

Order of the General Court of 21 March 2014 — Frucona Košice v Commission(Case T-11/07 RENV) ⁽¹⁾

(State aid — Spirit and spirit-based beverages — Cancellation of a tax debt in a collective bankruptcy procedure — Decision declaring the aid incompatible with the internal market and ordering its recovery — No longer any legal interest in bringing proceedings — Decision repealing and replacing the contested decision — No need to adjudicate)

(2014/C 159/32)

Language of the case: English

Parties

Applicant: Frucona Košice a.s. (Košice, Slovakia) (represented by: K. Lasok QC, J. Holmes and B. Hartnett, Barristers, and O. Geiss, lawyer)

Defendant: European Commission (represented by: L. Armati and K. Walkerová, Agents)

Intervener in support of the defendant: St. Nicolaus — trade a.s. (Bratislava, Slovakia) (represented by: N. Smaho, lawyer)

Re:

Application for annulment of Commission Decision 2007/254/EC of 7 June 2006 on State aid C 25/05 (ex NN 21/05) implemented by the Slovak Republic for Frucona Košice a.s. (OJ 2007 L 112, p. 14)

Operative part of the order

- 1) *There is no need to adjudicate on the action.*
- 2) *The European Commission shall bear its own costs and pay those incurred by Frucona Košice a.s.*
- 3) *St. Nicolaus — trade a.s. shall bear its own costs.*

⁽¹⁾ OJ C 56, 10.3.2007.

Order of the General Court of 27 March 2014 — Ecologistas en Acción v Commission(Case T-603/11) ⁽¹⁾

(Access to documents — Regulation (EC) No 1049/2001 — Documents relating to the carrying out of an industrial project on a site protected under Directive 92/43/EEC — Documents originating from a Member State — Opposition by the Member State — Refusal of access — Exception relating to the protection of the purpose of inspections, investigations and audits — Exception relating to the protection of court proceedings — Environmental information — Regulation (EC) No 1367/2006 — Action manifestly lacking any foundation in law)

(2014/C 159/33)

Language of the case: Spanish

Parties

Applicant: Ecologistas en Acción-CODA (Madrid, Spain) (represented by: J. Doreste Hernández, lawyer)

Defendant: European Commission (represented by: P. Costa de Oliveira and I. Martínez del Peral, acting as Agents)

Intervening party in support of the defendant: Kingdom of Spain (represented initially by S. Centeno Huerta, then by M. J. García-Valdecasas Dorrego, abogados del Estado)

Re:

Application for annulment of the Commission's decision of 23 September 2011 refusing to grant the applicant access to certain documents concerning approval of the project to construct a port in Granadilla (Tenerife, Spain), sent by the Spanish authorities to the Commission pursuant to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ 1992 L 206, p. 7)

Operative part of the order

1. *The action is dismissed.*
2. *Ecologistas en Acción-CODA is ordered to bear its own costs and to pay those incurred by the European Commission.*
3. *The Kingdom of Spain is ordered to bear its own costs.*

⁽¹⁾ OJ C 25, 28.1.2012.

Order of the General Court of 12 March 2014 — PAN Europe v Commission

(Case T-192/12) ⁽¹⁾

(Action for annulment — Environment — Implementing Regulation (EU) No 1143/2011 approving the active substance prochloraz — Request for internal review — Refusal — Conditions to be satisfied by an organisation in order to be entitled to make a request for internal review — Action in part manifestly inadmissible and in part manifestly lacking any foundation in law)

(2014/C 159/34)

Language of the case: English

Parties

Applicant: Pesticide Action Network Europe (PAN Europe) (Brussels, Belgium) (represented by: J. Rutteman, lawyer)

Defendant: European Commission (represented by: initially, P. Oliver and P. Ondrůšek, and, subsequently, P. Ondrůšek, J. Tomkin and L. Pignataro-Nolin, acting as Agents)

Re:

Application for annulment of the Commission's Decision of 9 March 2012 rejecting as inadmissible the request made by the applicant for review by the Commission of Commission Implementing Regulation (EU) No 1143/2011 of 10 November 2011 approving the active substance prochloraz, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 and Commission Decision 2008/934/EC (OJ 2011 L 293, p. 26)

Operative part of the order

1. *The action is dismissed.*
2. *Pesticide Action Network Europe (PAN Europe) shall bear its own costs and pay those incurred by the European Commission.*

⁽¹⁾ OJ C 194, 30.6.2012.