

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

— Annul, with immediate effect, on the basis of Article 263 TFEU, Commission Directive 2013/2/EU of 7 February 2013 amending Annex I to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste, in so far as it adds to the examples of products constituting packaging ‘rolls, tubes and cylinders around which flexible material (e.g. plastic film, aluminium, paper) is wound’;

— Order the European Commission to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on five pleas in law which are in essence identical or similar to the first five pleas in law relied on in Case T-202/13 *GroupHygiène v Commission*.

Action brought on 22 April 2013 — Melitta France v Commission

(Case T-224/13)

(2013/C 171/68)

Language of the case: French

Parties

Applicant: Melitta France (Chezy-sur-Marne, France) (represented by: H.Weil, lawyer)

Defendant: Commission

Form of order sought

The applicant claims that the Court should:

— annul, with immediate effect, on the basis of Article 263 TFEU, Commission Directive 2013/2/EU of 7 February 2013 amending Annex I to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste in so far as it adds to the examples of products constituting packaging ‘rolls, tubes and cylinders around which flexible material (e.g. plastic film, aluminium, paper) is wound’;

— order the European Commission to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on five pleas in law which are, in essence, identical or similar to the first five pleas put forward in Case T-202/13 *GroupHygiène v Commission*.

Appeal brought on 14 April 2013 by Luigi Marcuccio against the order of the Civil Service Tribunal of 6 February 2013 in Case F-67/12, Marcuccio v Commission

(Case T-226/13 P)

(2013/C 171/69)

Language of the case: Italian

Parties

Appellant: Luigi Marcuccio (Tricase, Italy) (represented by G. Cipressa, lawyer)

Other party to the proceedings: European Commission

Form of order sought by the appellant

— Grant all the appellant’s claims in the proceedings at first instance;

— Order the Commission to reimburse the appellant in respect of the costs incurred by him in the proceedings at first instance.

Pleas in law and main arguments

These proceedings are brought against the order of the Civil Service Tribunal of 6 February 2013 rejecting as manifestly lacking any foundation in law an action seeking: (i) annulment of the decision by which the European Commission rejected the appellant’s claim for compensation for the damage arising as a result of the fact that a letter concerning the manner in which the judgment of the Tribunal of 4 November 2008 in Case F-41/06 *Marcuccio v Commission* was to be enforced was sent to the lawyer who represented him in the appeal proceedings against that judgment; and (ii) an order that the Commission pay compensation for the damage purportedly caused as a result of that act.

In support of his appeal, the appellant alleges an absolute failure to state reasons for the rejection of his claim for compensation, by reason, inter alia, of failure to make inquiries, distortion and misrepresentation of the facts, arbitrary reasoning and incorrect and unreasonable interpretation and application of:

the rules of law relating to the incurring of Aquilian liability on the part of the institutions of the European Union;