

Re:

Appeal lodged against the judgment of the Civil Service Tribunal (Second Chamber) of 22 November 2007 in Case F 110/06 *Carpi Badía v Commission*, not yet published in the ECR, with a view to having that judgment set aside.

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders the European Commission to bear its own costs and to pay Mr José María Carpi Badía's costs.

(¹) OJ C 92, 12.4.2008.

**Judgment of the General Court of 30 November 2011 —
Transnational Company 'Kazchrome' and ENRC Marketing
v Council and Commission**

(Case T-107/08) (¹)

(Dumping — Imports of silico-manganese originating in China and Kazakhstan — Action for annulment — Export price — Comparison between export price and normal value — Calculation of the undercutting margin — Non-contractual liability)

(2012/C 25/91)

Language of the case: English

Parties

Applicants: Transnational Company 'Kazchrome' AO (Aktobe, Kazakhstan); and ENRC Marketing AG (Kloten, Switzerland) (represented initially by L. Ruessmann and A. Willems, and subsequently by A. Willems and S. De Knop, lawyers)

Defendants: Council of the European Union (represented initially by J.-P. Hix, acting as Agent, and G. Berrisch and G. Wolf, lawyers, and subsequently by J.-P. Hix and B. Driessen, acting as Agents, and G. Berrisch, lawyer); and European Commission (represented by: H. van Vliet and K. Talabér-Ritz, acting as Agents)

Intervener in support of the defendants: Euroalliages (Brussels, Belgium) (represented by: J. Bourgeois, Y. van Gerven and N. McNelis, lawyers)

Re:

Application, first, for annulment of Council Regulation (EC) No 1420/2007 of 4 December 2007 imposing a definitive anti-dumping duty on imports of silico-manganese originating in the People's Republic of China and Kazakhstan and terminating the proceeding on imports of silico-manganese originating in Ukraine (OJ 2007 L 317, p. 5), in so far as it concerns imports of silico-manganese produced by Transnational Company 'Kazchrome' AO, and, second, for damages.

Operative part of the judgment

The Court:

1. Annuls Article 1 of Council Regulation (EC) No 1420/2007 of 4 December 2007 imposing a definitive anti-dumping duty on imports of silico-manganese originating in the People's Republic of China and Kazakhstan and terminating the proceeding on imports of silico-manganese originating in Ukraine in so far as that article applies to imports of silico-manganese produced by Transnational Company 'Kazchrome' AO;
2. Dismisses the action as to the remainder;
3. Orders Transnational Company 'Kazchrome' and ENRC Marketing AG to bear half of their own costs and to bear the costs of the European Commission;
4. Orders the Council of the European Union to bear half of the costs of Transnational Company 'Kazchrome' and ENRC Marketing, in addition to its own costs;
5. Orders Euroalliages to bear its own costs.

(¹) OJ C 116, 9.5.2008.

**Judgment of the General Court of 30 November 2011
Sniace v Commission**

(Case T-238/09) (¹)

(State aid — Agreements relating to debt rescheduling — Decision declaring an aid to be incompatible with the common market — Obligation to give reasons)

(2012/C 25/92)

Language of the case: Spanish

Parties

Applicant: Sniace (Madrid, Spain) (represented by: F.J. Moncholí Fernández and S. Rattig, lawyers)

Defendant: European Commission (represented by: C. Urraca Caviedes, acting as Agent)

Re:

Annulment of Commission Decision 2009/612/CE of 10 March 2009 relating to measure C 5/2000 (ex NN 118/1997) implemented by Spain in favour of Sniace, SA, Torrelavega, Cantabria, and amending Decision 1999/395/EC (OJ 2009 L 210, p. 1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Sniace SA to bear its own costs and, in addition, to pay the European Commission's costs, including those incurred in the application for interim measures.

(¹) OJ C 193, 15.8.2009.