

Commission of the European Communities (Agent: J. Currall) — application for, first, annulment of the decision of the Commission of 29 July 2001 fixing the applicant's place of recruitment at Brussels and refusing to grant her the daily subsistence allowance and, secondly, for an order requiring the Commission to pay the applicant the amounts corresponding to her entitlement stemming from her place of recruitment being fixed at Rome — the Court of First Instance (Single-judge Chamber); Blanca Pastor, Deputy Registrar, gave a judgment on 5 March 2003, in which it:

1. *dismisses the application;*
2. *orders the parties to bear their own costs.*

(¹) OJ C 44 of 16.2.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 13 March 2003

in Case T-166/02: José Pedro Pessoa e Costa v Commission of the European Communities (¹)

(Officials — Decision to institute disciplinary proceedings — Decision rejecting a request for transfer to the European Monitoring Centre for Drugs and Drug Addiction)

(2003/C 124/35)

(Language of the case: French)

In Case T-166/02: José Pedro Pessoa e Costa, official of the Commission of the European Communities, residing in Lisbon, represented by J.N. Louis, E. Marchal and A. Coolen, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agents: J. Currall, F. Clotuche-Duvieusart and D. Waelbroeck) — application for annulment, first, of the decision of the Commission of 3 July 2001 to institute disciplinary proceedings against the applicant and, second, of its decision of 23 July 2001 rejecting the request of the Director of the European Monitoring Centre for Drugs and Drug Addiction that the applicant be transferred to that body — the Court of First Instance (Third Chamber), composed of K. Lenaerts, President, J. Azizi and M. Jaeger, Judges; D. Christensen, Administrator, for the Registrar, has given a judgment on 13 March 2003 in which it:

1. *Annuls the decision of the Commission of 23 July 2001 rejecting the request of the Director of the European Monitoring Centre for Drugs and Drug Addiction that the applicant be transferred to that body.*

2. *Dismisses the remainder of the application as inadmissible.*
3. *Orders the Commission to bear, in addition to its own costs, half of the costs incurred by the applicant.*
4. *Orders the applicant to bear half of his costs.*

(¹) OJ C 180, 27.7.2002.

ORDER OF THE COURT OF FIRST INSTANCE

of 20 March 2003

in Case T-76/94: Rendert Jansma v Council of the European Union and Commission of the European Communities (¹)

(Action for damages — Non-contractual liability — Milk — Additional levy — Reference quantity — Producer having entered into a non-marketing undertaking — Sale of the SLOM holding — Limitation period — No need to adjudicate)

(2003/C 124/36)

(Language of the case: Dutch)

In Case T-76/94: Rendert Jansma, residing in Engelbert (Netherlands), represented by E.H. Pijnacker Hordijk and H.J. Bronkhorst, lawyers, with an address for service in Luxembourg, against Council of the European Union (Agent: A.-M. Colaert) and Commission of the European Communities (Agents: T. van Rijn and H.-J. Rabe) — application for compensation under Article 178 and the second paragraph of Article 215 of the EC Treaty (now Article 235 EC and the second paragraph of Article 288 EC) for damage suffered by the applicant as a result of his having been prevented from marketing milk by virtue of Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector (OJ 1984 L 90, p. 13), as supplemented by Commission Regulation (EEC) No 1371/84 of 16 May 1984 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68 (OJ 1984 L 132, p. 11) — the Court of First Instance (First Chamber), composed of B. Vesterdorf, President, R.M. Moura Ramos and H. Legal, Judges; H. Jung, Registrar, made an order on 20 March 2003, the operative part of which is as follows:

1. *There is no longer any need to adjudicate.*
2. *The defendant is to bear its own costs.*

(¹) OJ 1994 C 90.