Alvarez Moreno v *Commission* in so far as it declared that the action for annulment of the letter of Mr Walker of 23 February 2001 was admissible and ordered the Commission of the European Communities to pay the whole of the costs relating to the action in Case T-323/01;

2. In Case T-323/01, dismisses the action for annulment of, first, the letter of Mr Walker of 23 February 2001 and, second, the decision of the Commission of the European Communities of 7 September 2001 rejecting Mrs Alvarez Moreno's complaint;

3. Orders each of the parties to bear its or her own costs relating to the present proceedings and to those brought before the Court of First Instance of the European Communities.

Judgment of the Court (Third Chamber) of 12 January 2006 — *Germany* v *Commission*

(Case C-183/03)

(EAGGF — Decision 2003/102/EC — Expenditure excluded from Community financing — Arable cultures sector)

1. *Agriculture — EAGGF — Clearance of accounts (see para. 47)*

2. *Agriculture — Common agricultural policy — Integrated administration and control system for certain aid schemes (Commission Regulation No 3887/92, amended by Regulation No 2801/1999, Art. 6(5) (see paras 60-61)*

3. *Agriculture — Common agricultural policy — Integrated administration and control system for certain aid schemes (Commission Regulation No 3887/92, amended by Regulation No 2801/1999, Art. 9) (see paras 84-89)*

Re:

Partial annulment of Commission Decision 2003/102/EC of 14 February 2003 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) (notified under document number C(2003) 500) (OJ 2003 L 42, p. 47) — Checks in the arable crops sector — Case of the Land of Brandenburg

Operative part:

The Court:

1. Dismisses the action;

2. Orders the Federal Republic of Germany to pay the costs.

Judgment of the Court (Second Chamber) of 12 January 2006 — *Commission* v *Spain*

(Case C-132/04)

(Failure of a Member State to fulfil obligations — Social policy — Protection of the safety and health of workers — Directive 89/391/EEC — Scope — Non-civilian personnel in public authorities — Armed forces and police — Included)