provisions whereby the importer responsible for complying with the statutory requirement to deposit one copy of each imported book with the authorities, that is to say the principal distributor, is responsible for fixing the retail price, and (b) provisions requiring the retail price fixed by the publisher to be applied to books published in the Member State concerned and re-imported following exportation to another Member State, unless it is established that those books were exported for the sole purpose of re-importation in order to circumvent the legislation in question.

OPINION OF MR ADVOCATE GENERAL LENZ
delivered on 4 July 1985 *

Mr President,
Members of the Court,

The case before the court today raises once again the question of the French legislation on fixed prices for books. The Court is acquainted with that legislation, since it was set out in its judgment of 10 January 1985 in Case 229/83 [1] pursuant to a request for a preliminary ruling by the Cour d'Appel, Poitiers.

The legal issues in the present case, which has come to the Court from the Tribunal de Grande Instance, Nantes, are identical to those in Case 229/83. The phrasing of the question referred to the Court for a preliminary ruling and the observations of the parties, the Government of the French Republic and the Commission are also identical to those in the former case.

Thus, no new legal submissions have been made which could induce the Court to alter the view it has expressed.

Therefore, I propose that in accordance with the previous practice (see the judgment in Case 179/83 [2]) the operative part of the judgment in Case 229/83 should be repeated and a reference should be made to the said judgment, a copy of which should be annexed to the present judgment.

* Translated from the German.

1 — *Association des Centres Édouard Leclerc* v *Sàrl Au Blé Vert,* [1985] ECR 17.

2 — *Industriebond FNV* v *Netherlands,* [1985] ECR 514.