

Order of the General Court of 14 May 2019 — Ayuntamiento de Enguera v Commission(Case T-602/18) ⁽¹⁾**(Action for annulment — Grant agreement concluded under the Financial Instrument for the Environment (LIFE+) — Reduction of the amount of the grant — Reclassification of the action — Refusal of the applicant — Inadmissibility)**

(2019/C 230/66)

Language of the case: Spanish

Parties

Applicant: Ayuntamiento de Enguera (Enguera, Spain) (represented by: J. Palau Navarro, J. Ortiz Ballester and V. Soriano i Piqueras, lawyers)

Defendant: European Commission (represented by: J. Estrada de Solà and A. Katsimerou, acting as Agents)

Re:

Application under Article 263 TFEU seeking annulment of the Commission's letter of 26 July 2018 confirming its position on the reduction of the amount of the grant awarded under grant agreement LIFE10 ENV/ES/000458 and giving notice of the issue of a recovery order for the sum of EUR 1 13 408,05.

Operative part of the order

1. *The action is dismissed as inadmissible.*
2. *Ayuntamiento de Enguera shall pay the costs.*

⁽¹⁾ OJ C 436, 3.12.2018.

Order of the President of the General Court of 8 May 2019 — Sumitomo Chemical and Tenka Best v Commission

(Case T-734/18 R)

(Interim measures — Biocidal products — Active substance empenhrin — Non-approval — Application for suspension of operation of a measure — No urgency)

(2019/C 230/67)

Language of the case: English

Parties

Applicants: Sumitomo Chemical (UK) plc (London, United Kingdom), Tenka Best, SL (Aiguafreda, Spain) (represented by: K. Van Maldegem, lawyer, and V. McElwee, Solicitor)

Defendant: European Commission (represented by: L. Haasbeek and R. Lindenthal, acting as Agents)

Intervener in support of the defendant: Kingdom of Belgium (represented by: L. Van den Broeck and P. Cottin, acting as Agents, and by A. Poppe and E. Jacubowitz, lawyers)

Re:

Application under Articles 278 and 279 TFEU seeking the suspension of the operation of Commission Implementing Decision (EU) 2018/1251 of 18 September 2018 not approving empenethrin as an existing active substance for use in biocidal products of product-type 18 (OJ 2018 L 235, p. 24).

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

Action brought on 10 April 2019 — Uzina Metalurgica Moldoveneasca/Commission

(Case T-245/19)

(2019/C 230/68)

Language of the case: English

Parties

Applicant: Uzina Metalurgica Moldoveneasca OAO (Rîbnița, Moldova) (represented by: P. Vander Schueren and E. Gergondet, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- declare the action admissible;
- annul Commission Implementing Regulation (EU) 2019/159 of 31 January 2019, ⁽¹⁾ as far as it applies to the applicant; and
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on eight pleas in law.

1. First plea in law, alleging that the Commission Implementing Regulation 2019/159 is based on a manifest error of assessment and would have violated the principles of equality and non-discrimination by applying definitive safeguard measures to imports originating in Moldova, whereas comparable imports originating in countries that are members of the European Economic Area would have been excluded.