

5. Imposes a fine of EUR 23 370 000, on a joint and several basis, on Westfälische Drahtindustrie and Westfälische Drahtindustrie Verwaltungsgesellschaft mbH & Co.;
6. Imposes a fine of EUR 7 695 000 on Westfälische Drahtindustrie;
7. Dismisses the action as to the remainder;
8. Orders Westfälische Drahtindustrie, Westfälische Drahtindustrie Verwaltungsgesellschaft mbH & Co. and Pampus Industriebeteiligungen GmbH & Co. to bear half of their own costs, including those relating to the proceedings for interim measures. The Commission shall bear its own costs and pay half of the costs incurred by Westfälische Drahtindustrie, Westfälische Drahtindustrie Verwaltungsgesellschaft mbH & Co. and Pampus Industriebeteiligungen GmbH & Co., including those relating to the proceedings for interim measures.

⁽¹⁾ OJ C 301, 6.11.2010.

Judgment of the General Court of 15 July 2015 — *Fapricela v Commission*

(Case T-398/10) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — European prestressing steel market — Price fixing, market sharing and exchanging of sensitive commercial information — Decision finding an infringement of Article 101 TFEU — Cooperation during the administrative procedure)

(2015/C 302/44)

Language of the case: Portuguese

Parties

Applicant: Fapricela — Indústria de Trefilaria, SA (Ançã, Portugal) (represented initially by M. Gorjão-Henriques and S. Roux, lawyers, and subsequently by T. Guerreiro, R. Lopes and S. Alberto, lawyers)

Defendant: European Commission (represented by: F. Castillo de la Torre, P. Costa de Oliveira and V. Bottka, Agents, and M. Marques Mendes, lawyer)

Re:

Application for annulment and alteration of Commission Decision C(2010) 4387 final of 30 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (case COMP/38344 — Prestressing Steel), amended by Commission Decision C(2010) 6676 final of 30 September 2010, and by Commission Decision C(2011) 2269 final of 4 April 2011.

Operative part of the judgment

The Court:

1. Annuls Commission Decision C(2010) 4387 final of 30 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (case COMP/38344 — Prestressing Steel), amended by Commission Decision C(2010) 6676 final of 30 September 2010, and by Commission Decision C(2011) 2269 final of 4 April 2011 in so far as it finds that Fapricela — Indústria de Trefilaria, SA infringed Article 101(1) TFEU not only by participating in an infringement of that provision in the Iberian market but also by participating in a cartel covering the internal market and subsequently within the European Economic Area (EEA), and imposed on it a fine of EUR 8 874 000;

2. Sets the amount of the fine imposed on *Fapricela — Indústria de Trefilaria* at EUR 8 874 000;
3. Dismisses the action as to the remainder;
4. Orders each party to bear its own costs.

⁽¹⁾ OJ C 301, 6.11.2010.

Judgment of the General Court of 15 July 2015 — Emesa-Trefilería and Industrias Galycas v Commission

(Case T-406/10) ⁽¹⁾

(Competition — Agreements, decisions and concerted practices — European prestressing steel market — Price fixing, market sharing and exchanging of sensitive commercial information — Decision finding an infringement of Article 101 TFEU — Cooperation during the administrative procedure — Article 139(a) of the Rules of Procedure of the General Court)

(2015/C 302/45)

Language of the case: English

Parties

Applicants: Emesa-Trefilería SA (Arteixo, Spain); and Industrias Galycas SA (Vitoria, Spain) (represented by: A. Creus Carreras and A. Valiente Martin, lawyers)

Defendant: European Commission (represented initially by V. Bottka and F. Castilla Contreras, and subsequently by V. Bottka and A. Biolan, Agents, and by M. Gray, Barrister)

Intervener in support of the defendant: Council of the European Union (represented by: F. Florindo Gijón and R. Liudvinavičiute-Cordeiro, Agents)

Re:

Application for annulment and alteration of Commission Decision C(2010) 4387 final of 30 June 2010 relating to a proceeding under Article 101 TFEU and Article 53 of the EEA Agreement (case COMP/38344 — Prestressing Steel), amended by Commission Decision C(2010) 6676 final of 30 September 2010, and by Commission Decision C(2011) 2269 final of 4 April 2011.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Emesa-Trefilería, SA and Industrias Galycas, SA to bear their own costs and to pay those of the European Commission and the Council of the European Union;
3. Orders the Commission to pay the General Court the sum of EUR 1 500 under Article 139(a) of its Rules of Procedure, in order to refund part of the costs which the Court had to incur.

⁽¹⁾ OJ C 301, 6.11.2010.