

**Forms of order sought**

- Declare that the Kingdom of Spain has failed to fulfil its obligations under Article 4(2), (3), (4) and (5) of Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos,<sup>(1)</sup> in respect of certain zoos in the Autonomous Communities of Aragon, Asturias, the Balearic Islands, the Canary Islands, Cantabria, Castile and Leon, Valencia, Extremadura and Galicia:
- by failing to ensure that, by the date laid down in the Directive, all the zoos in its territory were licensed in accordance with paragraphs 2, 3 and, in the cases of Aragon, Asturias, the Canary Islands, Cantabria and Castile and Leon, 4 of Article 4 of the Directive; and
- by failing to order the closure of zoos, in accordance with Article 4(5) of the Directive, where they were not licensed;
- order the Kingdom of Spain to pay the costs.

**Pleas in law and main arguments**

The Commission considers that the Kingdom of Spain:

- has failed to ensure that, by the date laid down in the Directive, all the zoos in its territory were licensed in accordance with paragraphs 2, 3 and, in the cases of Aragon, Asturias, the Canary Islands, Cantabria and Castile and Leon, 4 of Article 4 of the Directive; and
- has failed to order the closure of zoos, in accordance with Article 4(5) of the Directive, where they were not licensed.

<sup>(1)</sup> OJ 1999 L 94, p. 24.

273/2004<sup>(1)</sup>, by failing to communicate those measures pursuant to Article 16 of that Regulation and by failing to adopt the national measures necessary to implement Articles 26(3) and 31 of Regulation (EC) No 111/2005<sup>(2)</sup>, Ireland has failed to fulfil its obligations under Regulation (EC) No 273/2004 on drug precursors and Regulation (EC) No 111/2005 laying down the rules for the monitoring of trade between the Community and third countries in drug precursors;

- order Ireland to pay the costs.

**Pleas in law and main arguments**

Member States are required to adopt the measures necessary to comply with the provisions of Regulations, within the time limits laid down in those Regulations, and to notify those measures forthwith to the Commission. The Government of Ireland has failed to adopt and communicate the measures required to implement Articles 10, 12 and 16 of Regulation (EC) no 273/2004 on drug precursors. The Government of Ireland has also failed to adopt measures in accordance with articles 26(3) and 31 of regulation (EC) no 111/2005 laying down the rules for the monitoring of trade between the Community and third countries in drug precursors.

<sup>(1)</sup> Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors  
OJ L 47, p. 1

<sup>(2)</sup> Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors  
OJ L 22, p. 1

**Action brought on 3 September 2009 — Commission of the European Communities v Ireland**

(Case C-355/09)

(2009/C 256/30)

*Language of the case: English*

**Parties**

*Applicant:* Commission of the European Communities (represented by: P. Oliver, A.-A. Gilly, Agents)

*Defendant:* Ireland

**The applicant claims that the Court should:**

- Declare that, by failing to adopt national measures necessary to implement Articles 10 and 12 of Regulation (EC) No

**Action brought on 11 September 2009 — Commission v Italian Republic**

(Case C-366/09)

(2009/C 256/31)

*Language of the case: Italian*

**Parties**

*Applicant:* Commission of the European Communities (represented by: G. Braun and E. Vesco, Agents)

*Defendant:* Italian Republic

**Form of order sought**

— Declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2006/43/EC <sup>(1)</sup> of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC, or in any event failing to communicate such provisions to the Commission, the

Italian Republic has failed to fulfil its obligations under Directive 2006/43/EC;

— Order the Italian Republic to pay the costs.

**Pleas in law and main arguments**

The period for implementing the directive expired on 28 June 2008.

---

<sup>(1)</sup> OJ 2006 L 157, p. 87.