operations — notified during the scrutiny period falling between 1 July of one year and 30 June of the following year — beyond the end of that period, without causing the procedure to be marred by an irregularity which the operator under scrutiny may rely on against the decision giving due effects to the results of the scrutiny.

⁽¹⁾ OJ C 89, 24.3.2012.

Judgment of the Court (Fourth Chamber) of 20 June 2013 (request for a preliminary ruling from the Augstākās tiesas Senāts — Latvia) — Nadežda Riežniece v Latvijas Republikas Zemkopības ministrija, Lauku atbalsta dienests

(Case C-7/12) ⁽¹⁾

(Social policy — Directive 76/207/EEC — Equal treatment for male and female workers — Directive 96/34/EC — Framework Agreement on Parental Leave — Abolishment of officials' posts due to national economic difficulties — Assessment of a female worker who took parental leave as compared to workers who remained in active service — Dismissal at the end of parental leave — Indirect discrimination)

(2013/C 225/38)

Language of the case: Latvian

Referring court

Augstākās tiesas Senāts

Parties to the main proceedings

Applicant: Nadežda Riežniece

Defendant: Latvijas Republikas Zemkopības ministrija, Lauku atbalsta dienests

Re:

Request for a preliminary ruling — Augstākās tiesas Senāts — Interpretation of Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ 1976 L 39, p. 40) and of Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (OJ 1996 L 145, p. 4) — Dismissal of a female employee on parental leave on