

(Third Chamber, Extended Composition), composed of J. Azizi, President of the Chamber, K. Lenaerts, V. Tiili, R.M. Moura Ramos and M. Jaeger, Judges; J. Plingers, Administrator, for the Registrar, has given a judgment on 6 March 2002 in which it:

1. Declares that there is no need to adjudicate on the application;
2. Orders the applicant to pay the costs.

<sup>(1)</sup> OJ C 281 of 2.10.1999.

#### JUDGMENT OF THE COURT OF FIRST INSTANCE

of 7 March 2002

**in Case T-212/99: Intervet International BV v Commission of the European Communities<sup>(1)</sup>**

*(Regulation (EEC) No 2377/90 — Veterinary medicinal products — Application for the inclusion of 'Altrenogest' in the list of substances for which a provisional maximum residue limit may be established — Opinion of the Committee for Veterinary Medicinal Products (CVMP) — Action for annulment — Inadmissibility — Action for failure to act — Adoption of a position putting an end to the inaction — No need to adjudicate)*

(2002/C 156/31)

(Language of the case: English)

In Case T-212/99, Intervet International BV, formerly Hoechst Roussel Vet GmbH, established in Boxmeer (Netherlands), represented by D. Waelbroek and D. Brinckman, lawyers, with an address for service in Luxembourg, v Commission of the European Communities (Agents: T. Christoforou, H. Stolvbaek and F. Ruggeri-Laderchi): Application for the annulment of an alleged Commission decision rejecting an application by the applicant for the insertion of the substance 'altrenogest' in Annex III to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ 1990 L 224, p. 1) and, in the alternative, for a declaration that the Commission unlawfully failed to prepare a draft of measures to be taken with a view to such insertion and to initiate the procedure laid down in Article 8 of that regulation. The Court of First Instance (Second Chamber), composed of: R.M. Moura Ramos, President, J. Pirrung and A.W.H. Meij, Judges; H. Jung, Registrar, has given a judgment on 7 March 2002, in which it:

1. Dismisses the claim for annulment as inadmissible;

2. Declares that there is no longer need to adjudicate on the claim for a declaration that the Commission failed to act;
3. Orders the Commission to bear its own costs and to pay one half of the applicant's costs.

<sup>(1)</sup> OJ C 352 of 4.12.1999.

#### JUDGMENT OF THE COURT OF FIRST INSTANCE

of 28 February 2002

**in Joined Cases T-227/99 and T-134/00: Kvaerner Warnow Werft GmbH v Commission of the European Communities<sup>(1)</sup>**

*(State aids — Shipbuilding — Former German Democratic Republic — Limits on capacity — Composition of the Commission — Commission Member given leave of absence — Election of Commission Members to the European Parliament)*

(2002/C 156/32)

(Language of the case: German)

In Joined Cases T-227/99 and T-134/00: Kvaerner Warnow Werft GmbH, established in Rostock-Warnemünde (Germany), represented by M. Schütte, lawyer, with an address for service in Luxembourg, v Commission of the European Communities (Agent: K.-D. Borchardt) — application for annulment of Commission Decision 1999/675/EC of 8 July 1999, as amended, and of Commission Decision 2000/336/EC of 15 February 2000 on State aid granted by the Federal Republic of Germany to Kvaerner Warnow Werft GmbH (OJ 1999 L 274, p. 23 and OJ 2000 L 120, p. 12, respectively) — the Court of First Instance (Fourth Chamber, Extended Composition), composed of: P. Mengozzi, President, R. García-Valdecasas, V. Tiili, R.M. Moura Ramos and J.D. Cooke, Judges; D. Christensen, Administrator, for the Registrar, has given a judgment on 28 February 2002, in which it:

1. Annuls Commission Decision 1999/675/EC of 8 July 1999 on the State aid implemented by Germany in favour of Kvaerner Warnow Werft GmbH, as amended by Commission Decision 2000/416/EC of 29 March 2000 on State aid implemented by Germany in favour of Kvaerner Warnow Werft GmbH (1999) and Commission Decision 2000/336/EC of 15 February 2000 on State aid implemented by Germany in favour of Kvaerner Warnow Werft GmbH;