

Case C-249/03 is referred to the Court of First Instance of the European Communities.

(<sup>1</sup>) OJ C 184 of 02.08.2003.

Articles 1, 2 and 9(g) of Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector and Article 1 of Commission Regulation (EEC) No 536/93 of 9 March 1993 laying down detailed rules on the application of the additional levy on milk and milk products must be interpreted as meaning that, in respect of the determination of milk quotas and the application of the additional levy, the fact that the milk-producing undertaking transfers, for payment, certain quantities of milk to third parties without relinquishing title to them, under a work contract relating to the treatment and processing of that milk into cheese, butter and skim milk, must be classified as delivery.

(<sup>1</sup>) OJ C 200, 23.8.2003.

## ORDER OF THE COURT

(Fourth Chamber)

of 18 November 2004

**in Joined Cases C-261/03 and C-262/03: Reference for a preliminary ruling from the Tribunale amministrativo regionale per l'Emilia-Romagna in *Allevamenti Associati Srl v Regione Emilia-Romagna and Latteria Sociale Moderna Soc. Coop. Arl v Azienda di Stato per gli interventi nel mercato agricolo (AIMA) and Others* (<sup>1</sup>)**

*(Reference for a preliminary ruling — Article 104(3) of the Rules of Procedure — Milk and milk products — Additional levy scheme — Treatment and processing by a dairy under a work contract — Concepts of 'delivery' and 'direct sale')*

(2005/C 69/06)

(Language of the case: Italian)

In Joined Cases C-261/03 and C-262/03: reference for a preliminary ruling under Article 234 EC from the Tribunale amministrativo regionale per l'Emilia-Romagna (Italy), made by decisions of 6 May 2003, received at the Court on 17 June 2003, in the proceedings **Allevamenti Associati Srl v Regione Emilia-Romagna**, supported by **Agenzia per le Erogazioni in Agricoltura (AGEA)** and **Latteria Sociale Moderna Soc. Coop. arl** (C-261/03), and **Latteria Sociale Moderna Soc. Coop. arl v Azienda di Stato per gli interventi nel mercato agricolo (AIMA), Servizio Provinciale Agricoltura di Reggio Emilia, Regione Emilia-Romagna**, and **Agenzia per le Erogazioni in Agricoltura (AGEA)**, supported by **Allevamenti Associati Srl** (C-262/03) – the Court (Fourth Chamber), composed of N. Colneric (Rapporteur), acting as President of the Fourth Chamber, J.N. Cunha Rodrigues and E. Juhász, Judges; L.A. Geelhoed, Advocate General; María Múgica Arzamendi, Principal Administrator, Registrar, made an order on 18 November 2004, the operative part of which is as follows:

## ORDER OF THE COURT

(Fourth Chamber)

of 19 October 2004

**in Case C-425/03: Reference for a preliminary ruling from the Giudice di pace di Milazzo in *Provvidenza Regio v AXA Assicurazioni SpA* (<sup>1</sup>)**

*(Reference for a preliminary ruling — Inadmissibility)*

(2005/C 69/07)

(Language of the case: Italian)

In Case C-425/03: reference for a preliminary ruling under Article 234 EC from the Giudice di pace di Milazzo (Italy), made by decision of 18 April 2003, received at the Court on 6 October 2003, in the proceedings between **Provvidenza Regio** and **AXA Assicurazioni SpA** the Court (Fourth Chamber), composed of K. Lenaerts (Rapporteur), President of Chamber, N. Colneric and J.N. Cunha Rodrigues, Judges; L.A. Geelhoed, Advocate General; R. Grass, Registrar, made an order on 19 October 2004, the operative part of which is as follows:

*The reference for a preliminary ruling made by the Giudice di pace di Milazzo, by decision of 18 April 2003, is manifestly inadmissible.*

(<sup>1</sup>) OJ C 289, 29.11.2003.