

3. Orders *Lucite International Ltd and Lucite International UK Ltd* to bear 90 % of their own costs and to pay 90 % of the costs incurred by the Commission;
4. Orders the Commission to bear 10 % of its own costs and to pay 10 % of the costs incurred by *Lucite International and Lucite International UK*.

(<sup>1</sup>) OJ C 237, 30.9.2006.

**Judgment of the General Court of 9 September 2011 —  
Evropaiki Dynamiki v Commission**

(Case T-232/06) (<sup>1</sup>)

**(Public service contracts — Tendering procedure — Provision of services for specification, development, maintenance and support of customs IT services relating to IT projects — Rejection of a tender — Award of the contract to another tenderer — Action for damages — Disregard of the procedural requirements — Inadmissibility — Action for annulment — Time allowed for the receipt of tenders — Time allowed for the submission of requests for information — Equal treatment — Manifest error of assessment)**

(2011/C 311/56)

Language of the case: English

**Parties**

*Applicant:* Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: N. Korogiannakis and N. Keramidis, lawyers)

*Defendant:* European Commission (represented by: M. Wilderspin and E. Manhaeve, Agents)

**Re:**

APPLICATION for (i) annulment of the Commission's decision of 19 June 2006 not to select the tender submitted by the consortium formed by the applicant and other companies in connection with a call for tenders for specification, development, maintenance and support of customs IT services relating to IT projects 'CUST-DEV' and to award the contract to another tenderer and (ii) damages.

**Operative part of the judgment**

The Court:

- Dismisses the action;
- Orders Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE to bear its own costs and to pay those incurred by the European Commission.

(<sup>1</sup>) OJ C 261, 28.10.2006.

**Judgment of the General Court of 15 September 2011 —  
Koninklijke Grolsch v Commission**

(Case T-234/07) (<sup>1</sup>)

**(Competition — Agreements, decisions and concerted practices — Dutch beer market — Decision finding a single and continuous infringement of Article 81 EC — Applicant found to have participated in the infringement — Insufficient evidence — No proper statement of reasons)**

(2011/C 311/57)

Language of the case: Dutch

**Parties**

*Applicant:* Koninklijke Grolsch NV (Enschede, Netherlands) (represented by: M. Biesheuvel and J. de Pree, lawyers)

*Defendant:* European Commission (represented by: initially, A. Bouquet, S. Noë and A. Nijenhuis, Agents, and, subsequently, A. Bouquet and S. Noë, assisted by M. Slotboom, lawyer)

**Re:**

Application for annulment of Commission Decision C(2007) 1697 of 18 April 2007 relating to a proceeding under Article 81 [EC] (Case No COMP/B-2/37.766 — Dutch beer market) in so far as it concerns the applicant and, in the alternative, application for annulment or reduction of the fine imposed on the applicant.

**Operative part of the judgment**

The Court:

- Annuls Commission Decision C(2007) 1697 of 18 April 2007 relating to a proceeding under Article 81 [EC] (Case No COMP/B-2/37.766 — Dutch beer market) in so far as it concerns Koninklijke Grolsch NV;
- Orders the European Commission to pay the costs.

(<sup>1</sup>) OJ C 211, 8.9.2007.

**Judgment of the General Court of 9 September 2011 —  
France v Commission**

(Case T-257/07) (<sup>1</sup>)

**(Animal health — Regulation (EC) No 999/2001 — Protection against transmissible spongiform encephalopathies — Sheep and goats — Regulation (EC) No 746/2008 — Adoption of less restrictive eradication measures than those earlier prescribed — Precautionary principle)**

(2011/C 311/58)

Language of the case: French

**Parties**

*Applicant:* French Republic (represented initially by E. Belliard, G. de Bergues, R. Loosli-Surrans and A.-L. During, then by E. Belliard, G. de Bergues, R. Loosli-Surrans and B. Cabouat, agents)