

3. Orders the Council of the European Union, the EFTA Surveillance Authority and the Kingdom of Spain to bear their own costs.

(¹) OJ C 238, 13.8.2011.

Judgment of the General Court of 6 September 2013 — Europäisch-Iranische Handelsbank v Council

(Case T-434/11) (¹)

(Common foreign and security policy — Restrictive measures against Iran with the aim of preventing nuclear proliferation — Freezing of funds — Obligation to state reasons — Rights of the defence — Right to effective judicial protection — Manifest error of assessment — Right to property — Proportionality)

(2013/C 304/26)

Language of the case: English

Parties

Applicant: Europäisch-Iranische Handelsbank AG (Hamburg, Germany) (represented initially by S. Ashley and S. Gadhia, Solicitors, H. Hohmann, lawyer, D. Wyatt QC and R. Blakeley, Barrister, and subsequently by S. Ashley, H. Hohmann, D. Wyatt, R. Blakeley, and by S. Jeffrey and A. Irvine, Solicitors)

Defendant: Council of the European Union (represented by: F. Naert and R. Liudvinaviciute-Cordeiro, acting as Agents)

Interveners in support of the defendant: European Commission (represented initially by E. Paasivirta and S. Boelaert, and subsequently by E. Paasivirta and M. Konstantinidis, acting as Agents), and United Kingdom of Great Britain and Northern Ireland (represented by S. Behzadi-Spencer, A. Robinson and C. Murrell, acting as Agents, and by J. Swift QC and R. Palmer, Barrister)

Re:

Application for annulment, first, of Council Decision 2011/299/CFSP of 23 May 2011 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2011 L 136, p. 65); secondly, of Council Implementing Regulation (EU) No 503/2011 of 23 May 2011 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran (OJ 2011 L 136, p. 26); thirdly, of Council Decision 2011/783/CFSP of 1 December 2011 amending Decision 2010/413/CFSP concerning restrictive measures against Iran (OJ 2011 L 319, p. 71); fourthly, of Council Implementing Regulation (EU) No 1245/2011 of 1 December 2011 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran (OJ 2011 L 319, p. 11); and, fifthly, of Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1), in so far as those acts concern the applicant

Operative part of the judgment

The Court:

1. Annuls Council Implementing Regulation (EU) No 503/2011 of 23 May 2011 implementing Regulation (EU) No 961/2010 on restrictive measures against Iran, and Council Decision 2011/299/CFSP of 23 May 2011 amending Decision 2010/413/CFSP concerning restrictive measures against Iran, in so far as those acts concern Europäisch-Iranische Handelsbank AG;
2. Dismisses the action as to the remainder;
3. Orders Europäisch-Iranische Handelsbank to bear three fifths of its own costs and to pay three fifths of the costs incurred by the Council of the European Union;
4. Orders the Council to bear two fifths of its own costs and to pay two fifths of the costs incurred by Europäisch-Iranische Handelsbank;
5. Orders the United Kingdom of Great Britain and Northern Ireland and the European Commission to bear their own costs.

(¹) OJ C 282, 24.9.2011.

Judgment of the General Court of 6 September 2013 — Globula v Commission

(Case T-465/11) (¹)

(Internal market in natural gas — Directive 2003/55/EC — Obligation on natural gas undertakings to organise a system of negotiated third party access to gas storage facilities — Decision of the Czech authorities granting the applicant a temporary exemption for its future underground gas storage facilities in Dambořice — Commission decision ordering the Czech Republic to withdraw the exemption decision — Time at which Directive 2003/55 takes effect)

(2013/C 304/27)

Language of the case: English

Parties

Applicant: Globula a.s. (Hodonín, Czech Republic) (represented by: M. Petite, D. Paemen, A. Tomtsis, D. Koláček and P. Zákoucký, lawyers)

Defendant: European Commission (represented by: O. Beynet and T. Scharf, Agents)

Intervener in support of the applicants: Czech Republic (represented by: M. Smolek, J. Očková and T. Müller, Agents)

Re:

Application for the annulment of Commission Decision C(2011) 4509 of 27 June 2011 on the exemption of an Underground Gas Storage Facility in Dambořice from the internal market rules on third party access.

Operative part of the judgment

The Court:

1. Annuls Decision C(2011) 4509 of the Commission of 27 June 2011 on the exemption of an Underground Gas Storage Facility in Dambořice from the internal market rules on third party access;
2. Orders the European Commission to bear its own costs and to pay those incurred by Globula a.s.;
3. Orders the Czech Republic to bear its own costs.

(¹) OJ C 305, 15.10.2011.

Judgment of the General Court of (Fourth Chamber) of 6 September 2013 — Sepro Europe v Commission

(Case T-483/11) (¹)

(Plant-protection products — Active substance flurprimidol — Non-inclusion of flurprimidol in Annex I to Directive 91/414/EEC — Regulation (EC) No 33/2008 — Accelerated assessment procedure — Manifest error of assessment — Rights of the defence — Proportionality — Obligation to state reasons)

(2013/C 304/28)

Language of the case: English

Parties

Applicant: Sepro Europe Ltd (Harrogate, United Kingdom) (represented by: C. Mereu and K. Van Maldegem, lawyers)

Defendant: European Commission (represented by: P. Ondrůšek and G. von Rintelen, acting as Agents)

Re:

Application for annulment of Commission Implementing Decision 2011/328/EU of 1 June 2011 concerning the non-inclusion of flurprimidol in Annex I to Council Directive 91/414/EEC (OJ 2011 L 153, p. 192)

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Sepro Europe Ltd to bear its own costs and to pay those incurred by the European Commission.

(¹) OJ C 331, 12.11.2011.

Judgment of the General Court of 6 September 2013 — Godrej Industries and VVF v Council

(Case T-6/12) (¹)

(Dumping — Imports of certain fatty alcohols and their blends originating in India, Indonesia and Malaysia — Adjustment for currency conversion claimed — Burden of proof — Injury — Definitive anti-dumping duty)

(2013/C 304/29)

Language of the case: English

Parties

Applicants: Godrej Industries Ltd (Mumbai, India), and VVF Ltd (Mumbai) (represented by: B. Servais, lawyer)

Defendant: Council of the European Union (represented by: J.-P. Hix, acting as Agent, with G. Berrisch and A. Polcyn, lawyers)

Interveners in support of the defendant: Sasol Olefins & Surfactants GmbH, (Hamburg, Germany), Sasol Germany GmbH (Hamburg) (represented by: V. Akritidis, lawyer, and J. Beck, Solicitor); and European Commission (represented by: M. França and A. Stobiecka-Kuik, acting as Agents)

Re:

Application for annulment of Council Implementing Regulation (EU) No 1138/2011 of 8 November 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain fatty alcohols and their blends originating in India, Indonesia and Malaysia (OJ 2011 L 293, p. 1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Godrej Industries Ltd and VVF Ltd to pay the costs of the Council of the European Union and also those incurred by Sasol Olefins & Surfactants GmbH and Sasol Germany GmbH, in addition to bearing their own costs;
3. Orders the European Commission to bear its own costs.

(¹) OJ C 49, 18.2.2012.