

**Judgment of the General Court of 28 September 2016 — United Kingdom v Commission**(Case T-437/14) <sup>(1)</sup>

***(EAGGF, Guarantee Section — EAGF and EAFRD — Expenditure excluded from financing — Integrated administration and control system — Reductions and exclusions where the rules on cross-compliance are not observed — Flat-rate financial correction imposed by the Commission in accordance with internal guidelines — Burden of proof — Interpretation of Annex II to Regulation (EC) No 73/2009)***

(2016/C 410/14)

Language of the case: English

**Parties**

*Applicant:* United Kingdom of Great Britain and Northern Ireland (represented by: M. Holt and J. Kraehling, acting as Agents, and V. Wakefield, Barrister)

*Defendant:* European Commission (represented by: K. Skelly and D. Triantafyllou, acting as Agents)

*Intervener in support of the applicant:* Kingdom of the Netherlands (represented by: M. Bulterman and B. Koopman, acting as Agents)

**Re:**

Application based on Article 263 TFEU for the annulment of nine entries from the Annex to Commission Implementing Decision 2014/191/EU of 4 April 2014 excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of 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 2014 L 104, p. 43), insofar as concerns the item, in the Annex to the decision, relating to the financial corrections applied to expenditure incurred by the United Kingdom of Great Britain and Northern Ireland in Scotland during the financial years 2008, 2009 and 2010 totalling EUR 5 606 459,48 because that expenditure did not comply with EU rules.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders the United Kingdom of Great Britain and Northern Ireland to bear its own costs and to pay the costs incurred by the European Commission;
3. Orders the Kingdom of the Netherlands to bear its own costs.

<sup>(1)</sup> OJ C 282, 25.8.2014.

**Judgment of the General Court of 22 September 2016 — Intercon v Commission**(Case T-632/14) <sup>(1)</sup>

***(Arbitration clause — Seventh Framework Programme for research, technological development and demonstration activities (2007-2013) — Commission decision to require repayment of the sums paid to the applicant — Contractual nature of the dispute — Article 44(1)(c) and Article 44(5a) of the Rules of Procedure of the General Court of 2 May 1991 — Admissibility — Scope of the audit — Documents and observations made after expiry of the prescribed periods)***

(2016/C 410/15)

Language of the case: Polish

**Parties**

*Applicant:* Intercon Sp. z o.o. (Łódź, Poland) (represented by: B. Eger, lawyer)