

## I

(Information)

## COURT OF JUSTICE

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## JUDGMENT OF THE COURT

(First Chamber)

of 19 October 2000

**in Case C-155/99 (reference for a preliminary ruling from the Pretore di Treviso, Sezione Distaccata di Oderzo): Giuseppe Busolin and Others v Ispettorato Centrale Repressione Frodi — Ufficio di Conegliano — Ministero delle Risorse Agricole, Alimentari e Forestali<sup>(1)</sup>**

*(Agriculture — Common organisation of the agricultural markets — Market in wine — Compulsory distillation scheme)*

(2001/C 28/01)

*(Language of the case: Italian)*

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

In Case C-155/99: reference to the Court under Article 177 of the EC Treaty (now Article 234 EC) from the Pretore di Treviso, Sezione Distaccata di Oderzo (Treviso Magistrates' Court, Oderzo Division), Italy, for a preliminary ruling in the proceedings pending before that court between Giuseppe Busolin and Others and Ispettorato Centrale Repressione Frodi — Ufficio di Conegliano — Ministero, delle Risorse Agricole, Alimentari e Forestali — on the validity of Article 39(3), (4) and (11) of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine (OJ 1987 L 84, p. 1), as amended by Council Regulation (EEC) No 1566/93 of 14 June 1993 (OJ 1993 L 154, p. 39), and of Commission Regulation (EC) No 343/94 of 15 February 1994 opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1993/94 wine year from certain detailed rules for the application thereof (OJ 1994 L 44, p. 9) — the Court (First Chamber), composed of: M. Wathelet, President of the Chamber, A. La Pergola, and P. Jann (Rapporteur), Judges; G. Cosmas, Advocate General; D. Louterman-Hubeau, Principal Administrator, for the Registrar, has given a judgment on 19 October 2000, in which it has ruled:

*Examination of the questions raised has disclosed no factor of such a kind as to affect the validity of Article 39(3), (4) and (11) of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine, as amended by Council Regulation (EEC) No 1566/93 of 14 June 1993, or of Commission Regulation (EC) No 343/94 of 15 February 1994 opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1993/94 wine year from certain detailed rules for the application thereof.*

<sup>(1)</sup> OJ C 204 of 17.7.1999.

## JUDGMENT OF THE COURT

(First Chamber)

of 7 November 2000

**in Case C-168/98: Grand Duchy of Luxembourg v European Parliament<sup>(1)</sup>**

*(Action for annulment — Freedom of establishment — Mutual recognition of diplomas — Harmonisation — Obligation to state reasons — Directive 98/5/EC — Practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was acquired)*

(2001/C 28/02)

*(Language of the case: French)*

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

In Case C-168/98: Grand Duchy of Luxembourg (Agents: originally represented by N. Schmit and subsequently by

P. Steinmetz, assisted by J. Welter) v European Parliament (Agents: originally represented by C. Pennera, and A. Baas, and subsequently by C. Pennera and J. Sant'Anna) and Council of the European Union (Agents: M.C. Giorgi and F. Anton), supported by Kingdom of Spain, (Agent: M. López-Monís Gallego, Abogado del Estado) by Kingdom of the Netherlands (Agent: M.A. Fierstra) by United Kingdom of Great Britain and Northern Ireland (Agents: J.E. Collins and D. Anderson, and by Commission of the European Communities (Agents: A. Caeiro and B. Mongin, — application for a annulment of Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained (OJ 1998 L 77, p. 36) — the Court, composed of: G.C. Rodríguez Iglesias, President, C. Gulmann (Rapporteur), A. La Pergola, M. Wathelet and V. Skouris (Presidents of Chambers), D.A.O. Edward, J.-P. Puissochet, P. Jann, L. Sevón, R. Schintgen and F. Macken, Judges; D. Ruiz-Jarabo Colomer, Advocate General; H. von Holstein, Deputy Registrar, for the Registrar, has given a judgment on 7 November 2000, in which it:

1. Dismisses the application;
2. Orders the Grand Duchy of Luxembourg to pay the costs;
3. Orders the Kingdom of Spain, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the Commission of the European Communities to bear their own costs.

(<sup>1</sup>) OJ C 209 of 4.7.1998.

## JUDGMENT OF THE COURT

of 7 November 2000

**in Case C-312/98 (reference for a preliminary ruling from the Bundesgerichtshof): Schutzverband gegen Unwesen in der Wirtschaft eV v Warsteiner Brauerei Haus Cramer GmbH & Co. KG (<sup>1</sup>)**

**(Protection of geographical indications and designations of origin — Regulation (EEC) No 2081/92 — Scope — Directive 79/112/EEC — National rules prohibiting the potentially misleading use of 'simple' geographical indications of source)**

(2001/C 28/03)

(Language of the case: German)

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

In Case C-312/98: reference to the Court under Article 177 of the EC Treaty (now Article 234 EC) from the Bundesgerichtshof

(Federal Court of Justice), Germany, for a preliminary ruling in the proceedings pending before that court between Schutzverband gegen Unwesen in der Wirtschaft eV and Warsteiner Brauerei Haus Cramer GmbH & Co. KG — on the interpretation of Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ 1992 L 208, p. 1) — the Court, composed of: G.C. Rodríguez Iglesias, President, C. Gulmann, A. La Pergola, M. Wathelet and V. Skouris, Presidents of Chambers, D.A.O. Edward, J.-R. Puissochet, P. Jann, L. Sevón, R. Schintgen (Rapporteur) and F. Macken, Judges; F.G. Jacobs, Advocate General; H.A. Rühl, Principal Administrator, for the Registrar, has given a judgment on 7 November 2000, in which it has ruled:

*Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs does not preclude the application of national legislation which prohibits the potentially misleading use of a geographical indication of source in the case of which there is no link between the characteristics of the product and its geographical provenance.*

(<sup>1</sup>) OJ C 327 of 24.10.1998.

## JUDGMENT OF THE COURT

of 7 November 2000

**in Case C-371/98 (reference for a preliminary ruling from the Queen's Bench Division (Divisional Court) of the High Court of Justice of England and Wales): The Queen v Secretary of State for the Environment, Transport and the Regions (<sup>1</sup>)**

**(Directive 92/43/EEC — Conservation of natural habitats and of wild fauna and flora — Definition of the boundaries of sites eligible for designation as special areas of conservation — Discretion of the Member States — Economic and social considerations — Severn Estuary)**

(2001/C 28/04)

(Language of the case: English)

In Case C-371/98: reference to the Court under Article 177 of the EC Treaty (now Article 234 EC) from the Queen's Bench Division (Divisional Court) of the High Court of Justice of