ORDER OF THE COURT
16 December 1987 *

In Case 11/86

Commission of the European Communities, represented by its Legal Adviser, Alberto Prozzillo, acting as Agent, with an address for service in Luxembourg at the office of G. Kremlis, a member of its Legal Department, Jean Monnet Building, Kirchberg,

applicant,

v

Italian Republic, represented by Luigi Ferrari Bravo, Head of the Department for Contentious Diplomatic Affairs, acting as Agent, assisted by Oscar Fiumara, Avvocato dello Stato, with an address for service in Luxembourg at the Italian Embassy, 5 rue Marie-Adélaide,

defendant,

APPLICATION for a declaration that by refusing to apply certain provisions of Commission Decision 85/403/EEC of 19 June 1985 amending Decision 85/341/EEC concerning certain protective measures against African swine fever in Belgium and, in particular, by instructing veterinary health inspection authorities not to admit the pigmeat products referred to in Article 3 (2) (d) (ii) of Decision 85/403/EEC, the Italian Republic has failed to fulfil its obligations under the EEC Treaty,

THE COURT,

composed of: Lord Mackenzie Stuart, President, G. Bosco, O. Due, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias (Presidents of Chambers), T. Koopmans, U. Everling, K. Bahlmann, Y. Galmot, C. Kakouris, R. Joliet, T. F. O'Higgins and F. Schockweiler, Judges,

Advocate General: C. O. Lenz
Registrar: P. Heim

* Language of the Case: Italian.

after hearing the views of the Advocate General,

makes the following

Order

In a document lodged at the Court Registry on 9 November 1987, the applicant informed the Court, in accordance with Article 78 of the Rules of Procedure, that it wished to discontinue the proceedings and asked the Court to order the parties to bear their own costs.

By a telex message received at the Court Registry on 26 November 1987, the defendant took note of the discontinuance and raised no objection to the parties' bearing their own costs.

On those grounds,

THE COURT

hereby orders as follows:

(1) Case 11/86 is removed from the Register of the Court.

(2) The parties are ordered to bear their own costs.

Luxembourg 16 December 1987.

P. Heim
Registrar

A. J. Mackenzie Stuart
President