

Form of order sought

- Annul decision MS/sd(IPOL-COM-PETI D (2014) 14486) of the Petitions Committee of the European Parliament of 16 April 2014 to file without further action the petition presented in the Lónyay Mansion in Rusovce (Slovakia) case;
- Order the European Parliament to examine the petition and take all the measures required by law;
- Order the European Parliament to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant argues that the Petitions Committee infringed procedural rules in that no reasons were stated for the contested decision.

In that regard, the applicant points out that, pursuant to Rule [215](8) of the Rules of Procedure of the European Parliament, petitions declared inadmissible by the committee are to be filed and the petitioner informed of the decision and the reasons for it. The applicant also states that, in breach of that Rule, the defendant gave no reasons for its view that the subject matter of the petition had no connection with the European Union's fields of activity. The applicant also cites the judgment of the General Court of 14 September 2011 in Case T-308/07 *Tegebauer v Parliament* [2011] ECR II-279.

Action brought on 18 June 2014 — AETMD v Council**(Case T-460/14)**

(2014/C 303/51)

*Language of the case: English***Parties**

Applicant: Association européenne des transformateurs de maïs doux (AETMD) (Paris, France) (represented by: A. Willems, S. De Knop and J. Charles, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Implementing Regulation (EU) No 307/2014 amending Implementing Regulation (EU) No 875/2013 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand following an interim review pursuant of Article 11(3) of Regulation (EC) No 1225/2009;
- order the Council to correct Implementing Regulation (EU) No 875/2013 in view of the annulment of Council Implementing Regulation (EU) No 307/2004;
- order the Council to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the institutions committed a manifest error of assessment and infringed Article 2(3) and (4) of Council Regulation No 1225/2009 ⁽¹⁾ by failing to properly assess whether River Kwai International Food Industry's domestic sales were made in the ordinary course of trade and whether the domestic sales should therefore serve as a basis to calculate River Kwai International Food Industry's normal value.
2. Second plea in law, alleging that the institutions infringed Article 2(10) of Council Regulation No 1225/2009 by failing to make a fair comparison between River Kwai International Food Industry's export price and normal value.
3. Third plea in law, alleging that the institutions infringed Article 11(3) of Council Regulation No 1225/2009 by failing to properly assess the alleged change in River Kwai International Food Industry's dumping margin and by failing to properly assess the lasting nature of any such alleged change.
4. Fourth plea in law, alleging that the institutions infringed Article 19(2) and Article 20(2) of Council Regulation No 1225/2009 by failing to provide the applicant with a meaningful summary of the evidence on which they intended to amend River Kwai International Food Industry's dumping margin and by failing to provide the applicant with the considerations on the basis of which they intended to amend River Kwai International Food Industry's anti-dumping duty.

⁽¹⁾ Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (OJ 2009 L 343, p. 51).

Action brought on 24 June 2014 — Österreichische Post v Commission

(Case T-463/14)

(2014/C 303/52)

Language of the case: German

Parties

Applicant: Österreichische Post AG (Vienna, Austria) (represented by: H. Schatzmann, J. Bleckmann, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the Commission's implementing decision in Case C(2014) 2093 in so far as Directive 2004/17/EC continues to apply to the award of contracts for postal services which are not mentioned in Article 1 of the implementing decision, exemption from which the applicant has requested under Article 30(6) of Directive 2004/17/EC;
- in the alternative, in so far as partial annulment of the contested decision is, according to the Court, not admissible or possible, to annul the implementing decision in its entirety;
- order the defendant to pay the costs of the proceedings.