

Operative part of the order

1. The suspension of operation laid down in paragraph 1 of the operative part of the order of the President of the Court of 28 April 2009 in Case T-95/09 R *United Phosphorus v Commission* (not published in the ECR) is extended until 30 November 2010, but shall not extend beyond the date of delivery of the decision in the main proceedings or beyond the date of the formal conclusion of the accelerated procedure, initiated with regard to napropamide, under Article 13 of Commission Regulation (EC) No 33/2008 of 17 January 2008 laying down detailed rules for the application of Council Directive 91/414/EEC as regards a regular and an accelerated procedure for the assessment of active substances which were part of the programme of work referred to in Article 8(2) of that Directive but have not been included in its Annex I (OJ 2008 L 15, p. 5).

2. The costs shall be reserved.

Order of the President of the General Court of 8 January 2010 — Escola Superior Agrária de Coimbra v Commission

(Case T-446/09 R)

(Interim measures — Programme Life — Reimbursement of a part of the amounts paid — Recovery order — Debit note — Application for suspension of enforcement — Financial loss — Exceptional circumstances — Lack of urgency)

(2010/C 51/64)

Language of the case: Portuguese

Parties

Applicant: Escola Superior Agrária de Coimbra (Coimbra, Portugal) (represented by: L. Pais do Amaral, lawyer)

Defendant: European Commission (represented by: G. Braga da Cruz and J-B. Laignelot, acting as Agents)

Re:

Application for suspension of operation of the decisions contained, respectively, in Commission letter D (2009) 224268 of 9 September 2009, concerning a recovery order, and Commission debit note No 3230909105 of 11 September 2009 for an amount of EUR 327 500,35.

Operative part of the order

1. The application for interim measures is rejected.

2. The costs are reserved.

Action brought on 20 November 2009 — European Commission v New Acoustic Music et Anna Hildur Hildibrandsdottir

(Case T-464/09)

(2010/C 51/65)

Language of the case: English

Parties

Applicant: European Commission (represented by: A.-M. Rouchaud-Joët, N. Bambara, Agents, assisted by C. Erkelens, lawyer)

Defendant: New Acoustic Music Association (Orpington, United Kingdom), Anna Hildur Hildibrandsdottir (Orpington)

Form of order sought

— order the defendants to repay to the Commission the amount of EUR 31,136.23 in principal, to be accrued with interests at 7,70 % per annum as of 14 January 2008 until the date of final payment;

— order the defendants to pay the procedural costs, including those incurred by the Commission.

Pleas in law and main arguments

The application is filed in relation to a grant agreement identified with the contract number 2003-1895/001-001, entered into between the European Commission (hereinafter 'Commission') and New Acoustic Music Association (hereinafter 'NAMA'), represented by Ms Anna Hildur Hildibrandsdottir, with a view to carrying out the action entitled CLT2003/A1/GB-317 — European Music Roadwork in framework of the Programme 'Culture 2000' (!).

By means of its application, the applicant seeks an order from the Court requesting the defendants, each liable for the entire amount, one in the absence of the other, to repay to the Commission the sum of EUR 31,136.23, accrued with default interests, resulting from the difference between the sum paid in advance by the applicant to NAMA for the implementation of the actions provided for in the grant agreement and the sum which NAMA is entitled to.