

Action brought on 28 January 2002 by the Commission of the European Communities against the Italian Republic

(Case C-17/02)

(2002/C 68/14)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 28 January 2002 by the Commission of the European Communities, represented by L. Pignatora and S. Rating, acting as Agents.

The applicant claims that the Court should:

- Declare that, by not having notified the laws, regulations and administrative provisions necessary to comply with the provisions of Commission Directive 99/64/EC amending Commission Directive 90/388/EEC, or not having adopted the measures necessary to comply with the same, the Italian Republic has failed to fulfil its obligations under that directive;
- Order the Italian Republic to pay the costs.

Pleas in law and main arguments

Article 249 EC, which provides that a directive is to be binding as to the result to be achieved on each Member State to which it is addressed, implies an obligation that the Member States comply with the time-limits for transposition prescribed by directives. In the present case the prescribed period expired on 30 April 2000 without the Italian Republic having adopted the provisions necessary to comply with the directive referred to in the form of order sought by the Commission.

Action brought on 29 January 2002 by the Commission of the European Communities against the Italian Republic

(Case C-21/02)

(2002/C 68/15)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 29 January 2002 by the Commission of the European Communities, represented by G. Valero Jordana and R. Amorosi, acting as Agents.

The applicant claims that the Court should:

- Declare that, by not adopting the laws, regulations and administrative provisions necessary to comply with Commission Directive 2000/71/EC to adapt the measuring methods as laid down in Annexes I, II, III and IV to Directive 98/70/EC of the European Parliament and of the Council to technical progress as foreseen in Article 10 of that Directive (OJ 2000 L 287, p. 46) or in any event by not notifying the same to the Commission, the Italian Republic has failed to fulfil its obligations under Article 2 of that directive;
- Order the Italian Republic to pay the costs.

Pleas in law and main arguments

Article 249 EC, which provides that a directive is to be binding as to the result to be achieved on each Member State to which it is addressed, implies an obligation that the Member States comply with the time-limits for transposition prescribed by directives. In the present case the prescribed period expired on 1 January 2001 without the Italian Republic having adopted the provisions necessary to comply with the directive referred to in the form of order sought by the Commission.

Action brought on 29 January 2002 by the Commission of the European Communities against the Italian Republic

(Case C-22/02)

(2002/C 68/16)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 29 January 2002 by the Commission of the European Communities, represented by G. Valero Jordana and R. Amorosi, acting as Agents.

The applicant claims that the Court should:

- Declare that, by not adopting the laws, regulations and administrative provisions necessary to comply with Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars (OJ 2000 L 12, p. 16) or in any event by not notifying the same to the Commission, the Italian Republic has failed to fulfil its obligations under Article 12 of that directive;