

Action brought on 24 August 2018 — Hungary v Commission**(Case T-505/18)**

(2018/C 399/53)

*Language of the case: Hungarian***Parties***Applicant:* Hungary (represented by: M.Z. Fehér, M.M. Tátrai and A. Pokoraczki, acting as Agents)*Defendant:* European Commission**Form of order sought**

The applicant claims that the Court should:

- Annul Commission Implementing Decision (EU) 2018/873 of 13 June 2018 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 the part concerning Hungary which excludes from EU financing the aid granted to producer groups which have qualified recognition;
- Order the Commission to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the contested exclusion to which the contested decision refers is unlawful, since the aid given to the producer groups affected was granted in accordance with EU law.

The applicant relies on the nature of the recognition of producer groups. It takes the view that, in deciding on the reimbursement of the national financial aid granted to those producer groups, the Commission failed to take into account the fact that the producer groups that have been given qualified recognition meet the requirements under Regulation (EC) No 1698/2005.

2. Second plea in law, alleging that the contested exclusion to which the contested decision refers is unlawful since, by virtue of the principles of sincere cooperation, proportionality, legal certainty and the protection of legitimate expectations, the exclusion ought to have been reduced or omitted.

According to the applicant, the contested exclusion is unlawful since, by virtue of the principles of sincere cooperation, proportionality, legal certainty and the protection of legitimate expectations, the exclusion ought to have been attenuated or omitted, since the rules of EU law applicable in relation to the assessment of the contested national law and practice are not absolutely clear — thereby making the interpretation put forward by Hungary possible — and given that the Commission was already aware of that national law and practice and failed to raise any objection in that respect.

Action brought on 24 August 2018 — Czech Republic v European Commission**(Case T-509/18)**

(2018/C 399/54)

*Language of the case: Czech***Parties***Applicant:* Czech Republic (represented by: M. Smolek, J. Pavliš, O. Serdula and J. Vlácil, acting as Agents)*Defendant:* European Commission