

The applicants also raise the point of a violation of the principles of consistency and uniform application of Community law, of proportionality and of legal certainty and legitimate expectations.

In addition, the applicants claim that the contested measure also departs from the letter and the spirit of the international agreements to which it expressly refers (OSPAR, HELCOM and the Barcelona Convention).

⁽¹⁾ OJ L 331, of 15.12.2001, p. 1.

⁽²⁾ OJ L 170, of 25.6.1992, p. 40.

⁽³⁾ OJ L 327, of 22.12.2000, p. 1.

Action brought on 26 February 2002 by Finchimica, S.p.A. and I.Pi.Ci. — Industria Prodotti Chimici, S.p.A. against the European Parliament and the Council of the European Union

(Case T-46/02)

(2002/C 144/97)

(Language of the case: English)

An action against the European Parliament and the Council of the European Union was brought before the Court of First Instance of the European Communities on 26 February 2002 by Finchimica, S.p.A. and I.Pi.Ci. — Industria Prodotti Chimici, S.p.A., represented by Mr Koen Van Maldegem and Mr Claudio Mereu of McKenna & Cuneo LLP, Brussels (Belgium).

The applicant claims that the Court should:

- partially annul Decision no. 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC⁽¹⁾, so as to remove trifluralin from the measure;
- order the defendants to pay all costs and expenses in these proceedings.

Pleas in law and main arguments

The applicants seek the partial annulment of Decision no. 2455/2001/EC which includes the applicants' plant protec-

tion product active substance trifluralin in the list of priority substances which will be restricted in the EU insofar as it entails direct or indirect 'discharges, emissions and losses' in the aquatic environment during normal agricultural use.

The pleas in law and main arguments are similar to those relied upon in Case T-45/02 (DOW AgroSciences and Others - v- Parliament and Council)⁽²⁾.

⁽¹⁾ OJ [2001] L 331, p. 1.

⁽²⁾ See p. 46 of the present Official Journal.

Action brought on 27 February 2002 by Makhteshim-Agan Holding B.V. against the European Parliament and the Council of the European Union

(Case T-57/02)

(2002/C 144/98)

(Language of the case: English)

An action against the European Parliament and the Council of the European Union was brought before the Court of First Instance of the European Communities on 27 February 2002 by Makhteshim-Agan Holding B.V., represented by Mr Philippe Logelain, Mr Koen Van Maldegem and Mr Claudio Mereu of McKenna & Cuneo, LLP, Brussels (Belgium).

The applicant claims that the Court should:

- order the partial annulment of Decision no. 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances and priority hazardous substances in the field of water policy and amending Directive 2000/60/EC, so as to remove the applicant's substances — Atrazine, Chlorpyrifos, Diuron, Endosulfan, Isoproturon (IPU), Simazine and Trifluralin — from the measure;
- order the defendants to pay all costs and expenses in these proceedings.