

Judgment of the General Court of 24 September 2015 — Germany v Commission(Case T-557/13) ⁽¹⁾**(EAGGF — Guarantee Section — EAGF and EAFRD — Expenditure excluded from financing — Expenditure in the context of the European quota system in relation to the production of potato starch — Rights of the defence)**

(2015/C 389/37)

Language of the case: German

Parties

Applicant: Federal Republic of Germany (represented by: T. Henze and J.Möller, acting as Agents)

Defendant: European Commission (represented by: B. Eggers and P. Rossi, acting as Agents)

Intervener in support of the applicant: Kingdom of the Netherlands (represented by: M.K. Bulterman, C.S. Schillemans and J. Langer, acting as Agents)

Re:

Application for annulment of Commission Implementing Decision 2013/433/EU of 13 August 2013 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2013 L 219, p. 49), in so far as it applies a financial correction to the Federal Republic of Germany, in the context of the European quota system in relation to the production of potato starch for 2003 to 2005, totalling EUR 6 192 951,34.

Operative part of the judgment

The Court:

1. Annuls Commission Implementing Decision 2013/433/EU of 13 August 2013 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD), in so far as it applies a financial correction to the Federal Republic of Germany, in the context of the European quota system in relation to the production of potato starch, for 2003 to 2005;
2. Orders the European Commission to pay the costs;
3. Orders the Kingdom of the Netherlands to bear its own costs.

⁽¹⁾ OJ C 9, 11.1.2014.