

Form of order sought

- declare that, by not adopting the laws, regulations and administrative provisions necessary to comply with Directive 2005/68 ⁽¹⁾ of the European Parliament and of the Council of 16 November 2005, and in any event by not notifying those provisions to the Commission, the Hellenic Republic has failed to fulfil its obligations under that directive;
- order the Hellenic Republic to pay the costs.

Pleas in law and main arguments

The time-limit for transposition of Directive 2005/68/EC of 16 November 2005 into domestic law expired on 10 December 2007.

⁽¹⁾ OJ L 323 of 9.12.2005, p. 1.

Action brought on 9 January 2009 — Commission of the European Communities v Portuguese Republic

(Case C-10/09)

(2009/C 55/33)

Language of the case: Portuguese

Parties

Applicant: Commission of the European Communities (represented by C. Cattabriga and M. Teles Romão, Agents)

Defendant: Portuguese Republic

Form of order sought

- a declaration that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Commission Directive 2006/86/EC ⁽¹⁾ of 24 October 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards traceability requirements, notification of serious adverse reactions and events and certain technical requirements for the coding, processing, preservation, storage and distribution of human tissues and cells or, at any event, by failing to communicate those measures to the Commission, the Portuguese Republic has failed to fulfil its obligations under that directive;
- an order that the Portuguese Republic should pay the costs.

Pleas in law and main arguments

The period prescribed for transposing the directive into domestic law expired on 1 September 2007.

⁽¹⁾ OJ 2006 L 294, p. 32.

Action brought on 9 January 2009 — Commission of the European Communities v Portuguese Republic

(Case C-11/09)

(2009/C 55/34)

Language of the case: Portuguese

Parties

Applicant: Commission of the European Communities (represented by C. Cattabriga and M. Teles Romão, Agents)

Defendant: Portuguese Republic

Form of order sought

- a declaration that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Commission Directive 2006/17/EC ⁽¹⁾ of 8 February 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards certain technical requirements for the donation, procurement and testing of human tissues and cells or, at any event, by failing to communicate those measures to the Commission, the Portuguese Republic has failed to fulfil its obligations under that directive
- an order that the Portuguese Republic should pay the costs.

Pleas in law and main arguments

The period prescribed for transposing the directive expired on 1 November 2006.

⁽¹⁾ OJ 2006 L 38, p. 40.