

Action brought on 11 February 2000 by the Commission of the European Communities v Kingdom of Sweden**(Case C-42/00)**

(2000/C 149/28)

An action against the Kingdom of Sweden was brought before the Court of Justice of the European Communities on 11 February 2000 by the Commission of the European Communities, represented by Karen Banks and Christina Tufvesson, of the Commission's Legal Service, both acting as Agents, with an address for service in Luxembourg at the office of Carlos Gómez de la Cruz, of its Legal Service, Wagner Centre, Kirchberg, Luxembourg.

The applicant claims that the Court should:

1. declare that by failing to adopt the laws, regulations and administrative provisions necessary to comply with Council Directive 96/67/EC⁽¹⁾ of 15 October 1996 on access to the groundhandling market at Community airports the Kingdom of Sweden has failed to fulfil its obligations under that directive;
2. order the Kingdom of Sweden to pay the costs.

Pleas and main arguments

The binding nature of the provisions in the third paragraph of Article 249 and Article 10 of the EC Treaty requires the Member States to take the necessary measures to implement the directive in national law within the period laid down. The period laid down in Article 23(1) of Directive 96/67/EC expired on 25 October 1997 without Sweden having promulgated the provisions necessary to comply with the directive.

⁽¹⁾ OJ L 272 of 25.10.96, p. 36.

Appeal brought on 14 February 2000 by Société de Distribution de Mécaniques et d'Automobiles (Sodima) against the judgment delivered on 13 December 1999 by the First Chamber of the Court of First Instance of the European Communities in Joined Cases T-190/95 and T-45/96 between Société de Distribution de Mécaniques et d'Automobiles (Sodima) and the Commission of the European Communities**(Case C-44/00 P)**

(2000/C 149/29)

An appeal against the judgment delivered on 13 December 1999 by the First Chamber of the Court of First Instance of

the European Communities in Joined Cases T-190/95 and T-45/96 between Société de Distribution de Mécaniques et d'Automobiles (Sodima) and the Commission of the European Communities was brought before the Court of Justice of the European Communities on 14 February 2000 by Société de Distribution de Mécaniques et d'Automobiles represented by SCP Fourgoux & Associés, of the Paris Bar, with an address for service in Luxembourg at the Chambers of Pierrot Schiltz, 4 Rue Béatrix de Bourbon.

The appellant claims that the Court should:

- annul the judgment of the Court of First Instance of 13 December 1999 in Joined Cases T-190/95 and T-45/96;
- order the Commission to pay the costs.

Pleas in law and main arguments

Infringement of essential procedural requirements and fundamental rights, infringement of the Treaty and error of appraisal of the facts and law as regards admissibility of the actions.

Action brought on 15 February 2000 by the Commission of the European Communities against the Kingdom of Spain**(Case C-48/00)**

(2000/C 149/30)

An action against the Kingdom of Spain was brought before the Court of Justice of the European Communities on 15 February 2000 by the Commission of the European Communities, represented by Juan Guerra Fernández, acting as Agent, with an address for service in Luxembourg at the office of Carlos Gómez de la Cruz, Wagner Centre, Kirchberg.

The applicant claims that the Court should:

1. declare that by failing to adopt, implement and notify all the laws, regulations and administrative provisions necessary to comply with Council Directive 97/41/EC⁽¹⁾ of 25 June 1997 amending Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC relating to the fixing of maximum levels for pesticide residues in and on, respectively, fruit and vegetables, cereals, foodstuffs of animal origin, and certain products of plant origin, including fruit and vegetables, the Kingdom of Spain has failed to fulfil its obligations under the EC Treaty, and,
2. order the defendant to pay the costs.