

## JUDGMENT OF THE COURT

(Third Chamber)

of 13 October 2005

in Case C-379/04: reference for a preliminary ruling from the Landgericht Würzburg, Richard Dahms GmbH v Fränkischer Weinbauverband eV <sup>(1)</sup>

(Wine sector products — Regulation (EC) No 753/2002 — Article 21 — Direct effect — Wine and sparkling wine competitions — Competition entry fee)

(2005/C 296/13)

(Language of the case: German)

In Case C-379/04: reference for a preliminary ruling under Article 234 EC from the Landgericht Würzburg (Germany), made by decision of 23 August 2004, received at the Court on 3 September 2004, in the proceedings between Richard Dahms GmbH and Fränkischer Weinbauverband eV, — the Court (Third Chamber), composed of A. Rosas, President of the Chamber, A. La Pergola, A. Borg Barthet, U. Löhmus (Rapporteur) and A. Ó Caoimh, Judges; L.A. Geelhoed, Advocate General; R. Grass, Registrar, gave a judgment on 13 October 2005, the operative part of which is as follows:

Article 21 of Commission Regulation (EC) No 753/2002 of 29 April 2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products must be interpreted as meaning that entrants or potential entrants to a wine competition cannot rely on that provision to contest the conditions for the organisation of that competition and, in particular, the rules determining the entry fees.

<sup>(1)</sup> OJ C 262 of 23.10.2004.

## JUDGMENT OF THE COURT

(Fifth Chamber)

of 6 October 2005

in Case C-429/04: *Commission of the European Communities v Kingdom of Belgium* <sup>(1)</sup>

(Failure of a Member State to fulfil obligations — Directive 2001/96/EC — Harmonised requirements and procedures for the safe loading and unloading of bulk carriers — Failure to transpose within the prescribed period)

(2005/C 296/14)

(Language of the case: Dutch)

In Case C-429/04: action for failure to fulfil obligations under Article 226 EC brought on the 6 October 2004, **Commission of the European Communities** (Agents: K. Simonsson and W. Wils) v **Kingdom of Belgium** (Agents: D. Haven and M. Wimmer), the Court (Fifth Chamber), composed of R. Silva de Lapuerta, President of the Chamber, C. Gulmann and G. Arestis (Rapporteur), Judges, Advocate General: C. Stix-Hackl, Registrar: R. Grass, has given a judgment on the 6 October 2005 in which it:

1. Declares that, by failing to adopt the laws, regulations and administrative measures necessary to comply with Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers, the Kingdom of Belgium has failed to fulfil its obligations under this directive.
2. Orders the Kingdom of Belgium to pay the costs.

<sup>(1)</sup> OJ C 284, 20.11.2004