

**Action brought on 11 January 2017 — Mellifera v Commission**

(Case T-12/17)

(2017/C 063/52)

*Language of the case: German***Parties**

*Applicant:* Mellifera eV, Vereinigung für wesensgemäße Bienenhaltung (Rosenfeld, Germany) (represented by: A. Willand, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul Commission Decision Ares (2016) 6306335 of 8 November 2016, received by the applicant on 11 November 2016;
- order the Commission to adopt a new decision on the merits of the applicant's request for internal review of Implementing Regulation (EU) 2016/1056 on the extension of authorisation for glyphosate;
- order the defendant to pay the costs of the proceedings.

**Pleas in law and main arguments**

In support of the action, the applicant raises two pleas in law.

1. First plea in law: infringement of Article 10(1) of Regulation (EC) No 1367/2006, <sup>(1)</sup> in conjunction with Article 2(1)(g) of that regulation and with the Aarhus Convention <sup>(2)</sup>

The applicant submits, in connection with the first plea, that the extension of the authorisation for the active substance glyphosate is an administrative act that is amenable to review in the procedure under Article 10(1) of Regulation (EC) No 1367/2006.

2. Second plea in law: infringement of Article 17 of Regulation (EC) No 1107/2009 <sup>(3)</sup>

The applicant claims that the Commission was not empowered to extend the authorisation for the active substance glyphosate under the provision referred to above, as that rule was not applicable at all in the present case.

<sup>(1)</sup> Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies (OJ 2006 L 264, p. 13).

<sup>(2)</sup> United Nations Economic Commission for Europe (UNECE) Convention on access to information, public participation in decision-making and access to justice in environmental matters.

<sup>(3)</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ 2009 L 309, p. 1).

**Action brought on 12 January 2017 — Europa Terra Nostra v Parliament**

(Case T-13/17)

(2017/C 063/53)

*Language of the case: German***Parties**

*Applicant:* Europa Terra Nostra e.V. (Berlin, Germany) (represented by: P. Richter, lawyer)