

vessels of more than 12 m in length overall (notified under document number C(2003) 1113) (OJ 2003 L 90, p. 48), but dismissing the applications lodged by the appellants as inadmissible — Persons (who are not) individually concerned by the annulled decision

Operative part of the judgment

The Court:

1. Sets aside the judgment of the Court of First Instance of the European Communities of 13 June 2006 in Joined Cases T-218/03 to T-240/03 *Boyle and Others v Commission* (i) in so far as it dismissed as inadmissible the applications of Mr Flaherty, Mr Murphy and Ocean Trawlers Ltd for annulment of Commission Decision 2003/245/EC of 4 April 2003 on the requests received by the Commission to increase MAGP IV objectives to take into account improvements on safety, navigation at sea, hygiene, product quality and working conditions for vessels of more than 12 m in length overall, and (ii) in so far as it ordered the appellants to bear their own costs;
2. Annuls Decision 2003/245 in so far as it applies to the vessels of Mr Flaherty, Mr Murphy and Ocean Trawlers Ltd;
3. Orders the Commission of the European Communities to pay the costs incurred by Mr Flaherty, Mr Murphy and Ocean Trawlers Ltd in respect of both the proceedings at first instance and the present appeals.

⁽¹⁾ OJ C 281, 18.11.2006.
OJ C 294, 2.12.2006.

Judgment of the Court (Grand Chamber) of 15 April 2008 (reference for a preliminary ruling from the Tribunale ordinario di Roma) — *Nuova Agricast Srl v Ministero delle Attività Produttive*

(Case C-390/06) ⁽¹⁾

(State aid — Aid scheme authorised for a specific period — Notification of the amended aid scheme for a new period — Transitional measures between the two schemes — Decision of the Commission not to raise objections — Information available to the Commission — Validity of the Commission's decision — Equal treatment — Statement of reasons)

(2008/C 142/07)

Language of the case: Italian

Referring court

Tribunale ordinario di Roma

Parties to the main proceedings

Applicant: Nuova Agricast Srl

Defendant: Ministero delle Attività Produttive

Re:

Preliminary ruling — Tribunale ordinario di Roma — Validity of the Commission Decision of 12 July 2000 declaring compatible with the Treaty an aid scheme provided for under Italian legislation in the form of aid for investment in the less-favoured regions of Italy (SG(2000)D/105754)

Operative part of the judgment

Examination of the question submitted has revealed nothing which might affect the validity of the decision of the Commission of 12 July 2000 not to raise objections against an aid scheme for investment in the less-favoured regions of Italy until 31 December 2006 (State aid No N 715/99 — Italy).

⁽¹⁾ OJ C 294, 2.12.2006.

Judgment of the Court (First Chamber) of 17 April 2008 (reference for a preliminary ruling from the Bundesgerichtshof — Germany) — *Quelle AG v Bundesverband der Verbraucherzentralen und Verbraucherverbände*

(Case C-404/06) ⁽¹⁾

(Consumer protection — Directive 1999/44/EC — Sale of consumer goods and associated guarantees — Right of the seller, where goods not in conformity are replaced, to require the consumer to pay compensation for the use of those goods — No charge for the use of the goods not in conformity)

(2008/C 142/08)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Applicant: Quelle AG

Defendant: Bundesverband der Verbraucherzentralen und Verbraucherverbände