

for the transmission of television signals (OJ 1995 L 281, p. 51) or by not taking the measures necessary to comply therewith, the French Republic has failed to fulfil its obligations under that directive — the Court (Third Chamber), composed of: C. Gulmann (Rapporteur), President of the Chamber, J.-P. Puissochet and F. Macken, Judges; A. Saggio, Advocate General; R. Grass, Registrar, has given a judgment on 23 November 2000, in which it:

1. Declares that, by failing to adopt within the prescribed period the laws, regulations and administrative provisions necessary to comply with Directive 95/47/EC of the European Parliament and of the Council of 24 October 1995 on the use of standards for the transmission of television signals, 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 299 of 16.10.1999.

## JUDGMENT OF THE COURT

(Third Chamber)

of 23 November 2000

**in Case C-320/99: Commission of the European Communities v French Republic<sup>(1)</sup>**

*(Failure by a Member State to fulfil its obligations — Directive 97/68/EC — Non-road mobile machinery — Emission of gaseous and particulate pollutants)*

(2001/C 79/05)

(Language of the case: French)

(Provisional translation; the definitive translation will be published in the European Court Reports)

In Case C-320/99: Commission of the European Communities (Agent: M. Nolin) v French Republic (Agents: K. Rispal-Bellanger and G. Taillandier) — application for a declaration that, by not adopting within the prescribed period the laws, regulations and administrative provisions necessary to comply with Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery (OJ 1998 L 59, p. 1) or, in any event, by not

communicating those provisions to the Commission, the French Republic has failed to fulfil its obligations under that directive — the Court (Third Chamber), composed of: C. Gulmann (Rapporteur), President of the Chamber, J.-P. Puissochet and F. Macken, Judges; A. Saggio, Advocate General; R. Grass, Registrar, has given a judgment on 23 November 2000, in which it:

1. Declares that, by failing to adopt within the prescribed period the laws, regulations and administrative provisions necessary to comply with Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery, 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 299 of 16.10.1999.

## JUDGMENT OF THE COURT

(Fifth Chamber)

of 30 November 2000

**in Case C-436/98 (reference for a preliminary ruling from the Supreme Court): HMIL Ltd v Minister for Agriculture, Food and Forestry<sup>(1)</sup>**

*(Agriculture — Common organisation of the markets — Special export refunds and private storage aid for certain pieces of beef)*

(2001/C 79/06)

(Language of the case: English)

In Case C-436/98: reference to the Court under Article 177 of the EC Treaty (now Article 234 EC) from the Supreme Court (Ireland), for a preliminary ruling in the proceedings pending before that court between HMIL Ltd and Minister for Agriculture, Food and Forestry — on the interpretation of Commission Regulation (EEC) No 1964/82 of 20 July 1982 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals (OJ 1982 L 212, p. 48, and the corrigendum at OJ 1982 L 273, p. 43), as amended by Commission Regulation (EEC) No 3169/87 of 23 October 1987 amending Regulations (EEC) No 32/82, (EEC) No 1964/82 and (EEC) No 74/84 in the matter of customs export formalities for certain beef on which special refunds are granted (OJ 1987 L 301, p. 21), and of Commission Regulation (EEC) No 2675/88 of 29 August 1988 providing