

**Re:**

Application to suspend the operation of the debit notes bearing the numbers 3240905385, 3240905379, 3240905378 and 3240905393 issued by the Commission in connection with the contracts JAI/DAP/2000/338-C, JAI/2001/DAP/161/C, JAI/2002/DAP/094-W and JAI/2003/DAP/080-W

**Operative part of the order**

1. *The application is inadmissible.*
2. *The applicant shall bear its own costs.*

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**Action brought on 24 July 2007 — Dimos Peramatos v Commission**

(Case T-312/07)

(2007/C 283/53)

*Language of the case: Greek*

**Parties**

*Applicant:* Dimos Peramatos (Municipality of Perama, Greece) (represented by: G. Gerapetritis and P. Petropoulos)

*Defendant:* Commission of the European Communities

**Form of order sought**

- annul the contested measure so that any obligation owed by the applicant to refund sums paid within the framework of the project LIFE97/ENV/GR/000380 ceases or, in the alternative, amend the contested measure so as to oblige the applicant to pay EUR 93 795,32, the sum calculated to be the ineligible expenditure, as the Commission itself has acknowledged;
- order the Commission to pay the costs of the proceedings and in particular the costs incurred by the applicant on lawyers' fees.

**Pleas in law and main arguments**

This application seeks the annulment of the Commission decision of 7 December 2005, served by bailiff on the applicant for the purposes of enforcement on 17 May 2007, relating to Debit Note No 3240504536 which was issued to the Municipality of Perama to recover the financial contribution which had been paid by the Commission in the context of the subsidy granted to the Municipality of Perama by Commission Decision C(97)/1997/29 final.

The applicant pleads an error of fact and incorrect interpretation of the Commission decision. More specifically, the applicant infers that its obligation was exclusively to plant the trees and did not in any event involve their subsequent survival, since any subsequent destruction of the trees could not be attributed to the municipality. Therefore, it considers that its legal obligation was exhausted with regard to provision of the works and it was not possible in that connection to seek the payment of sums from it, except where the documentation submitted did not meet the eligibility conditions laid down by the decision.

Also, the applicant submits that the contested measure infringes the general principle requiring reasons to be stated for measures of the Community institutions and the general principle of the protection of legitimate expectations.

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

(Case T-350/07)

(2007/C 283/54)

*Language of the case: English*

**Parties**

*Applicants:* FMC Chemical SPRL (Brussels, Belgium), Arysta Lifesciences SAS (Nogueres, France), Belchim Crop Protection NV (Londerzeel, Belgium), FMC Foret SA (Barcelona, 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 (Warsaw, Poland), FMC Corp. (Philadelphia, United States) (represented by: K. Van Maldegem, C. Mereu, lawyers)

*Defendant:* Commission of the European Communities

**Form of order sought**

- Annulment of Commission Decision 2007/416/EC;
- declare the illegality and inapplicability *vis-à-vis* the applicants and the review of the Carbofuran dossiers 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*.

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