

2. Orders the Hellenic Republic to pay the European Commission, into the 'European Union own resources' account, a penalty payment of EUR 30 000 for each day of delay in adopting the measures necessary to comply with the judgment of 10 September 2009 in *Commission v Greece* (C-286/08, not published, EU:C:2009:543), from the date of delivery of the present judgment until full compliance with the judgment of 10 September 2009 in *Commission v Greece* (C-286/08, not published, EU:C:2009:543). That amount is divided into three parts, corresponding to the three heads of claim invoked by the European Commission and is equivalent, with respect to the first head of claim, to 10 % of the total amount of the penalty payment, namely EUR 3 000, with respect to the second head of claim, to 45 % of that amount, namely EUR 13 500, as well as with respect to the third head of claim, which, as regards the proper management of so-called 'historical' waste, will be subject to a six-monthly reduction as a pro rata of the volume of that waste the management of which was in compliance. That reduction is limited to 50 % of the amount of the penalty payment corresponding to that head of claim, that is to say, EUR 6 750;
3. Orders the Hellenic Republic to pay the European Commission, into the 'European Union own resources' account, a lump sum of EUR 10 million;
4. Orders the Hellenic Republic to pay the costs.

⁽¹⁾ OJ C 81, 9.3.2015.

Judgment of the Court (Fourth Chamber) of 7 September 2016 — Pilkington Group Ltd, Pilkington Automotive Ltd, Pilkington Automotive Deutschland GmbH, Pilkington Holding GmbH, Pilkington Italia SpA v European Commission

(Case C-101/15 P) ⁽¹⁾

(Appeal — Agreements, decisions and concerted practices — Article 101 TFEU — Article 53 of the Agreement on the European Economic Area of 2 May 1992 — European market for automotive glass — Market-sharing agreements and exchanges of commercially sensitive information — Fines — 2006 Guidelines on the method of setting fines — Point 13 — Value of sales — Regulation (EC) No 1/2003 — Second subparagraph of Article 23(2) — Statutory ceiling of the fine — Exchange rate for the calculation of the ceiling of the fine — Amount of the fine — Unlimited jurisdiction — Mono-product undertakings — Proportionality — Equal treatment)

(2016/C 402/06)

Language of the case: English

Parties

Appellants: Pilkington Group Ltd, Pilkington Automotive Ltd, Pilkington Automotive Deutschland GmbH, Pilkington Holding GmbH, Pilkington Italia SpA (represented by: S. Wisking and K. Fountoukakos-Kyriakakos, Solicitors, and by C. Puech Baron, avocat)

Other party to the proceedings: European Commission (represented by: A. Biolan, M. Kellerbauer and H. Leupold, acting as Agents)

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Pilkington Group Ltd, Pilkington Automotive Ltd, Pilkington Automotive Deutschland GmbH, Pilkington Holding GmbH and Pilkington Italia SpA to pay the costs.

⁽¹⁾ OJ C 81, 9.3.2015.