

GENERAL COURT

Judgment of the General Court of 9 November 2022 — Cambodia and CRF v Commission

(Case T-246/19) ⁽¹⁾

(Safeguard measures — Rice market — Imports of Indica rice originating in Cambodia and Myanmar/Burma — Regulation (EU) No 978/2012 — Concept of ‘Union producers’ — Concept of ‘like or directly competing products’ — Serious difficulties — Rights of the defence — Essential facts and considerations — Manifest errors of assessment)

(2023/C 15/45)

Language of the case: English

Parties

Applicants: Kingdom of Cambodia, Cambodia Rice Federation (CRF) (Phnom Penh, Cambodia) (represented by R. Antonini, E. Monard and B. Maniatis, lawyers)

Defendant: European Commission (represented by A. Biolan, H. Leupold and E. Schmidt, acting as Agents)

Interveners in support of the defendant: Ente Nazionale Risi (Milan, Italy) (represented by F. Di Gianni and A. Scalini, lawyers), Italian Republic (represented by G. Palmieri, acting as Agent, and by P. Gentili, avvocato dello Stato)

Re:

By their action under Article 263 TFEU, the applicants seek annulment of Commission Implementing Regulation (EU) 2019/67 of 16 January 2019 imposing safeguard measures with regard to imports of Indica rice originating in Cambodia and Myanmar/Burma (OJ 2019 L 15, p. 5), by which the European Commission reintroduced the Common Customs Tariff duties on imports of that rice for a period of three years and introduced a progressive reduction in the rate of duty applicable.

Operative part of the judgment

The Court:

1. Annuls Commission Implementing Regulation (EU) 2019/67 of 16 January 2019 imposing safeguard measures with regard to imports of Indica rice originating in Cambodia and Myanmar/Burma;
2. Orders the European Commission to bear its own costs and to pay the costs incurred by the Kingdom of Cambodia and by Cambodia Rice Federation (CRF);
3. Orders the Italian Republic and Ente Nazionale Risi to bear their own costs.

⁽¹⁾ OJ C 213, 24.6.2019.