Operative part

The Court:

1. Dismisses the action as inadmissible;

2. Orders the Italian Republic to pay the costs.

Judgment of the Court of First Instance (Second Chamber) of 20 June 2006 — Greece v Commission

(Case T-251/04)

EAGGF — Expenditure excluded from Community financing — Public storage of rice — Force majeure — Processed fruit and vegetable products — Assistance to the needy — Restructuring programme in the fruit and vegetables sector — Flat-rate corrections — Time-limit of 24 months

1. *Agriculture — Common organisation of the markets — Rice — Public storage of rice (Commission Regulation No 708/98, Art. 6(1)) (see paras 46-54)*

2. *Agriculture — EAGGF — Clearance of accounts (Council Regulations Nos 729/70, as amended by Regulation No 2245/1999, Art. 5(2)(c), and 2201/96; Commission Regulations Nos 708/98 and 1663/95, Art. 8(1)) (see paras 74, 76-78, 96-101, 106, 107, 136, 137, 179-182)*

3. *Agriculture — EAGGF — Grant of aids and premiums (Commission Regulation No 3149/92, Art. 9) (see paras 138-142)*

4. *Agriculture — Common agricultural policy — Support to producers for the purpose of restructuring in the fruit and vegetable sector (Commission Regulation No 3816/92, Art. 2) (see paras 162-169)*

Re:

ACTION for the 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 so far as it excludes certain expenditure by the Hellenic Republic in the sectors of fruit and vegetables and public storage.

Operative part

The Court:

1. Dismisses the action;

2. Orders the Hellenic Republic to pay the costs.

Order of the President of the Court of First Instance of 26 June 2006 — Olympiakes Aerogrammes v Commission

(Case T-416/05 R)

Interim measures — Application for suspension of operation — State aid — Urgency

1. *Applications for interim measures — Suspension of operation — Interim relief — Conditions of grant — Urgency — Prima facie case — Cumulative requirements (Arts 225(1) EC, 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 47-49)*

2. *Applications for interim measures — Suspension of operation — Interim relief — Conditions of grant — Urgency (Arts 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 51, 52)*