

**Action brought on 28 February 1997 by Giorgio Lebedef
against the Commission of the European Communities**

(Case T-42/97)

(97/C 166/31)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 28 February 1997 by Giorgio Lebedef, residing in Senningerberg (Luxembourg), represented by Gilles Bounéou, of the Luxembourg Bar, with an address for service in Luxembourg at his Chambers, 15 Avenue du Bois.

The applicant claims that the Court should:

- principally, annul the implied decision rejecting Mr Lebedef's request for secondment on union duties,
- alternatively, and so far as is necessary:
 - declare the procedure known as 'secondment on union duties' unlawful,
 - annul the Commission's decision not to put an end to all secondments on union duties already granted in the past,
 - order the Commission to pay all the costs.

Pleas in law and main arguments adduced in support:

The applicant, a member of the union 'Action & Défense — Luxembourg', considers that the Commission's refusal, first, to allow him secondment on union duties in his capacity as representative of the abovementioned union and, second, to take a decision concerning the lawfulness and validity of secondment on union duties allowed in the past constitutes infringement of Articles 24a, 25, 37, 38 and 39 of the Staff Regulations and the framework agreement governing the relations between the institution and the trade unions and staff associations and Convention No 151 of the International Labour Organization concerning employment relationships in public service, which entered into force on 25 February 1981.

**Action brought on 7 March 1997 by Sofivo and Others
against the Commission of the European Communities**

(Case T-61/97)

(97/C 166/32)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 7 March 1997 by Sofivo, established at Condé sur Vire (France), Sofivo Production, established at Brece (France), Sovinor, established at Condé sur Vire (France), Denkvit France, established at Montreuil-Bellay (France), Sobeval Viande,

established at Périgueux (France), Serval, established at Sainte Eanne (France), Besnier Industrie, established at Bourgbarre (France), Sovida, established at Chateaubriand (France), Sica Ouest Elevage, established at Ploudaniel (France), Guinde, established at Montauban de Bretagne (France), Tarbouriech, established at Villeneuve sur Lot (France), Mamellor, established at Charnay les Macon (France), Coopagri Bretagne, established at Landerneau (France), Collet et Compagnie, established at Chateaubourg (France), Kermene SA, established at Saint Jacut du Mene (France), and Vals, established at Champagne (France), represented by Deborah Kryvian, of the Rouen Bar, with an address for service in Luxembourg at the Chambers of Marc Loesch, 11 Rue Goethe.

The applicants claim that the Court should:

- annul Commission Regulation No 18/97 adopted on 8 January 1997,
- order the Commission to pay the costs.

Pleas in law and main arguments adduced in support:

The applicants, French companies producing veal for human consumption, who are already contesting, before the Court of First Instance, Council Regulation No 2222/96 ⁽¹⁾ and Commission Regulation No 2311/96 ⁽²⁾, are applying in the present case for annulment of Commission Regulation (EEC) No 18/97 of 8 January 1997 amending Regulation (EEC) No 3886/92 laying down detailed rules for the application of premium schemes in the beef and veal sector ⁽³⁾, inasmuch as it increases the veal carcass reference weight for Germany from 103 kilograms to 112 kilograms.

The applicants also plead unequal treatment and anti-competitive discrimination. They maintain that the increase in the German carcass reference weight to a weight higher than that in respect of France, which has been fixed without leaving the competent French authorities any discretion whatever, increases the distortion of competition already criticized in the previous cases, thereby directly benefiting German operators.

⁽¹⁾ Cases T-14/97 and T-15/97 (OJ No C 94, 22. 3. 1997).

⁽²⁾ Case T-20/97 (OJ No C 94, 22. 3. 1997).

⁽³⁾ OJ No L 5, 9. 1. 1997, p. 17.

**Action brought on 10 March 1997 by Société Générale
against the Commission of the European Communities**

(Case T-62/97)

(97/C 166/33)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First