

## GENERAL COURT

**Judgment of the General Court of 6 February 2014 —  
Arkema France v Commission**(Joined Cases T-23/10 and T-24/10) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — European markets in tin heat stabilisers and ESBO/esters heat stabilisers — Decision finding two infringements of Article 81 EC and Article 53 of the EEA Agreement — Fines — Duration of the infringement — Limitation — Legitimate interest in finding that an infringement was committed — Application for variation — Amount of the fines — Duration of the infringements — Unlimited jurisdiction)*

(2014/C 78/11)

Language of the case: English

**Parties**

*Applicants:* Arkema France (Colombes, France) (represented initially by J. Joshua, Barrister, and E. Aliende Rodríguez, lawyer, and subsequently by J. P. Gunther and C. Breuvert, lawyers) (Case T-23/10); and CECA SA (La Garenne-Colombes, France) (represented initially by J. Joshua, Barrister, and E. Aliende Rodríguez, lawyer, and subsequently by J.-P. Gunther and C. Breuvert, lawyers) (Case T-24/10)

*Defendant:* European Commission (represented by: K. Mojzesowicz, F. Ronkes Agerbeek and J. Bourke, Agents, and by J. Holmes, Barrister)

**Re:**

Applications for annulment of Commission Decision C(2009) 8682 final of 11 November 2009 relating to a proceeding under Article 81 [EC] and Article 53 of the EEA Agreement (Case COMP/38.589 — Heat Stabilisers), or, in the alternative, for a reduction of the fines imposed on the applicants.

**Operative part of the judgment**

The Court:

1. Dismisses the actions;
2. Orders Arkema France and CECA SA to pay the costs.

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<sup>(1)</sup> OJ C 80, 27.3.2010.

**Judgment of the General Court of 6 February 2014 —  
AC-Treuhand v Commission**(Case T-27/10) <sup>(1)</sup>

*(Competition — Agreements, decisions and concerted practices — European markets in tin heat stabilisers and ESBO/esters heat stabilisers — Decision finding two infringements of Article 81 EC and Article 53 of the EEA Agreement — Consultancy firm not operating in the markets at issue — Fines — Application for annulment — Meaning of ‘undertaking’ — Principle of the legality of offences and penalties — Duration of the infringement — Limitation — Duration of the administrative procedure — Reasonable period — Rights of the defence — Late notification of the investigation — Maximum of 10 % of turnover — Punishment of two infringements in one decision — Concept of a single infringement — Application for variation — Amount of the fines — Duration of the infringements — Duration of the administrative procedure — 2006 Guidelines on the method of setting fines — Value of sales — Symbolic fine — Unlimited jurisdiction)*

(2014/C 78/12)

Language of the case: German

**Parties**

*Applicant:* AC-Treuhand AG (Zurich, Switzerland) (represented by: C. Steinle and I. Bodenstern, lawyers)

*Defendant:* European Commission (represented by: F. Ronkes Agerbeek and R. Sauer, Agents, and by A. Böhlke, lawyer)

**Re:**

Application for annulment of Commission Decision C(2009) 8682 final of 11 November 2009 relating to a proceeding under Article 81 EC and Article 53 of the EEA Agreement (Case COMP/38.589 — Heat Stabilisers), or, in the alternative, for a reduction of the fines imposed.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders AC-Treuhand AG to pay the costs.

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<sup>(1)</sup> OJ C 100, 17.4.2010.