

**Re**

ACTION for the annulment of the Commission's letter of 31 March 2000 relating to various financial measures of the European Social Fund (ESF) granted to a number of operational programmes under the Community scheme of support for the achievement of Objectives 1, 3 and 4 in Italy (Centre-North and Mezzogiorno)

**Operative part**

The Court:

1. Dismisses the application as inadmissible;
2. Orders the applicant to bear its own costs and pay those of the Commission.

**Order of the Court of First Instance (Fourth Chamber) of 27 October 2005 —  
GAEC Salat v Commission**

**(Case T-89/05)**

Action for failure to act — Complaint concerning the protected designation of origin 'Salers' — Regulation (EC) No 828/2003 — Definition of position by the Commission — Manifest inadmissibility

1. *Actions for failure to act — Failure remedied before commencement of proceedings — Inadmissibility — Definition of position failing to satisfy the applicant — Not relevant (Art. 232 EC) (see paras 19, 22)*

2. *Actions for failure to act — Natural or legal persons — Actionable omissions — Omission to initiate proceedings for failure to act — Inadmissibility (Arts 226 EC and 232, third para., EC) (see paras 24-25)*
  
3. *Procedure — Application initiating proceedings — Establishment of the subject-matter of a claim — Amendment of the forms of order initially sought at the stage of observations on the plea as to inadmissibility — Inadmissibility (Rules of Procedure of the Court of First Instance, Arts 44 (1) and 48(2)) (see para. 28)*

## **Re**

ACTION for declaration of failure to act in that the Commission failed to adopt a decision on the applicant's complaint against the French Republic

## **Operative part**

The Court:

1. Dismisses the action as manifestly inadmissible;
  
2. Orders the applicant to pay the costs.