

Judgment of the General Court of 23 September 2015 — Schroeder v Council and Commission(Case T-205/14) ⁽¹⁾

(Non-contractual liability — Dumping — Imports of certain prepared or preserved citrus fruits originating in China — Regulation (EC) No 1355/2008 declared by the Court of Justice to be invalid — Loss allegedly suffered by the applicant following the adoption of the regulation — Action for compensation — Exhaustion of domestic remedies — Admissibility — Sufficiently serious infringement of a rule of law conferring rights on individuals — Article 2(7)(a) of Regulation (EC) No 384/96 (now Article 2(7)(a) of Regulation (EC) No 1225/2009) — Duty of care — Causal link)

(2015/C 389/49)

Language of the case: German

Parties

Applicant: I. Schroeder KG (GmbH & Co.) (Hamburg, Germany) (represented by: K. Landry, lawyer)

Defendants: Council of the European Union (represented by: J.-P. Hix, acting as Agent, and initially D. Geradin and N. Tuominen, and subsequently N. Tuominen, lawyers) and European Commission (represented by: T. Maxian Rusche and R. Sauer, acting as Agents)

Re:

Action for compensation for the harm which the applicant claims to have suffered following the adoption of Council Regulation (EC) No 1355/2008 of 18 December 2008 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain prepared or preserved citrus fruits (namely mandarins, etc.) originating in the People's Republic of China (OJ 2008 L 350, p. 35), declared invalid by the judgment of 22 March 2012 in *GLS* (C-338/10, ECR, EU:C:2012:158)..

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders I. Schroeder KG (GmbH & Co.) to pay the costs.

⁽¹⁾ OJ C 212, 7.7.2014.

Judgment of the General Court of 23 September 2015 — Hüpeden v Council and Commission(Case T-206/14) ⁽¹⁾

(Non-contractual liability — Dumping — Imports of certain prepared or preserved citrus fruits originating in China — Regulation (EC) No 1355/2008 declared invalid by the Court of Justice — Loss allegedly suffered by the applicant as a result of the adoption of the regulation — Action for damages — Exhaustion of remedies under domestic law — Admissibility — Sufficiently serious breach of a rule of law conferring rights on individuals — Article 2(7)(a) of Regulation (EC) No 384/96 (now Article 2(7)(a) of Regulation (EC) No 1225/2009) — Duty of care — Causal link)

(2015/C 389/50)

Language of the case: German

Parties

Applicant: Hüpeden & Co. (GmbH & Co.) KG (Hamburg, Germany) (represented by K. Landry, lawyer)