JUDGMENT OF THE COURT
25 July 1991 *

In Case C-252/89,

Commission of the European Communities, represented by Maria Condou-Durande, a member of its Legal Service, acting as Agent, with an address for service in Luxembourg at the office of Guido Berardis, also a member of the Commission's Legal Service, Wagner Centre, Kirchberg,

applicant,

v

Grand Duchy of Luxembourg, represented by Claude Franck, Attaché de Gouvernement Premier en Rang in the Ministry of Town and Country Planning and of the Environment, acting as Agent, with an address for service in Luxembourg at that ministry, 5A Rue de Prague,

defendant,

APPLICATION for a declaration that, by failing to draw up and communicate to the Commission the programmes and to adopt and communicate the laws, regulations and administrative measures needed to comply with Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption (Official Journal 1985 L 176, p. 18), the Grand Duchy of Luxembourg has failed to fulfil its obligations under the EEC Treaty,

* Language of the case: French.

THE COURT,

composed of: O. Due, President, G. F. Mancini, G. C. Rodríguez Iglesias, M. Díez de Velasco (Presidents of Chambers), Sir Gordon Slynn, C. N. Kakouris, R. Joliet, F. A. Schockweiler, P. J. G. Kapteyn, Judges,

(The grounds of the judgment are not reproduced.)

hereby rules:

1. **By failing to draw up and communicate to the Commission the programmes and to adopt and communicate the laws, regulations and administrative measures needed to comply with Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption, the Grand Duchy of Luxembourg has failed to fulfil its obligations under the EEC Treaty.**

2. **The Grand Duchy of Luxembourg is ordered to pay the costs.**