

Defendant: European Commission (represented by: M. Nolin, agent)

Intervener in support of the defendant: United Kingdom of Great Britain and Northern Ireland (represented initially by I. Rao and C. Gibbs, then by I. Rao and L. Seeboruth, and then by L. Seeboruth and F. Penlington, agents, and T. Ward, Barrister)

Re:

Annulment of Commission Regulation (EC) No 746/2008 of 17 June 2008 amending Annex VII to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ 2008 L 202, p. 11), in that it authorises less restrictive measures of surveillance and eradication than those earlier prescribed for sheep and goat herds.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the French Republic to bear its own costs and to pay those of the European Commission in respect of the main proceedings and the proceedings for interim measures;
3. Orders the United Kingdom of Great Britain and Northern Ireland to bear its own costs.

(¹) OJ C 211, 8.9.2007.

Judgment of the General Court (Sixth Chamber) of 14 September 2011 — Tegebauer v Parliament

(Case T-308/07) (¹)

(Right to petition — Petition addressed to the Parliament — Decision to take no action — Action for annulment — Actionable measure — Admissibility — Obligation to state reasons)

(2011/C 311/59)

Language of the case: German

Parties

Applicant: Ingo-Jens Tegebauer (Trier, Germany) (represented initially by R. Nieporte then by H.-B. Pfriem, lawyers)

Defendant: European Parliament (represented initially by H. Krück and M. Windisch, then by N. Lorenz and E. Waldherr, agents)

Re:

Annulment of the Decision of the Committee on Petitions of the European Parliament of 20 June 2007 to file and take no further action on the petition submitted by the applicant on 7 February 2007 (Petition No 95/2007).

Operative part of the judgment

The Court:

1. Annuls the Decision of the Committee on Petitions of the European Parliament of 20 June 2007 to file and take no further action on the petition submitted by Mr Ingo-Jens Tegebauer on 7 February 2007 (Petition No 95/2007);
2. Orders the European Parliament to bear its own costs and to pay the costs incurred by Mr Tegebauer.

(¹) OJ C 269, 10.11.2007.

Judgment of the General Court of 15 September 2011 — CMB and Christof v Commission

(Case T-407/07) (¹)

(Public supply contracts — EAR procurement procedure — Supply of equipment for the treatment of medical waste — Rejection of the tender — Action for annulment — Jurisdiction of the General Court — Period allowed for commencing proceedings — Preliminary administrative complaint — Excusable error — Award criteria — Procedural rules — Obligation to state reasons — Principle of sound administration — Non-contractual liability)

(2011/C 311/60)

Language of the case: English

Parties

Applicants: CMB Maschinenbau & Handels GmbH (Gratkorn, Austria) and J. Christof GmbH (Graz, Austria) (represented initially by A. Petsche, N. Niejahr, lawyers, F. Young, Solicitor, and Q. Azau, lawyer, and subsequently by A. Petsche, N. Niejahr and Q. Azau)

Defendant: European Commission, as the legal successor of the European Agency for Reconstruction (EAR) (represented by: P. van Nuffel, F. Erlbacher and T. Scharf, acting as Agents)

Re:

First, annulment of the decision of the European Agency for Reconstruction of 29 August 2007, rejecting the tender made by the applicants in response to an invitation to tender EuropeAid/124192/D/SUP/YU concerning the supply of equipment for medical waste management (OJ 2006 S 233 248826) and awarding the contract to another tenderer, and, second, application for damages

Operative part of the judgment

The Court:

1. Dismisses the action;