

Judgment of the General Court of 18 June 2019 — European Food and Others v Commission**(Joined Cases T-624/15, T-694/15 and T-704/15) ⁽¹⁾**

(State aid — Award made by an arbitral tribunal established under the auspices of the International Centre for Settlement of Investment Disputes (ICSID) — Payment of compensation granted to certain economic operators — Decision declaring the aid incompatible with the internal market and ordering its recovery — Competence of the Commission)

(2019/C 295/19)

Language of the case: English

Parties

Applicants in Case T-624/15: European Food SA (Drăgănești, Romania), Starmill SRL (Drăgănești), Multipack SRL (Drăgănești) and Scandic Distilleries SA (Oradea, Romania) (represented by: K. Struckmann, G. Forwood, lawyers, and A. Kadri, Solicitor)

Applicant in Case T-694/15: Ioan Micula (Oradea, Romania), (represented by: K. Struckmann, G. Forwood, lawyers, and A. Kadri, Solicitor)

Applicants in Case T-704/15: Viorel Micula (Oradea), European Drinks SA (Ștei, Romania), Rieni Drinks SA (Rieni, Romania), Transilvania General Import-Export SRL (Oradea) and West Leasing International SRL (Pântășești, Romania) (represented: initially by J. Derenne, D. Vallindas, lawyers, A. Dashwood, Barrister, and V. Korom, Solicitor, and subsequently by J. Derenne, D. Vallindas and A. Dashwood)

Defendant: European Commission (represented by: P.-J. Loewenthal and T. Maxian Rusche, acting as Agents)

Interveners in support of the defendant: Kingdom of Spain (represented by: S. Centeno Huerta and A. Rubio González, acting as Agents) and Hungary (represented: initially by M. Fehér, G. Koós and M. Bóra, and subsequently by M. Fehér and G. Koós, acting as Agents)

Re:

Three applications under Article 263 TFEU for annulment of Commission Decision (EU) 2015/1470 of 30 March 2015 on State aid SA.38517 (2014/C) (ex 2014/NN) implemented by Romania — Arbitral award Micula v Romania of 11 December 2013 (OJ 2015 L 232, p. 43).

Operative part of the judgment

The Court:

1. Joins Cases T-624/15, T-694/15 and T-704/15 for the purposes of the judgment;
2. Annuls Commission Decision (EU) 2015/1470 of 30 March 2015 on State aid SA.38517 (2014/C) (ex 2014/NN) implemented by Romania — Arbitral award Micula v Romania of 11 December 2013;
3. Orders the European Commission to bear its own costs and to pay those incurred by European Food SA, Starmill SRL, Multipack SRL, Scandic Distilleries SA, Mr Ioan Micula and Mr Viorel Micula, European Drinks SA, Rieni Drinks SA, Transilvania General Import-Export SRL and West Leasing International SRL;
4. Orders the Kingdom of Spain and Hungary to bear their own costs.

⁽¹⁾ OJ C 16, 18.1.2016.