

2. Dismisses the action as to the remainder;
3. Orders each party to bear its own costs.

⁽¹⁾ OJ C 129, 28.4.2014.

Judgment of the General Court of 24 November 2015 — Netherlands v Commission

(Case T-126/14) ⁽¹⁾

(EAGGF — Guarantee Section — EAGF and EAFRD — Financial correction applied in respect of the non-reporting of interest — Obligation to state reasons — Obligation to account for interest — Article 32(5) of Regulation (EC) No 1290/2005 — Principle of equivalence — Obligation of due diligence)

(2016/C 016/36)

Language of the case: Dutch

Parties

Applicant: Kingdom of the Netherlands (represented by: M. K. Bulterman, J. Langer and M. Noort, acting as Agents)

Defendant: European Commission (represented by: H. Kranenborg and P. Rossi, acting as Agents)

Re:

Application for partial annulment of Commission Implementing Decision 2013/763/EU of 12 December 2013 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2013 L 338, p. 81).

Operative part of the judgment

The Court:

1. Annuls Commission Implementing Decision 2013/763/EU of 12 December 2013 on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) in so far as it applied to the Kingdom of the Netherlands a financial correction amounting to EUR 4 703 231,78 in respect of the non-reporting of interest on claims relating to the late payment of additional levies before 1 April 1993 and on export refunds wrongly paid before 1 April 1995;
2. Orders the European Commission to bear its own costs and to pay those incurred by the Kingdom of the Netherlands.

⁽¹⁾ OJ C 112, 14.4.2014.