

Judgment of the Court (Eighth Chamber) of 21 June 2007 — Commission of the European Communities v Italian Republic

(Case C-339/06) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Directive 2004/116/EC — Annex to Directive 92/471/EEC — Animal feed — Candida guilliermondii — Failure to transpose within the period prescribed)

(2007/C 183/24)

Language of the case: Italian

Parties

Applicant: Commission of the European Communities (represented by: C. Cattabriga, acting as Agent)

Defendant: Italian Republic (represented by: I. Braguglia and S. Fiorentino, Agents)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, the provisions necessary to comply with Commission Directive 2004/116/EC of 23 December 2004 amending the Annex to Council Directive 82/471/EEC as regards the inclusion of *Candida guilliermondii* (OJ 2004 L 379, p. 81)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt, within the period prescribed, the laws, regulation and administrative provisions necessary to comply with Commission Directive 2004/116/EC of 23 December 2004 amending the Annex to Council Directive 82/471/EEC as regards the inclusion of *Candida guilliermondii*, the Italian Republic has failed to fulfil its obligations under that directive;
2. Orders the Italian Republic to pay the costs.

⁽¹⁾ OJ C 224, 16.9.2006.

Judgment of the Court (Sixth Chamber) of 21 June 2007 — Commission of the European Communities v Kingdom of Spain

(Case C-392/06) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Directive 2002/15/EC — Organisation of the working time of persons performing mobile road transport activities — Failure to transpose within the period prescribed)

(2007/C 183/25)

Language of the case: Spanish

Parties

Applicant: Commission of the European Communities (represented by: N. Yerrell and R Vidal Puig, acting as Agents)

Defendant: Kingdom of Spain (represented by: M.A. Sampol Pucurull)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, the provisions necessary to comply with Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ 2002 L 80, p. 35)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt, within the period prescribed, the laws, regulations and administrative provisions necessary to comply with Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities, the Kingdom of Spain has failed to fulfil its obligations under that directive;
2. Orders the Kingdom of Spain to pay the costs.

⁽¹⁾ OJ C 294, 2.12.2006.