

- the customs authority does not dispute or otherwise question the authenticity of the invoice and the proof of payment of the price of the product, presented as evidence of the import price actually paid;
- the importer, despite being requested to do so by the customs authority, has not provided a contract or other equivalent document as proof of the price payable for the product when sold for export to the customs territory of the European Union, including additional evidence for the determination of the economic elements of the product justifying the higher value when purchased from the exporter, for an organic product or a particularly high level of quality of the specific lot of vegetables?

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<sup>(1)</sup> OJ 2013 L 269, p. 1.

<sup>(2)</sup> Commission Delegated Regulation (EU) 2017/891 of 13 March 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to penalties to be applied in those sectors and amending Commission Implementing Regulation (EU) No 543/2011 (OJ 2017 L 138, p. 4).

<sup>(3)</sup> OJ 2015 L 343, p. 558.

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**Appeal brought on 9 December 2021 by AV, AW against the judgment of the General Court (Eighth Chamber) delivered on 6 October 2021 in Case T-43/20, AV and AW v Parliament**

**(Case C-773/21 P)**

(2022/C 138/11)

*Language of the case: French*

**Parties**

*Appellants:* AV, AW (represented by: J. Martins, avocat)

*Other party to the proceedings:* European Parliament

**Form of order sought**

The appellants claim that the Court should:

- declare the appeal admissible and well founded;
- set aside the judgment under appeal;
- dispose of the case itself by upholding the claims of the appellants put forward at first instance, including the claim that the defendant be ordered to pay the costs; or in the alternative
- refer the case back to the General Court for judgment;
- order the European Parliament to pay all the costs at first instance and on appeal.

**Pleas in law and main arguments**

- Infringement of the rights of the defence and failure to comply with the duty to state reasons;
  - Inaccurate assessments of the facts and distortion of a number of items of evidence which led the General Court to err in law in the assessment of the facts;
  - Error of law in the interpretation of the applicable legislation.
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