Operative part

The Court:

1. Declares that, by failing:

   — in accordance with Article 4 of Council Directive 79/923/EEC of 30 October 1979 on the quality required of shellfish waters, to designate all shellfish waters requiring designation;

   — in accordance with Article 3 of Directive 79/923, to set all the required values in respect of shellfish waters designated or requiring designation pursuant to Article 4; and

   — in accordance with Article 5 of Directive 79/923, to take all necessary measures to establish pollution reduction programmes for waters requiring designation pursuant to Article 4,

   Ireland has failed to fulfil its obligations under that directive;

2. Orders Ireland to pay the costs.

Judgment of the Court (Eight Chamber) of 14 June 2007 — Commission v Italy

(Case C-82/06)

Failure of a Member State to fulfil its obligations — Environment — Waste — Hazardous waste — Directives 75/442/EEC and 91/689/EEC — Obligation to draw up and communicate waste management plans

1. *Actions for failure to fulfil obligations — Subject-matter of the dispute — Determination during the procedure prior to the action (Art. 226 EC) (see para. 14)*

2. *Acts of the Community institutions — Directives — Implementation by Member States (Art. 249 EC; Council Directive 75/442, as amended by Directives 91/156, and 91/689) (see paras 19, 34, 35, 37-39)*

3. *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. 25)*

4. *Member States — Obligations — Implementation of directives — Failure to fulfil obligations — National system pleaded as justification — Not permissible (Art. 226 EC) (see para. 26)*

Re:

Failure of a Member State to fulfil its obligations — Infringement of Article 7 of Council Directive 75/442/EEC of 15 July 1975 on waste (OJ 1975 L 194, p. 47), as amended by Council Directive 91/156/EEC of 18 March 1991 (OJ 1991 L 78, p. 32), and Article 6 of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste (OJ 1991 L 377, p. 20) — Obligation to communicate waste management plans.

Operative part

The Court:

1. Declares that, by failing to draw up:

   — a waste management plan in accordance with Article 7(1) of Council Directive 75/442/EEC of 15 July 1975 on waste, as amended by Council Directive 91/156/EEC of 18 March 1991, for the Province of Rimini;

— waste management plans including suitable sites or installations for the disposal of waste in accordance with the fourth indent of Article 7(1) of Directive 75/442, as amended by Directive 91/156, for the Region of Lazio;

— waste management plans in accordance with Article 6 of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste for the Regions of Friuli Venezia-Giulia and Puglia, the Autonomous Province of Bolzano Alto-Adige and the Province of Rimini,

the Italian Republic has failed to fulfil its obligations under those directives;

2. Orders the Italian Republic to pay the costs.

Judgment of the Court (Seventh Chamber) of 24 June 2007 — Commission v Luxembourg

(Case C-321/06)

Failure of a Member State to fulfil obligations — Directive 2002/14/EC — Informing and consulting employees — Failure to transpose within the period prescribed

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)