

Action brought on 21 October 2016 — Changmao Biochemical Engineering v Commission**(Case T-741/16)**

(2016/C 462/49)

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

Applicant: Changmao Biochemical Engineering Co. Ltd (Changzhou, China) (represented by: R. Antonini, E. Monard and B. Maniatis, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the Commission Implementing Regulation (EU) 2016/1247 of 28 July 2016 Imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of aspartame originating in the People's Republic of China; and
- order the Commission to bear the costs of the proceedings.

Pleas in law and main arguments

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

1. First plea in law, alleging that by refusing to grant economy market treatment to the applicant, the European Commission violated Article 2(7)(b) and (c) of Regulation (EU) 2016/1036 ⁽¹⁾ and the principle of legitimate expectations, and imposed an unreasonable burden of proof in violation of the principle of good administration.
2. Second plea in law, alleging that by relying on the Union producer's prices and costs to determine the normal value, the European Commission infringed Article 2(7)(a) of Regulation (EU) 2016/1036.
3. Third plea in law, alleging that the European Commission violated Articles 2(10), 3(2)(a), 3(3) and 9(4) of Regulation (EU) 2016/1036 and the principle of good administration, in its rejection of the adjustments.
4. Fourth plea in law, alleging that by means of its finding that the dumped imports caused material injury to the Union industry, the European Commission violated Article 3(2) and 3(6) (and, in subsidiary order, Article 6(7)) of Regulation (EU) 2016/1036.
5. Fifth plea in law, alleging that by relying on unreliable data, the European Commission violated Articles 2(7)(a), 3(2), 3(3) and 3(5) of Regulation (EU) 2016/1036.

⁽¹⁾ Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, p. 21).