

2. Second plea in law, alleging infringement of essential procedural requirements, since the Parliament did not give the applicant the opportunity to state its views on the discrepancies noted.

3. Third plea in law, alleging infringement of the rule of law, in so far as:

- contributions in kind are a lawful method of financing;
- the applicant has been discriminated against in terms of its budget as against other European political parties;
- the right of an individual to be heard prior to the enactment of a measure adversely affecting him has not been observed.

4. Fourth plea in law, alleging misuse of powers, since the Parliament used financial constraints in order to restrict the means of action of a political party whose ideals are not shared by some of the Parliament's members.

Action brought on 16 December 2013 — AENM v Parliament

(Case T-679/13)

(2014/C 85/36)

Language of the case: French

Parties

Applicant: Alliance of European National Movements (AENM) (Matzenheim, France) (represented by: J.-P. Le Moigne, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- annul the decision of the European Parliament of 7 October 2013, partially repeated by the decision of 14 October 2013, and which fixed the definitive allowance granted by the European Parliament to the Alliance of European National Movements in respect of 2012 at EUR 186 292,12 and consequently decided that the Alliance of European National Movements must reimburse EUR 45 476,00 having regard to the fact that EUR 231 412,80 has already been allocated to the applicant association;

- order the European Parliament to pay all the costs and to pay on that basis a sum of EUR 20 000,00 to the Alliance of European National Movements.

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law which are essentially identical or similar to those it relies on in Case T-678/13 *AENM v Parliament*.

Action brought on 20 December 2013 — Bilbaina de Alquitranes and Others v Commission

(Case T-689/13)

(2014/C 85/37)

Language of the case: English

Parties

Applicants: Bilbaina de Alquitranes, SA (Luchana-Baracaldo, Vizcaya, Spain); Deza, a.s. (Valašské Meziříčí, Czech Republic); Industrial Química del Nalón, SA (Oviedo, Spain); Koppers Denmark A/S (Nyborg, Denmark); Koppers UK Ltd (Scunthorpe, United Kingdom); Koppers Netherlands BV (Uithoorn, Netherlands); Rütgers basic aromatics GmbH (Castrop-Rauxel, Germany); Rütgers Belgium NV (Zelzate, Belgium); Rütgers Poland Sp. z o.o. (Kędzierzyn-Koźle, Poland); Bawtry Carbon International Ltd (Doncaster, United Kingdom); Grupo Ferroatlántica, SA (Madrid, Spain); SGL Carbon GmbH (Meitingen, Germany); SGL Carbon GmbH (Bad Goisern am Hallstättersee, Austria); SGL Carbon (Passy, France); SGL Carbon, SA (La Coruña, Spain); SGL Carbon Polska S.A. (Racibórz, Poland); and ThyssenKrupp Steel Europe AG (Duisburg, Germany) (represented by: K. Van Maldegem and C. Mereu, lawyers)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- Declare the Application admissible and well-founded;
- Annul the Contested Act as far as it classifies CTPHT as H400 and H410;
- Order the Commission to pay the costs and expenses of these proceedings.

Pleas in law and main arguments

The Applicants seek partial annulment of Commission Regulation (EU) No 944/2013 of 2 October 2013 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures ('the CLP Regulation') (OJ L 261, p. 5), insofar as it classifies pitch, coal tar, high temp CAS Number 65996-93-2 ('CTPHT') as Aquatic Acute 1 (H400) and Aquatic Chronic 1 (H410) (the 'Contested Act').

In support of the action, the applicants rely on three pleas in law:

1. First plea in law, alleging that the contested act is unlawful because it infringes the REACH and CLP provisions regarding classification of substances as toxic for the aquatic environment and studies which must be accepted for this purpose, as well as the principle of equal treatment, in so far as it rejected studies performed according to REACH and OECD guidelines and it required testing without any accepted standardised method.
2. Second plea in law, alleging that the contested act is unlawful because it is based on a manifest error of assessment since it failed to take into consideration the inert inherent properties of CTPHT which have notably a significant impact on UV light testing and the application of the summation method; it established M-factors for PAH constituents without a proper assessment of the studies relied upon and it rejected information provided by the Applicants without valid justification.
3. Third plea in law, alleging that the contested decision is unlawful because it breached the EU law principles of transparency and right of defence.

Action brought on 10 January 2014 — Czech Republic v Commission

(Case T-27/14)

(2014/C 85/38)

Language of the case: Czech

Parties

Applicant: Czech Republic (represented by: M. Smolek, J. Vláčil and T. Müller, Agents)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- Annul the European Commission's call C(2013)7221 final of 4 November 2013 for the withdrawal of the decision of the Ministerstvo průmyslu a obchodu České republiky (Czech Ministry of Trade and Industry), which grants a derogation to the gas storage facilities in Dambořice from the national legislation implementing the provisions of Directive 2003/55/EC⁽¹⁾ on the rules for the access of third parties and
- Order the European Commission to pay the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging infringement of Article 266(1) TFEU
 - In this connection, the applicant submits that the Commission, by the adoption of the contested decision, proceeded in a manner directly contrary to the judgment in Case T-465/11 *Globula v Commission* [2013] ECR.
2. Second plea in law, alleging infringement of Article 22(4) of Directive 2003/55/EC
 - In this plea, the applicant submits that the Commission adopted the contested decision after the expiry of the time-limit set in Article 22(4) of Directive 2003/55/EC.

⁽¹⁾ Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC (OJ 2003 L 176, p. 57).

Action brought on 13 January 2014 — Laverana v OHIM (BIO — INGRÉDIENTS VÉGÉTAUX — PROPRE FABRICATION)

(Case T-30/14)

(2014/C 85/39)

Language of the case: German

Parties

Applicant: Laverana GmbH & Co. KG (Wennigsen, Germany) (represented by J. Wachinger und M. Zöbisch, lawyers)