Re:

Failure of a Member State to fulfil its obligations — Failure to adopt within the period prescribed the provisions necessary to comply with Directive 2004/24/EC of the European Parliament and of the Council of 31 March 2004 amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use (OJ 2004 L 136, p. 85).

Operative part

The Court:

1. Declares that, by failing to adopt, within the period prescribed, the laws, regulations and administrative provisions necessary to comply with Directive 2004/24/EC of the European Parliament and of the Council of 31 March 2004 amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use, the Kingdom of Spain has failed to fulfil its obligations under that directive.

2. Orders the Kingdom of Spain to pay the costs.

Judgment of the Court (Fifth Chamber) of 18 July 2007 — Commission v Luxembourg

(Case C-61/07)

Failure of a Member State to fulfil obligations — Mechanism for monitoring greenhouse gas emissions — Implementation of the Kyoto Protocol

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. 7)

Re:

Failure of a Member State to fulfil obligations — Failure to communicate within the prescribed period the report containing the information required under Article 3(2) of Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol — Information on national projections of greenhouse gas emissions and measures taken to limit and/or reduce such emissions.

Operative part

The Court:

1. Declares that, by failing to communicate the information required under Article 3(2) of Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol, the Grand Duchy of Luxembourg has failed to fulfil its obligations under that provision.

2. Orders the Grand Duchy of Luxembourg to pay the costs.