

**Judgment of the General Court (Eighth Chamber) of 9 December 2009 —
Apache Footwear and Apache II Footwear v Council**

(Case T-1/07)

(Dumping — Imports of footwear with uppers of leather originating in China and
Vietnam — Market economy status — Community interest)

1. *Common commercial policy — Protection against dumping — Dumping margin — Determination of the normal value — Imports from countries not having a market economy as referred to in Article 2(7)(b) of Regulation No 384/96 — Application of rules relating to countries with a market economy — Application reserved for producers satisfying the cumulative conditions set out in Article 2(7)(c) of Regulation No 384/96 — Group of companies (Council Regulation No 384/96, Art. 2(7)) (see paras 84-85)*
2. *Acts of the institutions — Statement of reasons — Obligation — Scope — Regulations imposing anti-dumping duties (Art. 253 EC) (see para. 96)*
3. *Common commercial policy — Protection against dumping — Discretion of the institutions — Judicial review — Limits (see paras 111-112)*

Re:

APPLICATION for partial annulment of Council Regulation (EC) No 1472/2006 of 5 October 2006 imposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and Vietnam (OJ 2006 L 275, p. 1), in so far as it concerns the applicants.

Operative part:

The Court:

1. Dismisses the action;

2. Orders Apache Footwear Ltd and Apache II Footwear Ltd (Qingxin) to bear their own costs as well as those incurred by the Council of the European Union;
3. Orders the European Commission, the Confédération européenne de l'industrie de la chaussure (CEC), BA.LA. di Lanciotti Vittorio & C. Sas and the 16 other interveners whose names are listed in the Annex to bear their own costs.

**Order of the General Court (Eighth Chamber) of 9 December 2009 —
Deltalinqs and SVZ v Commission**

(Case T-481/07)

(State aid — System of aid granted by the Belgian authorities in support of inter-modal transport by inland waterways — Decision of the Commission not to object — Action for annulment brought by associations representing the interests of undertakings established in the port area of Rotterdam — Absence of any significant effect on a competitive position — Manifest inadmissibility)

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Commission decision declaring an aid scheme incompatible with the common market — Action brought by an association of undertakings — Not individually concerned — Inadmissibility (Arts 88(2) and (3) EC and 230, fourth para., EC) (see paras 32-33, 36-39, 42-43, 48-49)

Re:

ANNULMENT of Commission Decision C(2007) 1939 final of 10 May 2007 not to object, following the preliminary examination procedure laid down in Article 88(3) EC, to the system of aid envisaged by the Vlaams Gewest (Flemish Region, Belgium) in support of inter-modal transport via inland waterways (State aid N 682/2006 – Belgium).