

## JUDGMENT OF THE COURT OF FIRST INSTANCE

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of 21 September 2004

of 14 September 2004

in Case T-104/02: *Société française de transports Gondrand Frères SA v Commission of the European Communities* <sup>(1)</sup>

in Case T-290/02: *Associazione Consorzi Tessili (Ascontex) v Commission of the European Communities* <sup>(1)</sup>

*(Remission of import duties — Article 1(3) of Regulation (EC) No 3319/94 — Meaning of ‘special situation’ under Article 905 of Regulation (EEC) No 2454/93 — Anti-dumping duty on imports of urea ammonium nitrate solution originating in Poland — Direct invoicing of the importer)*

*(European Regional Development Fund — Community initiative for small and medium-sized enterprises — Organisation of ‘IBEX’ reverse exhibitions — Cancellation and demand for repayment of financial assistance — Regulation (EEC) No 4253/88 — Article 24 — Action for annulment)*

(2004/C 284/30)

(2004/C 284/31)

*(Language of the case: French)**(Language of the case: French)*

*(Provisional translation; the definitive translation will be published in the European Court Reports)*

In Case T-104/02: *Société française de transports Gondrand Frères SA*, established in Paris (France), represented by M. Famchon, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agents: C. Durand, B. Stromsky and X. Lewis, with an address for service in Luxembourg) — application for annulment of Commission decision C(2002) 24 final, of 14 January 2002, finding there to be no grounds for remission of import duties in a particular case — the Court of First Instance (Fifth Chamber, Extended Composition), composed of P. Lindh, President, R. García-Valdecasas, J.D. Cooke, P. Mengozzi and M.E. Martins Ribeiro, Judges; I. Natsinas, Administrator, for the Registrar, has given a judgment on 21 September 2004, in which it:

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

<sup>(1)</sup> OJ C 156 of 29.6.2002.

In Case T-290/02: *Associazione Consorzi Tessili (Ascontex)*, represented by P. Mbaya Kapita and L. Denis, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agents C. Giolito and L. Flynn, with an address for service in Luxembourg) — application for annulment of Commission Decision C(2002) 1702 of 12 July 2002 cancelling FEDER subsidy No 97.05.10.001 granted to the applicant by Decision SG(98)D/2251 of 18 March 1998 and ordering repayment of the sum advanced by the Commission in the context of a project relating to the organisation of an international exhibition in the textile and clothing sector on Capri (Euresprit project) — the Court (Second Chamber), composed of: J. Pirrung, President, A.W.H. Meij and N.J. Forwood, Judges; I. Natsinas, Administrator, for the Registrar, has given a judgment on 14 September 2004, in which it:

1. Dismisses the application;
2. Orders the applicant to bear its own costs and to pay those incurred by the Commission.

<sup>(1)</sup> OJ C 289 of 23.11.2002.