

**Order of the Court of First Instance (Fourth Chamber) of 9 January 2007 —
Lootus Teine Osaühing v Council
(Case T-127/05)**

Action for annulment — Regulation (EC) No 2269/2004 and Regulation (EC) No 2270/2004 — Fisheries — Fishing opportunities for deep sea species for the new Member States which acceded in 2004 — Persons directly and individually concerned — Inadmissibility

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC; Council Regulations Nos 2269/2004 and 2270/2004) (see paras 39-47)

Re:

ACTION for annulment in part of, first, the Annex to Council Regulation (EC) No 2269/2004 of 20 December 2004 amending Regulations (EC) Nos 2340/2002 and 2347/2002 as concerns fishing opportunities for deep sea species for the new Member States which acceded in 2004 (OJ 2004 L 396, p. 1) and, second, Part 2 of the Annex to Council Regulation (EC) No 2270/2004 of 22 December 2004 fixing for 2005 and 2006 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks (OJ 2004 L 396, p. 4), in so far as those provisions concern the fishing opportunities allocated to Estonia.

Operative part

The Court:

1. Dismisses the action as inadmissible;
2. Orders the applicant to bear its own costs and pay those incurred by the Council;
3. Orders the Commission to bear its own costs.