JUDGMENT OF THE COURT
14 June 1990 *

In Case C-48/89

Commission of the European Communities, represented by S. Fabro, a member of its Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Georgios Kremlis, a member of its Legal Department, Wagner Centre, Kirchberg,

applicant,

v

Italian Republic, represented by Luigi Ferrari Bravo, Head of the Contentious Diplomatic Affairs Department of the Ministry of Foreign Affairs, acting as Agent, assisted by P. G. Ferri, avvocato dello Stato, with an address for service in Luxembourg at the Italian Embassy, 5 rue Marie-Adélaïde,

defendant,

APPLICATION for a declaration, pursuant to Article 169 of the EEC Treaty, that the Italian Republic has failed to fulfil its obligations under Council Directive 75/442/EEC of 15 July 1975 on waste (Official Journal 1975, L 194, p. 39), Council Directive 76/403/EEC of 6 April 1976 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (Official Journal 1976, L 108, p. 41, and Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste (Official Journal 1978, L 84, p. 43) and Article 5 of the EEC Treaty

THE COURT

composed of: O. Due, President, F. A. Schockweiler and M. Zuleeg (Presidents of Chambers), G. F. Mancini, R. Joliet, T. F. O'Higgins, J. C. Moitinho de Almeida, G. C. Rodríguez Iglesias and F. Grévisse, Judges,

(the grounds of the judgment are not reproduced)

* Language of the case: Italian.

hereby:

(1) **Declares that by failing to provide the plans and reports referred to in Articles 3(2) and 12 of Council Directive 75/442/EEC of 15 July 1975 on waste, Article 10 of Council Directive 76/403/EEC of 6 April 1976 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls, and Articles 12(2) and 16 of Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste, the Italian Republic has failed to fulfil its obligations under those directives;**

(2) **Dismisses the application in all other respects;**

(3) **Orders the Italian Republic to pay the costs.**