

- as regards the application for compensation, the applicant argues that the decisions caused her non-pecuniary harm which cannot be remedied by the annulment of the contested decisions.
2. Second plea in law, concerning the decision of 26 April 2017, alleging [infringement] of Article 41 of the Charter committed by the defendant and breach of its obligation to state reasons and duty of care, in that it claims that the decision against which the applicant brought a claim has been annulled and the decision taken to open an enquiry, and in that it deduces therefrom that there is no need to grant her claim for compensation. The applicant is also of the view that she has shown that she has suffered separate harm which cannot be remedied by annulment of the contested decision. In her submission, the defendant therefore should not only have annulled the decision challenged by the claim but should also have made good that harm.

Action brought on 18 July 2017 — Eurosupport — Fineurop support v EIGE

(Case T-450/17)

(2017/C 357/20)

Language of the case: English

Parties

Applicant: Eurosupport — Fineurop support Srl (Milano, Italy) (represented by: M. Velardo, lawyer)

Defendant: European Institute for Gender Equality (EIGE)

Form of order sought

The applicant claims that the Court should:

- set aside the contested decision of 8 May 2017 rejecting the applicant's tender in procedure EIGE/2017/OPER/04 'Female Genital Mutilation: Estimating Girls at Risk' and the subsequent decisions which assessed the bid of another tenderer as successful and which awarded the contract to that tenderer;
- order the defendant to pay damages suffered by the applicant with interest of 8 % or, in the alternative, compensation with interest of 8 %;
- order the defendant to pay the costs of these proceedings.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of the principle of equal treatment, the principle of transparency, the principle to act with a certain care and the duty to respect confidentiality, and further alleging manifest error of appraisal.
2. Second plea in law, alleging inconsistency in the grounds of the evaluation decisions and infringement of the principle of proportionality in the assessment of the applicant's tender.
3. Third plea in law, alleging infringement of the right to good administration.

Action brought on 1 August 2017 — Portugal v Commission

(Case T-474/17)

(2017/C 357/21)

Language of the case: Portuguese

Parties

Applicant: Portuguese Republic (represented by: L. Inez Fernandes, M. Figueiredo, P. Estêvão, and J. Saraiva de Almeida, acting as Agents)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul Commission Implementing Decision C(2017) 4136 of 26 June 2017 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD), in so far it excludes from European Union financing expenditure declared by Portugal relating to the alleged failure to comply with the ceilings and payment deadlines;
- order the European Commission to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of Article 11 of Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD (OJ 2006 L 171, p. 90).
2. Second plea in law, alleging infringement of Article 8 of Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ 2009 L 30, p. 16).
3. Third plea in law, alleging infringement of Article 31(4) of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy (OJ 2005 L 209, p. 1).
4. Fourth plea in law, alleging infringement of Articles 9(3) and 17 of Commission Regulation (EC) No 968/2006 of 27 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community (OJ 2006 L 176, p. 32).

Action brought on 27 July 2017 — Arysta LifeScience Netherlands v Commission

(Case T-476/17)

(2017/C 357/22)

Language of the case: English

Parties

Applicant: Arysta LifeScience Netherlands BV (Amsterdam, Netherlands) (represented by: C. Mereu and M. Grunchard, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- declare the application admissible and well-founded;
- annul the contested Regulation ⁽¹⁾;
- order the defendant to pay all the costs and expenses of these proceedings.