**Re:**

Failure of a Member State to fulfil its obligations — Infringement of Articles 4, 9 and 13 of Council Directive 75/442/EEC, of 15 July 1975, on waste (OJ 1975 L 194, p. 39), as amended by Council Directive 91/156/EEC of 18 March 1991 (OJ 1991 L 78, p. 32) and of Article 14 of Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ 1999 L 182, p. 1) — Waste tips at Níjar, Hoyo de Miguel and Cueva del Mojón, situated in La Mojonera.

**Operative part**

The Court:

1. Declares that, by failing to adopt, within the prescribed period, the necessary provisions to ensure application of Articles 4, 9 and 13 of Council Directive 75/442/EEC of 15 July 1975 on waste — as amended by Council Directive 91/156/EEC of 18 March 1991 — and of Article 14 of Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste, with regard to the waste tips at Níjar, Hoyo de Miguel and Cueva del Mojón (Province of Almería), the Kingdom of Spain has failed to fulfil its obligations under those provisions;

2. Orders the Kingdom of Spain to pay the costs.

## Judgment of the Court (Fifth Chamber) of 24 May 2007 — Commission v Italy

## (Case C-394/05)

Failure of a Member State to fulfil its obligations — Directive 2000/53/EC — End-of-life vehicles — Articles 3(5), 5(1), 7(2) and 8(3) and (4) — Defective transposition

*Actions for failure to fulfil obligations — Examination of merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 226 EC) (see para. 25)*

**Re:**

Failure of a Member State to fulfil its obligations — Infringement of Articles 2, 3, 4, 5, 6, 7, 8, 10 and 12 of Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles (OJ 2000 L 269, p. 34).

**Operative part**

The Court:

1. Declares that, by adopting Legislative Decree No 209 of 24 June 2003 transposing into national law the provisions of Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles in a manner contrary to that directive, the Italian Republic has failed to fulfil its obligations under Article 3(5), Article 5(1), the second subparagraph of Article 7(2)(a) and Article 8(3) and (4) of that directive;

2. Orders the Italian Republic to pay the costs.

## Judgment of the Court (Sixth Chamber) of 24 May 2007 — Commission v Portugal

## (Case C-43/06)

Failure of a Member State to fulfil its obligations — Directive 85/384/EEC — Architects — Mutual recognition of diplomas, certificates and other evidence of formal qualifications — Requirement to sit an entrance exam for the institute of architects