

Judgment of the General Court of 13 December 2013 — Hungary v Commission

(Case T-240/10) ⁽¹⁾

(Approximation of the laws — Deliberate release into the environment of GMOs — Marketing authorisation procedure — EFSA Scientific Opinions — Committee procedure — Regulatory procedure — Infringement of an essential procedural requirement — Finding of the Court of its own motion)

(2014/C 39/26)

Language of the case: Hungarian

Parties

Applicant: Hungary (represented by: Z. Fehér and K. Szíjjártó, acting as Agents)

Defendant: European Commission (represented initially by: A. Sipos and L. Pignataro-Nolin, and subsequently by: A. Sipos and D. Bianchi, acting as Agents)

Interveners in support of the applicant: French Republic (represented by: G. de Bergues and S. Memez, acting as Agents); Grand Duchy of Luxembourg (represented initially by: C. Schiltz, and subsequently by: P. Frantzen, and finally by: L. Delvaux and D. Holderer, acting as Agents); Republic of Austria (represented by: C. Pesendorfer and E. Riedl, acting as Agents); and Republic of Poland (represented initially by: M. Szpunar, B. Majczyna and J. Sawicka, and subsequently by: B. Majczyna and J. Sawicka, acting as Agents)

Re:

Annulment of Commission Decision 2010/135/EU of 2 March 2010 concerning the placing on the market, in accordance with Directive 2001/18/EC of the European Parliament and of the Council, of a potato product (*Solanum tuberosum* L. line EH92-527-1) genetically modified for enhanced content of the amylopectin component of starch (OJ 2010 L 53, p. 11), and of Commission Decision 2010/136/EU of 2 March 2010 authorising the placing on the market of feed produced from the genetically modified potato EH92-527-1 (BPS-25271-9) and the adventitious or technically unavoidable presence of the potato in food and other feed products under Regulation (EC) No 1829/2003 of the European Parliament and of the Council (OJ 2010 L 53, p. 15).

Operative part of the judgment

The Court:

1. Annuls Commission Decision 2010/135/EU of 2 March 2010 concerning the placing on the market, in accordance with Directive 2001/18/EC of the European Parliament and of the Council, of a potato product (*Solanum tuberosum* L. line EH92-527-1) genetically modified for enhanced content of the amylopectin component of starch and Commission Decision 2010/136/EU of 2 March 2010 authorising the placing on the market of

feed produced from the genetically modified potato EH92-527-1 (BPS-25271-9) and the adventitious or technically unavoidable presence of the potato in food and other feed products under Regulation (EC) No 1829/2003 of the European Parliament and of the Council;

2. Orders the European Commission to bear its own costs and to pay those incurred by Hungary;
3. Orders the French Republic, the Grand Duchy of Luxembourg, the Republic of Austria and the Republic of Poland to bear their own costs.

⁽¹⁾ OJ C 209, 31.7.2010.

Judgment of the General Court of 12 December 2013 — Nabipour and Others v Council

(Case T-58/12) ⁽¹⁾

(Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Restrictions on admission — Obligation to state reasons — Error of law — Error of assessment — Temporal adjustment of the effects of an annulment)

(2014/C 39/27)

Language of the case: English

Parties

Applicants: Ghasem Nabipour (Tehran, Iran), Mansour Eslami (Madliena, Malta), Mohamad Talai (Hamburg, Germany), Mohammad Moghaddami Fard (Tehran), Alireza Ghezelayagh (Singapore, Singapore), Gholam Hossein Golparvar (Tehran), Hassan Jalil Zadeh (Tehran), Mohammad Hadi Pajand (London, United Kingdom), Ahmad Sarkandi (Al Jaddaf, Dubai, United Arab Emirates), Seyed Alaeddin Sadat Rasool (Tehran), and Ahmad Tafazoly (Shanghai, China) (represented by: S. Kentridge QC, M. Lester, Barrister, and M. Taher, Solicitor)

Defendant: Council of the European Union (represented by: M.-M. Joséphidès, A. Varnav and A. De Elera, acting as Agents)

Re:

Application for annulment, first, of Council Decision 2011/783/CFSP of 1 December 2011 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2011 L 319, p. 71), of Council Implementing Regulation (EU) No 1245/2011 of 1 December 2011 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran (OJ 2011 L 319, p. 11), and of Council Regulation (EU)