

GENERAL COURT

**Judgment of the General Court of 14 June 2012 —
Stichting Natuur en Milieu, Pesticide Action Network
Europe v Commission**(Case T-338/08) ⁽¹⁾*(Environment — Regulation (EC) No 1367/2006 —
Maximum residue levels for pesticides — Request for
internal review — Refusal — Measure of individual scope
— Validity — Aarhus Convention)*

(2012/C 217/32)

Language of the case: Dutch

Parties*Applicants:* Stichting Natuur en Milieu (Utrecht (Netherlands)),
Pesticide Action Network Europe (London (United Kingdom))
(represented by: B. Kloostra and A. van den Biesen, lawyers)*Defendant:* European Commission (represented initially by B.
Burggraaf and S. Schönberg and subsequently by B. Burggraaf
and P. Oliver, Agents)*Interveners in support of the defendant:* Republic of Poland (repre-
sented initially by M. Dowgiewic and subsequently by M.
Szpunar, Agents); and Council of the European Union (repre-
sented by: K. Michoel and B. Driessen, Agents)**Re:**Application for annulment of the decisions of the Commission
of 1 July 2008 rejecting as inadmissible the requests made by
the applicants for review by the Commission of Commission
Regulation (EC) No 149/2008 of 29 January 2008 amending
Regulation (EC) No 396/2005 of the European Parliament and
of the Council by establishing Annexes II, III and IV setting
maximum residue levels for products covered by Annex I
thereto (OJ 2008 L 58, p. 1)**Operative part of the judgment***The Court:*

1. Annuls the decisions of the Commission of 1 July 2008 rejecting as inadmissible the requests made by Stichting Natuur en Milieu and Pesticide Action Network Europe for review by the Commission of Commission Regulation (EC) No 149/2008 of 29 January 2008 amending Regulation (EC) No 396/2005 of the European Parliament and of the Council by establishing Annexes II, III and IV setting maximum residue levels for products covered by Annex I thereto;
2. Orders the European Commission to bear, in addition to its own costs, the costs incurred by Stichting Natuur en Milieu and Pesticide Action Network Europe;
3. Orders the Polish Republic and the Council of the European Union to bear their own costs.

⁽¹⁾ OJ C 301, 22.11.2008.**Judgment of the General Court of 13 June 2012 — Insula v
Commission**(Case T-246/09) ⁽¹⁾*(Arbitration clause — Financing contracts for research and
development projects — MEDIS and Dias.Net contracts —
Lack of supporting documents and non-compliance with the
contractual requirements in respect of some of the declared
expenses — Retention of a sum intended for another co-
contractor — Reimbursement of sums advanced — Partial
inadmissibility of the action — Counterclaim by the
Commission — Partial removal of need to adjudicate in
relation to the counterclaim)*

(2012/C 217/33)

Language of the case: French

Parties*Applicant:* Conseil scientifique international pour le dével-
oppement des îles (Insula) (Paris, France) (represented by: J.-D.
Simonet and P. Marsal, lawyers)*Defendant:* European Commission (represented initially by A.-M.
Rouchaud-Joët and F. Mirza, and subsequently by A.-M.
Rouchaud-Joët and D. Calciu, Agents, and by L. Defalque and
S. Woog, lawyers)**Re:**Application, first, for a declaration that a claim of the
Commission of EUR 189 241,64 is unfounded, second, that
the Commission be ordered to issue a 'credit note' in that
amount and, lastly, that the Commission be ordered to pay
damages of EUR 212 597, principally, and EUR 230 025, in
the alternative.**Operative part of the judgment***The Court:*

1. Dismisses the action brought by the Conseil scientifique international pour le développement des îles (Insula);
2. Declares that there is no need to adjudicate on the counterclaims submitted by the Commission in so far as they seek a declaration that Insula be ordered to pay the principal sum due and the interest thereon under the Dias.Net contract;
3. Orders Insula to pay the Commission the principal sum of EUR 157 983,11, increased by default interest at the rate of 2,75 % per annum, from 16 May 2009 until full payment of that principal sum;
4. Orders Insula to bear its own costs and to pay those incurred by the Commission, including those relating to the procedure for interim relief.

⁽¹⁾ OJ C 193, 15.8.2009.