

**Order of the Court of First Instance of 22 December 2009  
— Associazione Giùlemanidallajuve v Commission**

(Case T-254/08) <sup>(1)</sup>

*(Alleged infringements of Articles 81 EC and 82 EC —  
Complaint — Application for a declaration of failure to act  
— Adoption of a position by the Commission bringing the  
failure to act to an end — No need to adjudicate)*

(2010/C 51/61)

*Language of the case: French*

**Parties**

*Applicant:* Associazione Giùlemanidallajuve (Cerignola, Italy)  
(represented by: L. Mission, A. Kettels, G. Ernes and A. Pel,  
lawyers)

*Defendant:* European Commission (represented by: A. Bouquet,  
Agent)

**Re:**

Application seeking a declaration, under Article 232 EC, that the Commission unlawfully abstained from adopting a position on the applicant's complaint, concerning infringements of Articles 81 EC and 82 EC allegedly committed by the Federazione Italiana Giuoco Calcio (FIGC), the Comitato Olimpico Nazionale Italiano (CONI), the Union of European Football Associations (UEFA) and the International Federation of Association Football (FIFA).

**Operative part of the order**

1. *There is no further need to adjudicate on the action.*
2. *The Associazione Giùlemanidallajuve and the European Commission shall bear their own costs.*

<sup>(1)</sup> OJ C 223, 30.8.2008.

**Order of the General Court of 5 January 2010 — Química Atlântica v Commission**

(Case T-71/09) <sup>(1)</sup>

*(Action for failure to act — Adoption of a position — Article 44(1)(c) of the Rules of Procedure of the Court of First Instance — Inadmissibility)*

(2010/C 51/62)

*Language of the case: Portuguese*

**Parties**

*Applicant:* Química Atlântica L<sup>da</sup> (Lisbon, Portugal) (represented by: J. Teixeira Alves, lawyer)

*Defendant:* European Commission (represented by: M. Afonso and L. Bouyon, acting as Agents)

**Re:**

Application for a declaration that the Commission failed to act in that it unlawfully failed to take the measures necessary to harmonise the tariff heading criteria for dicalcium phosphate, and an application for reimbursement of the difference between the amounts that the applicant has had to pay since 1995 by way of customs duties and those which would have been payable had the rate for Tariff Code 28 35 52 90 been applied to the importation of dicalcium phosphate from Tunisia or an indemnity of an equivalent amount.

**Operative part of the order**

1. *The action is dismissed.*
2. *There is no need to adjudicate on Timab Ibérica SL's application to intervene application.*
3. *Química Atlântica Lda is ordered to pay its own costs as well as those of the European Commission.*

<sup>(1)</sup> OJ C 113, 16.5.2009.

**Order of the President of the General Court of 15 January 2010 — United Phosphorus v Commission**

(Case T-95/09 R II)

*(Application for interim measures — Directive 91/414/EEC — Decision concerning the non-inclusion of napropamide in Annex I to Directive 91/414 — Extension of suspension of operation)*

(2010/C 51/63)

*Language of the case: English*

**Parties**

*Applicant:* United Phosphorus Ltd (Warrington, Cheshire, United Kingdom) (represented by: C. Mereu and K. Van Maldegem, lawyers)

*Defendant:* European Commission (represented by: L. Parpala and N. Rasmussen, Agents)

**Re:**

Application for the extension of the suspension of operation of Commission Decision 2008/902/EC of 7 November 2008 concerning the non-inclusion of napropamide in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance (OJ 2008 L 326, p. 35).