

COURT OF FIRST INSTANCE

Judgment of the Court of First Instance of 13 September 2006 — Sinaga v Commission(Joined Cases T-217/99, T-321/00 and T-222/01) ⁽¹⁾*(Sugar — Poseima Programme — Regulation (EEC) No 1600/92 — Sugar forecast supply balance for the Azores — Action for annulment — Admissibility — Definition of traditional shipment to the rest of the Community — Statement of reasons — Compliance with essential procedural requirements)*

(2006/C 281/45)

*Language of the case: Portuguese***Parties***Applicant:* Sociedade de Indústrias Agrícolas Açoreanas (Sinaga) SA (Ponta Delgada, Portugal) (represented by: M. Marques Mendes, lawyer)*Defendant:* Commission of the European Communities (represented by: in Case T-217/99, initially A. Alves Vieira and P. Oliver, then G. Berscheid, Agents, assisted by F. Costa Leite, lawyer, and in Cases T-221/01 and T-321/00, initially A. Alves Vieira and G. Berscheid, and then by G. Berscheid, assisted initially by N. Castro Marques, lawyer, and then F. Costa Leite, lawyer)**Re:**

Annulment, firstly, of the annex to Commission Regulation (EC) No 1434/1999 of 30 June 1999 establishing the sugar forecast supply balance for the 1999/2000 marketing year for the Azores, Madeira and the Canary Islands provided for in Council Regulations (EEC) No 1600/92 and (EEC) No 1601/92 (OJ 1999 L 166, p. 58); secondly, of Commission Regulation (EC) No 1481/2000 of 6 July 2000 establishing the sugar forecast supply balance for 2000/01 for the Azores, Madeira and the Canary Islands provided for in Council Regulations No 1600/92 and No 1601/92 (OJ 2000 L 167, p. 6) and also of the annex thereto and, thirdly, of the annex to Commission Regulation (EC) No 1281/2001 of 28 June 2001 establishing the forecast supply balance for sugar for the Azores, Madeira and the Canary Islands provided for in Council Regulations No 1600/92 and No 1601/92 for the period 1 July 2001 to 31 December 2001 (OJ 2001 L 176, p. 12) inasmuch as they set the quantities of sugar considered necessary for supplying the Azores

Operative part of the judgment*The Court:*

1. Dismisses the application;

2. Orders the applicant to pay the costs.

⁽¹⁾ OJ C 333, 20.11.1999.**Judgment of the Court of First Instance of 19 September 2006 — Lucchini SpA v Commission of the European Communities**(Case T-166/01) ⁽¹⁾*(ECSC — State aid — Environmental aid — Aid by Italy in favour of the Lucchini steel company — Refusal to authorise the proposed aid — Applicable legal framework — Eligibility of the notified investments as aid for environmental protection — Conditions governing the compatibility of aid with the common market — Statement of reasons)*

(2006/C 281/46)

*Language of the case: Italian***Parties***Applicant:* Lucchini SpA Brescia (Italy), represented by G. Vezzoli and G. Belotti, lawyers)*Defendant:* Commission of the European Communities (represented by V. Kreuzschitz and V. Di Bucci, acting as Agents)**Re:**

Annulment of Article 1 of Commission Decision 2001/466/ECSC of 21 December 2000, in so far as it declares the State aid which Italy was planning to implement for the steel company Lucchini SpA amounting to ITL 13,5 thousand million (EUR 6,98 million) to be incompatible with the common market (OJ 2001 L 163, p. 24)

Operative part of the judgment*The Court:*

1. Annuls Article 1 of Commission Decision 2001/466/ECSC of 21 December 2000 on the State aid which Italy is planning to implement in favour of the steel companies Lucchini SpA and Siderpotenza SpA in so far as it includes, in the amount of the State aid granted to Lucchini SpA and declared incompatible with the common market, the sums of ITL 2,7 thousand million (EUR 1,396 million) and ITL 1,38 thousand million (EUR 713 550) which correspond to the environmental investments notified by the Italian authorities for the coking plant and the water and sewerage networks respectively;