

2. Second plea in law, alleging that actual damage has been suffered by the applicants as a result of the early termination of the PPA. Due to the unlawful conduct of the Commission, the PPA was terminated before the end of its contractual term. The applicants submit that, as a result of this early termination, they have incurred very significant losses and that such damage, which cannot be precisely quantified at this stage, exceeds €250 million.
3. Third plea in law, alleging that there is a direct causal link between the Commission's unlawful conduct and the damage incurred by the applicants. The applicants contend that if the Commission's conduct had been compliant with EU law, there would be no early termination of the PPA, thus the damage arising for the applicants from the wrongful PPA decision would have been avoided.

**Action brought on 17 January 2014 — Zentralverband des Deutschen Bäckerhandwerks v
Commission**

(Case T-49/14)

(2014/C 112/59)

Language of the case: German

Parties

Applicant: Zentralverband des Deutschen Bäckerhandwerks e.V. (Berlin, Germany) (represented by: I. Jung, M. Teworte-Vey, A. Renvert and J. Saatkamp, lawyers)

Defendant: European Commission

Form of order sought

— Annul Commission Implementing Decision of 14 November 2013 concerning the rejection of a request to cancel a name entered in the register of protected designations of origin and protected geographical indications pursuant to Regulation (EU) No 1151/2012 of the European Parliament and of the Council (Kołocz śląski/kołacz śląski (PGI)) (notified under document C(2013) 7626).

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging an incorrect legal basis

— The applicant claims that the defendant based the contested decision, unlawfully, on the new version of Regulation (EU) 1151/2012 ⁽¹⁾ applicable when the decision was adopted rather than on the older version Regulation (EC) No 510/2006 ⁽²⁾ applicable at the time of the applicant's request. The defendant thereby infringed the principle expressed by the maxim '*tempus regit actum*'.

— The applicant also argues that the request to cancel the entry is admissible and well founded under Regulation No 510/2006. It states in this context inter alia that there are two reasons for the cancellation (the indication at issue is a generic name within the meaning of Article 3(1) of Regulation No 510/2006; the geographical area Silesia is incorrectly defined in the specification of the registration) within the meaning of Article 12(2) of Regulation No 510/2006 and that a divergent interpretation and application of that provision would impinge upon the fundamental rights of bakery businesses in the Federal Republic.

2. Second plea in law, alleging infringement of Regulation No 1151/2012

— The applicant claims that the request would even be admissible and well founded were it to be assessed on the basis of Regulation No 1151/2012.

⁽¹⁾ Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ 2012 L 343, p. 1).

⁽²⁾ Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ 2006 L 93, p. 12).

Action brought on 24 January 2014 — Bredenkamp and others v Council and Commission

(Case T-66/14)

(2014/C 112/60)

Language of the case: English

Parties

Applicants: John Arnold Bredenkamp (Harare, Zimbabwe); Echo Delta (Holdings) PCC Ltd (Castletown, Ile de Man); Scottlee Holdings (Private) Ltd (Harare); and Fodya (Private) Ltd (Harare) (represented by: P. Moser, QC (Queen's Counsel) and G. Martin, Solicitor)

Defendants: European Commission and Council of the European Union

Form of order sought

The applicants claim that the Court should:

- Adopt a measure of organisation of procedure to order the defendants to produce all information or evidence, which may be in the possession of those institutions concerning the listing of the applicants;
- Order the Council and/or the Commission to pay the applicants damages for non-material and material losses suffered due to the unlawful imposition of EU sanctions on the applicants by adding (and then maintaining until 2012) the applicants' names in the Annex to Council Regulation (EC) No 314/2004 by, respectively: Council Common Position 2009/68/CFSP and Commission Regulation (EC) No 77/2009; Council Decision 2010/92/CFSP and Commission Regulation (EU) No 173/2010, and Council Decision 2011/101/CFSP and Commission Regulation (EU) No 174/2011;
- Order that compound interest at the rate of Euribor + 2 % (or such other interest rate as may be ordered) is to be paid on the amount payable from the defendants to the applicants as from the date of the judgment;
- Order the defendants to pay the applicants' costs.

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law.

1. First plea in law, alleging that the acts in question lacked any proper legal basis, being promulgated on the basis of Articles 60 and 301 EC only, which concern exclusively provisions vis-à-vis third countries, not private individuals and companies.
2. Second plea in law, alleging that the acts in question disclosed manifest errors of fact in failing to show any strong ties to the Government of Zimbabwe or financial or other support for the regime, thereby failing to satisfy the defendants' burden of proof and resulting in an unlawful decision making process.