

## COURT OF JUSTICE

### JUDGMENT OF THE COURT

of 17 June 1987

**in Case 154/85: Commission of the European Communities v. Italian Republic <sup>(1)</sup>**

***(Failure of a Member State to fulfil its obligations — Articles 30 and 36 of the Treaty — Parallel imports of vehicles)***

(87/C 183/08)

*(Language of the case: French)*

*(Provisional translation; the definitive translation will be published in the Reports of Case before the Court)*

In Case 154/85: Commission of the European Communities (Agent: Antonio Abate) against Italian Republic (Agent: Luigi Ferrari Bravo, assisted by O. Fiumara, Avvocato dello Stato) — application for a declaration that the Italian Republic has failed to fulfil its obligations under Article 30 of the EEC Treaty with regard to parallel imports of motor vehicles from other Member States — the Court, composed of Lord Mackenzie Stuart, President, Y. Galmot and C. N. Kakouris (Presidents of Chambers), G. Bosco, T. Koopmans, U. Everling, R. Joliet, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias, Judges; M. Darmon, Advocate General; B. Pastor, Administrator, acting for the Registrar, gave a Judgment on 17 June 1987, the operative part of which is as follows:

1. *By adopting, in succession, Circulars Nos 66/84, 125/84 and 22/85, applicable from 1 July 1984 to 21 June 1985, the Italian Republic has failed to fulfil its obligations under Article 30 of the Treaty;*
2. *The Italian Republic is ordered to pay the costs.*

<sup>(1)</sup> OJ No C 158, 28. 6. 1985.

### JUDGMENT OF THE COURT

of 17 June 1987

**in Case 394/85: Commission of the European Communities v. Italian Republic <sup>(1)</sup>**

***(Additional levy in the milk and milk products sector)***

(87/C 183/09)

*(Language of the case: Italian)*

*(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)*

In Case 394/85: Commission of the European Communities (Agent: A. Prozillo) against Italian

<sup>(1)</sup> OJ No C 355, 31. 12. 1985.

Republic (Agent: L. Ferrari Bravo, assisted by I. Braguglia, Avvocato dello Stato) — application for a declaration under Article 169 of the Treaty that, by failing to adopt within the prescribed periods the measures necessary to apply the additional levy in the milk and milk products sector, the Italian Republic has failed to fulfil its obligations under the Treaty provisions on the common organization of the markets in the milk and milk products sector and under Article 5 of the Treaty — the Court, composed of Lord Mackenzie Stuart, President, C. N. Kakouris and F. A. Schockweiler (Presidents of Chambers), G. Bosco, T. Koopmans, U. Everling, R. Juliet, J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias, Judges; Sir Gordon Slynn, Advocate General; D. Louterman, Administrator, acting for the Registrar, gave a Judgment on 17 June 1987, the operative part of which is as follows:

1. *By failing to adopt within the prescribed periods the measures required by Council Regulations (EEC) No 856 and (EEC) No 857/84 of 31 March 1984 and by Commission Regulation (EEC) No 1371/84 of 16 May 1984, the Italian Republic has failed to fulfil its obligations under those Regulations;*
2. *The Italian Republic is ordered to pay the costs.*

### JUDGMENT OF THE COURT

of 16 June 1987

**in Case 46/86 (reference for a preliminary ruling made by the Arrondissementsrechtbank, Zwolle): Albert Romkes v. Officier van Justitie for the District of Zwolle <sup>(1)</sup>**

***(Validity of a Regulation fixing plaice-catch quotas)***

(87/C 183/10)

*(Language of the case: Dutch)*

*(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)*

In Case 46/86: reference to the Court under Article 177 of the EEC Treaty by the Arrondissementsrechtbank (District Court), Zwolle, for a preliminary ruling in the proceedings pending before that court between Albert Romkes and the Officier van Justitie (Public Prosecutor) for the District of Zwolle — on the validity of Council Regulation (EEC) No 1/85 of 19 December 1984 fixing,

<sup>(1)</sup> OJ No C 98, 26. 4. 1986.