2. *Appeals — Grounds — Insufficient or contradictory statement of reasons (Art. 225 EC; Statute of the Court of Justice, Art. 58, first para.; Rules of Procedure of the Court, Art. 112(1)(c), first para.) (see paras 75, 76)*

Re:

APPEAL against the judgment of the Court of First Instance (Fourth Chamber) of 13 July 2006 in Case T-225/04 *Italy* v *Commission* dismissing the action for annulment of Commission Decision C(2003) 3971 final of 26 November 2003 establishing indicative allocations between the Member States of the commitment appropriations under Community initiatives for the period 1994-1999 and of all related prior measures.

Operative part

1. Appeal dismissed;

2. The Italian Republic is ordered to pay its own costs and those of the Commission of the European Communities.

Judgment of the Court (Eighth Chamber) of 29 November 2007 — Commission v Malta

(Case C-508/06)

Failure of a Member State to fulfil obligations — Directive 96/59/EC — Article 11 — Waste management — Disposal of polychlorinated biphenyls and polychlorinated terphenyls — Failure to communicate the required plans and outlines

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. 8)

Re:

FAILURE of a Member State to fulfil obligations — Article 11 of Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) (OJ 1996 L 243, p. 31) — Failure to prepare and communicate to the Commission within the period laid down the plans, outlines and summaries of inventories prescribed by the directive.

Operative part

The Court:

1. Declares that, by failing to communicate the plans and outlines required under Article 11 of Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT), the Republic of Malta has failed to fulfil its obligations under Article 11 of the Directive, read in conjunction with Article 54 of the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded;

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