

# GENERAL COURT

## Judgment of the General Court of 14 December 2017 — AETMD v Council

(Case T-460/14) <sup>(1)</sup>

**(Dumping — Prepared or preserved sweetcorn in kernels originating in Thailand — Partial interim review — Amendment of the definitive anti-dumping duty — Association representing EU producers — Infringement of procedural rights — Rights of the defence)**

(2018/C 042/13)

Language of the case: English

### Parties

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

*Defendant:* Council of the European Union (represented by: S. Boelaert, acting as Agent, S. Gubel, lawyer, and B. O'Connor, Solicitor)

*Interveners in support of the defendant:* European Commission (represented by: J.-F. Brakeland, A. Stobiecka-Kuik and A. Demeneix, acting as Agents) and River Kwai International Food Industry Co. Ltd (Kaeng Sian, Thailand) (represented by: J. Cornelis and F. Graafsma, lawyers)

### Re:

Application on the basis of Article 263 TFEU seeking the annulment of Council Implementing Regulation (EU) No 307/2014 of 24 March 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 (OJ 2014 L 91, p. 1).

### Operative part of the judgment

*The Court:*

1. Annuls Council Implementing Regulation (EU) No 307/2014 of 24 March 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;
2. Dismisses the remainder of the action;
3. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by the Association européenne des transformateurs de maïs doux (AETMD);
4. Orders the European Commission and River Kwai International Food Industry Co. Ltd to bear their own costs.

<sup>(1)</sup> OJ C 303, 8.9.2014.