Case C-32/90

(Summary publication)

Commission of the European Communities

v

Italian Republic

(Failure to comply with a directive — Labelling and advertising of foodstuffs)

Summary of the Judgment

1. *Member States — Obligations — Implementation of directives — Failure to fulfil obligations not contested*
   (EEC Treaty, Art. 169)
2. *Approximation of laws — Labelling and presentation of foodstuffs — Directive 79/112 — National legislation requiring the date of manufacture and the place of production to be indicated — Not permissible*
   (Council Directive 79/112)

OPINION OF MR ADVOCATE GENERAL MISCHO
delivered on 9 July 1991

Mr Advocate General Mischo delivered his Opinion on 9 July 1991.* He submitted that the Court should:

(1) Declare that, by requiring manufacturers of extruded pasta products to state on the label the date of manufacture and the place of origin or provenance of the product, the Italian Republic has failed to fulfil its obligations under points (4) and (7) of Article 3(1) of Council Directive 79/112/EEC of 18 December

* Original language: French.

1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (Official Journal 1979 L 33, p. 1);

(2) Order the Italian Republic to pay the costs.