

JUDGMENT OF THE COURT

(Fifth Chamber)

of 24 February 2005

in Case C-225/04: Commission of the European Communities v Republic of Finland ⁽¹⁾

(Failure of a Member State to fulfil its obligations — Directive 2001/106/EC — Maritime transport — Non-transposition within the period prescribed)

(2005/C 106/16)

(Language of the case: Finnish)

In Case C-225/04 **Commission of the European Communities** (Agents: K. Simonsson and M. Huttunen) v **Republic of Finland** (Agent: A. Guimares-Purokoski) — action under Article 226 EC for failure to fulfil obligations, brought on 1 June 2004 — the Court (Fifth Chamber), composed of R. Silva de Lapuerta, President of the Chamber, G. Arestis (Rapporteur) and J. Klučka, Judges; F. G. Jacobs, Advocate General; R. Grass, Registrar, gave a judgment on 24 February 2005, in which it:

1. Declares that, by failing to adopt, within the period prescribed, the laws, regulations and administrative provisions necessary to comply with Directive 2001/106/EC of the European Parliament and of the Council of 19 December 2001 amending Council Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control), the Republic of Finland has failed to fulfil its obligations under that directive;
2. Orders the Republic of Finland to pay the costs.

⁽¹⁾ OJ C 262 of 23.10.2004.

JUDGMENT OF THE COURT

(Fifth Chamber)

of 24 February 2005

in Case C-383/04: Commission of the European Communities v Grand Duchy of Luxembourg ⁽¹⁾

(Failure of a Member State to fulfil its obligations — Directive 1999/105/EC — Marketing of forest reproductive material — Failure to implement within the period prescribed)

(2005/C 106/17)

(Language of the case: French)

In Case C-383/04: action under Article 226 EC for failure to fulfil obligations, brought on 6 September 2004, between **Commission of the European Communities** (Agent: A. Bordes) and **Grand Duchy of Luxembourg** (Agent: S. Schreiner) — the Court (Fifth Chamber), composed of R. Silva de Lapuerta, President of Chamber, R. Schintgen and G. Arestis (Rapporteur), Judges; C. Stix-Hackl, Advocate General; R. Grass, Registrar, has given a judgment on 24 February 2005 in which it:

1. Declares that by failing to adopt all the laws, regulations and administrative provisions necessary to comply with Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material the Grand Duchy of Luxembourg has failed to fulfil its obligations under that directive;
2. Orders the Grand Duchy of Luxembourg to pay the costs.

⁽¹⁾ OJ C 262 of 23.10.2004.