of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency and, as regards the second indent above, under Article 6(1) of Directive 2001/83;

2. Orders the Republic of Poland to pay the costs;

3. Orders the Republic of Lithuania to bear its own costs.

Judgment of the Court (First Chamber) of 22 December 2010 — Commission v Malta

(Case C-351/09)

(Failure of a Member State to fulfil obligations — Environment — Directive 2000/60/EC — Articles 8 and 15 — Status of inland surface water — Failure to establish monitoring programmes and make them operational — Failure to submit summary reports on those monitoring programmes)

Actions for failure to fulfil obligations — Examination of the 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; European Parliament and Council Directive 2000/60, Arts 8(1) and (2), and 15(2)) (see paras 26-28)

Re:

Failure of a Member State to fulfil obligations — Infringement of Articles 8 and 15 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October establishing a framework for Community action in the field of water policy (OJ 2000 L 327, p. 1) — Obligation to establish and make operational programmes for the monitoring of the status of surface waters — Obligation to submit summary reports regarding the programmes for the monitoring of surface waters.

Operative part

The Court:

1. Declares that, in failing, firstly, to establish monitoring programmes on the status of inland surface water and make them operational in accordance with Article 8(1) and (2) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and, secondly, to submit summary reports on the monitoring programmes on the status of inland surface water in accordance with Article 15(2) of that directive, the Republic of Malta has failed to fulfil its obligations under Articles 8 and 15 of that directive;

2. Orders the Republic of Malta to pay the costs.

Judgment of the Court (Third Chamber) of 22 December 2010 — Commission v Austria

(Case C-433/09)

(Failure of a Member State to fulfil obligations — Taxation — Directive 2006/112/EC — VAT — Taxable amount — Tax on the delivery of vehicles not yet registered in the Member State based on their value and their average consumption — 'Normverbrauchsabgabe')

Tax provisions — Harmonisation of laws — Turnover taxes — Common system of value added tax — Taxable amount (Council Directive 2006/112, Art. 78) (see paras 33-35, 38-39, 43, 46)