

**Judgment of the General Court of 15 September 2016 — Cargill v Council**(Case T-117/14) <sup>(1)</sup>**(Dumping — Imports of biodiesel originating in Argentina — Definitive anti-dumping duty — Action for annulment — Direct concern — Individual concern — Admissibility — Article 2(5) of Regulation (EC) No 1225/2009 — Normal value — Production costs)**

(2016/C 402/33)

Language of the case: English

**Parties**

*Applicant:* Cargill SACI (Buenos Aires, Argentina) (represented by: J.-F. Bellis, R. Luff and G. Bathory, lawyers)

*Defendant:* Council of the European Union (represented initially by S. Boelaert and B. Driessen, and subsequently by H. Marcos Fraile, acting as Agents, and by R. Bierwagen and C. Hipp, lawyers)

*Interveners in support of the defendant:* European Commission (represented by M. França and A. Stobiecka-Kuik, acting as Agents) and European Biodiesel Board (EBB) (Brussels, Belgium) (represented by O. Prost and M.-S. Dibling, lawyers)

**Re:**

Action pursuant to Article 263 TFUE for annulment of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia (OJ 2013 L 315, p. 2) in so far as it imposes an anti-dumping duty on the applicant.

**Operative part of the judgment**

*The Court:*

1. Annuls Articles 1 and 2 of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia, in so far as they concern Cargill SACI;
2. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by Cargill;
3. Orders the European Commission and the European Biodiesel Board (EBB) to bear their own costs.

<sup>(1)</sup> OJ C 151, 19.5.2014.

**Judgment of the General Court of 15 September 2016 — LDC Argentina v Council**(Case T-118/14) <sup>(1)</sup>**(Dumping — Imports of biodiesel originating in Argentina — Definitive anti-dumping duty — Article 2 (5) of Regulation (EC) No 1225/2009 — Normal value — Production costs)**

(2016/C 402/34)

Language of the case: English

**Parties**

*Applicant:* LDC Argentina SA (Buenos Aires, Argentina) (represented by: J.-F. Bellis, R. Luff and G. Bathory, lawyers)

*Defendant:* Council of the European Union (represented initially by S. Boelaert and B. Driessen, and subsequently by H. Marcos Fraile, acting as Agents, and by R. Bierwagen and C. Hipp, lawyers)

*Interveners in support of the defendant:* European Commission (represented by M. França and A. Stobiecka-Kuik, acting as Agents) and European Biodiesel Board (EBB) (Brussels, Belgium) (represented by O. Prost and M.-S. Dibling, lawyers)

**Re:**

Action pursuant to Article 263 TFUE for annulment of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia (OJ 2013 L 315, p. 2) in so far as it imposes an anti-dumping duty on the applicant.

**Operative part of the judgment**

*The Court:*

1. Annuls Articles 1 and 2 of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia, in so far as they concern LDC Argentina SA;
2. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by LDC Argentina;
3. Orders the European Commission and the European Biodiesel Board (EBB) to bear their own costs.

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<sup>(1)</sup> OJ C 151, 19.5.2014.

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**Judgment of the General Court of 15 September 2016 — PT Ciliandra Perkasa v Council**

**(Case T-120/14) <sup>(1)</sup>**

**(Dumping — Imports of biodiesel originating in Indonesia — Definitive anti-dumping duty — Article 2 (5) of Regulation (EC) No 1225/2009 — Normal value — Production costs)**

(2016/C 402/35)

*Language of the case: English*

**Parties**

*Applicant:* PT Ciliandra Perkasa (Jakarta, Indonesia) (represented by: F. Graafsma and J. Cornelis, lawyers)

*Defendant:* Council of the European Union (represented initially by S. Boelaert, and subsequently by H. Marcos Fraile, acting as Agents, and by R. Bierwagen and C. Hipp, lawyers)

*Interveners in support of the defendant:* European Commission (represented by J.-F. Brakeland, M. França and A. Stobiecka-Kuik, acting as Agents) and European Biodiesel Board (EBB) (Brussels, Belgium) (represented by O. Prost and M.-S. Dibling, lawyers)

**Re:**

Action pursuant to Article 263 TFUE for annulment of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia (OJ 2013 L 315, p. 2) in so far as it imposes an anti-dumping duty on the applicant.

**Operative part of the judgment**

*The Court:*

1. Annuls Articles 1 of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia, in so far as it concerns PT Ciliandra Perkasa;