

Fourth, according to the applicant, it is apparent from neither the statement of grounds in the contested decision nor the underlying national decision that it can still be regarded as facilitating terrorist acts.

Finally, the applicant complains of breach of the principle of proportionality, of essential procedural requirements inasmuch as the Council has not investigated the desirability of maintaining the applicant on the list, of the right to unfettered enjoyment of property, and of the requirement for a proper statement of reasons.

(¹) 2001/931/CFSP (OJ 2001 L 344, p. 93).

Action brought on 7 September 2007 — FMC Chemical and Others v Commission

(Case T-349/07)

(2007/C 269/112)

Language of the case: English

Parties

Applicants: FMC Chemical SPRL (Brussels, Belgium), Satec Handelsgesellschaft mbH (Elmshorn, Germany), Belchim Crop Protection NV (Londerzeel, Belgium), FMC Foret SA (Sant Cugat del Valles, Spain), F&N Agro Slovensko s.r.o. (Bratislava, Slovakia), F&N Agro Česká republika s.r.o. (Prague, Czech Republic), F&N Agro Polska sp. z.o.o. (Warsaw, Poland) and FMC Corp. (Philadelphia, United States of America) (represented by: C. Mereu and K. Van Maldegem, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- Order the annulment of Decision 2007/415/EC;
- declare the illegality and inapplicability *vis-à-vis* the first applicants and the review of its carbosulfan dossier of Article 20 of Commission Regulation (EC) No 1490/2002;
- order the defendant to pay all costs and expenses in these proceedings.

Pleas in law and main arguments

The pleas in law and main arguments relied on by the applicants are identical or similar to those relied on in Case T-326/07 *Cheminova and Others v Commission*.

Action brought on 14 September 2007 — Commission v Rednap

(Case T-352/07)

(2007/C 269/113)

Language of the case: Swedish

Parties

Applicant: Commission of the European Communities (represented by: D. Triantafyllou and J. Enegren, acting as Agents)

Defendant: Rednap (Malmö, Sweden)

Form of order sought

- Order the defendant to
 - pay the claimant the sum of EUR 516 329,63 (five hundred and sixteen thousand three hundred and twenty-nine euros and sixty-three cents), broken down into EUR 334 375,49 in capital and EUR 181 954,14 in late payment interest for the period from the last payment date for the capital sum in accordance with the relevant debit note to 31 July 2007 inclusive;
 - pay late payment interest, from 1 August 2007 to the date on which the debt is paid in its entirety, with regard to the debt under contract DE 3010 (DE) 'RISE', in the daily amount of EUR 72,04 (seventy-two euros and four cents) and, with regard to the debt under contract HC 4007 (HC) 'HEALTHLINE', in the daily amount of EUR 37,89 (thirty-seven euros and eighty-nine cents);
 - pay the costs of these proceedings.

Pleas in law and main arguments

The applicant claims in the present case, which is based on an arbitration clause, that the defendant is obliged to reimburse an excess payment made by the Commission in connection with the performance of contracts No DE 3010 (DE) 'RISE' and No HC 4007 (HC) 'HEALTHLINE' concerning the information technology project in which the Commission was involved with the defendant in the latter's capacity as a member of a consortium.

After audits of the defendant's accounts for the contracts, the Commission reached the conclusion that the defendant had not used the entire amount paid for implementation of the project. The applicant has frequently requested repayment of the outstanding amount which gives rise to this action.