

Such national legislation also infringes Article 2(1)(a)(i) of Directive 2000/13/EC, according to which the labelling and methods used must not be such as could mislead the purchaser, particularly as to the characteristics of the foodstuff and, in particular, as to its nature, identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production.

(¹) OJ 1991 L 198, p. 1.

(²) Council Regulation (EC) No 1935/95 of 22 June 1995 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs OJ 1995 L 186, p. 1.

(³) Council Regulation (EC) No 1804/1999 of 19 July 1999 supplementing Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production OJ 1999 L 222, p. 1.

(⁴) OJ 2000 L 109, p. 29.

Action brought on 27 March 2003 by the Commission of the European Communities against the Federal Republic of Germany

(Case C-139/03)

(2003/C 124/19)

An action against the Federal Republic of Germany was brought before the Court of Justice of the European Communities on 27 March 2003 by the Commission of the European Communities, represented by Josef Christian Schieferer and Hans Støvlbæk, of its Legal Service, with an address for service in Luxembourg.

The applicant claims that the Court should:

1. declare that, by failing to adopt the necessary laws, regulations and administrative provisions to implement Commission Directive 2000/38/EC (¹) of 5 June 2000 amending Chapter Va (Pharmacovigilance) of Council Directive 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products and/or to notify the Commission of those provisions, the Federal Republic of Germany has failed to fulfil its obligations under the directive;
2. order the Federal Republic of Germany to pay the costs.

Pleas in law and main arguments

The time-limit for implementing the directive expired on 5 December 2001.

(¹) OJ L 139 of 10.6.2000, p. 28.

Action brought on 28 March 2003 by the Commission of the European Communities against the Kingdom of Sweden

(Case C-141/03)

(2003/C 124/20)

An action against the Kingdom of Sweden was brought before the Court of Justice of the European Communities on 28 March 2003 by the Commission of the European Communities, represented by P. Hellström and J.M. Flett, acting as Agents, with an address for service in Luxembourg.

The Commission claims that the Court should:

- Declare that by failing to adopt the laws and other provisions necessary to implement Commission Directive 2000/52/EC (¹) of 26 July 2000 amending Directive 80/723/EEC (²) on the transparency of financial relations between Member States and public undertakings or, in any event, by failing to inform the Commission thereof, the Kingdom of Sweden has failed to fulfil its obligations under the directive, and
- Order the Kingdom of Sweden to pay the costs.

Pleas in law and principal arguments

The period prescribed for implementing the directive ended on 31 July 2001.

(¹) OJ L 193, 29.7.2000, p. 75.

(²) OJ L 195, 29.7.1980, p. 35.