

**Judgment of the Court of First Instance of 2 October 2009**  
— **Cyprus v Commission**

(Joined Cases T-300/05 and T-316/05) <sup>(1)</sup>

*(Agriculture — Common organisation of the markets — Transitional measures to be adopted by reason of the accession of new Member States — Regulation (EC) No 651/2005 laying down transitional measures in the sugar sector — Action for annulment — Period within which proceedings must be commenced — Point from which time starts to run — Delay — Amendment of a provision of a regulation — Reopening of the action against that provision and all provisions forming a body of rules with it — Inadmissibility — Regulation (EC) No 832/2005 on the determination of surplus quantities of sugar, isoglucose and fructose — Plea of illegality — Jurisdiction — Principle of non-discrimination — Legitimate expectations — Action for annulment — Proportionality — Statement of reasons — Non-retroactivity — Collegiality)*

(2009/C 282/68)

Language of the case: Greek

**Parties**

*Applicant:* Republic of Cyprus (represented by: P. Kliridis, K. Lykourgos and A. Pantazi-Lamprou, Agents)

*Defendant:* Commission of the European Communities (represented by: initially L. Visaggio and H. Tserepa-Lacombe and subsequently by T. van Rijn and H. Tserepa-Lacombe, Agents)

*Interveners in support of the applicant:* Republic of Estonia (Case T-316/05) (represented by: L. Uibo, Agent); and Republic of Latvia (represented by: E. Balode-Buraka, Agent)

**Re:**

In Case T-300/05, application for annulment of Commission Regulation (EC) No 651/2005 of 28 April 2005 amending Regulation (EC) No 60/2004 laying down transitional measures in the sugar sector by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (OJ 2005 L 108, p. 3) and, in Case T-316/05, application for annulment of Commission Regulation (EC) No 832/2005 of 31 May 2005 on the determination of surplus quantities of sugar, isoglucose and fructose for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (OJ 2005 L 138, p. 3)

**Operative part of the judgment**

*The Court:*

1. Dismisses the actions;
2. Orders the Republic of Cyprus to bear its own costs and to pay those incurred by the Commission;

3. Orders the Republic of Estonia and the Republic of Latvia to bear their own costs.

<sup>(1)</sup> OJ C 271, of 29.10.2005.

**Judgment of the Court of First Instance of 2 October 2009**  
— **Estonia v Commission**

(Case T-324/05) <sup>(1)</sup>

*(Agriculture — Common organisation of the markets — Transitional measures to be adopted by reason of the accession of new Member States — Regulation (EC) No 832/2005 laying down transitional measures in the sugar sector — Action for annulment — Collegiality — Concept of 'stock' — Circumstances in which stocks were built up — Statement of reasons — Sound administration — Good faith — Non-discrimination — Right of property — Proportionality)*

(2009/C 282/69)

Language of the case: Estonian

**Parties**

*Applicant:* Republic of Estonia (represented by: L. Uibo, Agent)

*Defendant:* Commission of the European Communities (represented by: initially L. Visaggio and E. Randvere and subsequently by T. van Rijn, H. Tserepa-Lacombe and E. Randvere, Agents)

*Intervener in support of the applicant:* Republic of Latvia (represented by: initially E. Balode-Buraka, L. Ostrovskā and K. Drēviņa, Agents)

**Re:**

Application for annulment of Commission Regulation (EC) No 832/2005 of 31 May 2005 on the determination of surplus quantities of sugar, isoglucose and fructose for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (OJ 2005 L 138, p. 3)

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders the Republic of Estonia to bear its own costs and pay those incurred by the Commission of the European Communities;
3. Orders the Republic of Latvia to bear its own costs.

<sup>(1)</sup> OJ C 271, of 29.10.2005.