Judgment of the Court of First Instance (Second Chamber) of 22 November 2006 — Italy v Commission

(Case T-282/04)

EAGGF — Expenditure excluded from Community financing — Financial corrections — Rural development — Aid to the least well-off

1. *Procedure — Application initiating proceedings — Formal requirements (Rules of Procedure of the Court of First Instance, Art. 44(1)(c)) (see para. 60)*

2. *Agriculture — Common agricultural policy — EAGGF financing — Principles (Council Regulation No 1258/1999, Arts 1(2)(c) and 3(1)) (see para. 64)*

3. *Agriculture — Common agricultural policy — EAGGF financing — Support for rural development (Commission Regulation No 1750/1999, Arts 35(2) and (37)(1)) (see paras 69-78)*

4. *Agriculture — EAGGF — Clearance of accounts (Council Regulations Nos 729/70 and 1258/1999) (see paras 95-97)*

Re:

ACTION for partial annulment of Commission Decision 2004/457/EC of 29 April 2004 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) (OJ 2004 L 202, p. 35) in as far as it excludes certain expenditure made by the Italian Republic.

Operative part

The Court:

1. Dismisses the action;

2. Orders the Italian Republic to pay the costs.