JUDGMENT OF THE COURT

10 July 1990 *

In Case C-259/87,

Hellenic Republic, represented by Panagiotis Mylonopoulos, lawyer in the Ministry of Foreign Affairs, Ilias Laios, Legal Adviser in the Ministry of Agriculture, and Meletis Tsotsanis, lawyer in the Ministry of Agriculture, acting as Agents, with an address for service in Luxembourg at the Greek Embassy, 117 Val-Sainte-Croix,

applicant,

v

Commission of the European Communities, represented initially by Xenophon Yataganas, a member of its Legal Department, acting as Agent, then by Dimitrios Gouloussis, Legal Adviser, acting as Agent, and then by Théofanis Christoforou, a member of its Legal Department, assisted by Michaïl Vilaras, an assessor at the Greek Council of State on secondment to the Commission's Legal Department, acting as Agents, with an address for service in Luxembourg at the office of Georgios Kremlis, a member of its Legal Department, Wagner Centre, Kirchberg,

defendant,

APPLICATION for the annulment of Commission Decision 87/368/EEC of 19 June 1987 on the clearance of the accounts presented by the Member States in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1983 (Official Journal 1983 L 195, p. 43),

* Language of the case: Greek.

THE COURT

composed of: O. Due, President, Sir Gordon Slynn and C. N. Kakouris, (Presidents of Chambers), G. F. Mancini, T. F. O'Higgins, G. C. Rodríguez Iglesias and M. Díez de Velasco, Judges,

(The grounds of the judgment are not reproduced.)

hereby:

(1) Declares void Commission Decision 87/368/EEC of 19 June 1987 on the clearance of the accounts presented by the Member States in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1983 in so far as the Commission has not charged to the European Agricultural Guidance and Guarantee Fund the amount representing the sums received on the sale of two consignments of 30 000 tonnes of common wheat;

(2) Dismisses the remainder of the application;

(3) Orders the Commission to pay the costs.