

4. Fourth plea: uncertainty of the rules applicable to SMEs for the purposes of the recognition of the project costs.

— The applicant argues in that regard that the Commission does not draw attention to the risks linked to the failure mechanisms of the accounting system which may result in all of a project's costs being rejected.

5. Fifth plea: the rules of the International Audit Federation and the European legislation in force governing the audit of SMEs were disapplied.

6. Sixth plea: concerning the permissibility of the project costs and the assessment gaps in the audit.

7. Seventh plea: the company responsible for the audit based its conclusion that the costs should be rejected mainly on the exclusive use of timesheets.

— The applicant argues in that regard that the auditors rejected certain travel expenses because they were not included in the initial planning document (Dow); even though the work plan of the projects is normally set out in detail on an annual basis.

8. Eighth plea: (i) the applicant has a legitimate right to be paid for activities correctly carried out and (ii) unjust enrichment of the Commission.

— The applicant argues in that regard that the results of the MARE, SENIOR and ECNR projects were delivered to the Commission within the time allowed, they results were considered excellent, and were fully accepted by the Commission and approved and signed by the European Commissioner responsible for the sector; the ENCR project was extended for an additional six months in recognition of the work carried out. Rejecting the overall costs of the projects would therefore be at

variance with the principle of the right to be remunerated for work carried out, resulting in the Commission being unjustly enriched.

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**Order of the General Court of 11 November 2013 — EuroChem MCC v Council**

(Case T-234/08) <sup>(1)</sup>

(2014/C 15/30)

*Language of the case: English*

The President of the First Chamber has ordered that the case be removed from the register.

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<sup>(1)</sup> OJ C 209, 15.8.2008.

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**Order of the General Court of 11 November 2013 — France v Commission**

(Case T-485/09) <sup>(1)</sup>

(2014/C 15/31)

*Language of the case: French*

The President of the Fourth Chamber has ordered that the case be removed from the register.

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<sup>(1)</sup> OJ C 37, 13.2.2010.