

*Defendant:* European Commission (represented by: P. Arenas, A. Caeiros and B.-R. Killmann, acting as Agents)

**Re:**

Action based on Article 263 TFEU and seeking annulment of Commission Decision C(2014) 2363 final of 14 April 2014 which found, in a particular case, that the remission of import duties is justified for a certain amount, but not for another amount (REM 02/2013), inasmuch as it concludes that the remission of the import duties of EUR 14 417 193,41 is not justified.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*
2. *Orders the Kingdom of Spain to bear its own costs and to pay those incurred by the European Commission.*

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<sup>(1)</sup> OJ C 261, 11.8.2014.

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**Judgment of the General Court of 15 December 2016 — Spain v Commission**

(Case T-548/14) <sup>(1)</sup>

*(Customs Union — Imports of tuna products originating in Ecuador — Post-clearance recovery of import duties — Request for waiver of recovery of import duties — Article 220(2)(b) and Article 236 of Regulation (EEC) No 2913/92 — Notice to importers published in the Official Journal — Good faith — Application for the remission of import duties — Article 239 of Regulation (EEC) No 2913/92)*

(2017/C 038/33)

*Language of the case: Spanish*

**Parties**

*Applicant:* Kingdom of Spain (represented by: A. Rubio González, abogado del Estado)

*Defendant:* European Commission (represented by: P. Arenas, A. Caeiros, and B.-R. Killmann, acting as Agents)

**Re:**

Application based on Article 263 TFEU and seeking annulment of Article 2 of Decision C(2014) 3007 final of the Commission of 15 May 2014 finding that the remission of import duties is justified for a certain amount and that remission of import duties is not justified for another amount in a particular case (REM 03/2013).

**Operative part of the judgment**

*The Court:*

1. *annuls Article 2 of Decision C(2014) 3007 final of the Commission of 15 May 2014 finding that the remission of import duties is justified for a certain amount and that remission of import duties is not justified for another amount in a particular case (REM 03/2013);*
2. *orders the European Commission to pay the costs.*

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<sup>(1)</sup> OJ C 315, 15.9.2014.