

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 22 March 2000

in Joined Cases T-125/97 and T-127/97: The Coca-Cola Company and Coca-Cola Enterprises Inc. v Commission of the European Communities⁽¹⁾

(Competition — Regulation (EEC) No 4064/89 — Decision declaring a concentration compatible with the common market — Action for annulment — Statement of reasons — Admissibility)

(2000/C 149/56)

(Language of the case: English)

In Joined Cases T-125/97 and T-127/97: The Coca-Cola Company, established in Wilmington, Delaware, United States, represented by M. Siragusa, of the Rome Bar, and N. Levy, of the Bar of England and Wales, with an address for service in Luxembourg at the Chambers of Elvinger and Hoss, 15 Côte d'Eich, Coca-Cola Enterprises Inc., established in Atlanta, Georgia, United States, represented by P. Lasok QC, and M. Reynolds, Solicitor of the Supreme Court of England and Wales, with an address for service in Luxembourg at the Chambers of Zeyen, Beghin and Feider, 56-58 Rue Charles Martel v Commission of the European Communities (Agent: W. Wils), supported by The Virgin Trading Company Ltd, established in London, represented by I. Forrester QC, of the Scots Bar, with an address for service in Luxembourg at the Chambers of A. May, 31 Grand-Rue, and Federal Republic of Germany, (Agents: W.-D. Plessing C.-D. Quassowski) — application for annulment of part of the statement of reasons for Commission Decision 97/540/EC of 22 January 1997 declaring a concentration compatible with the common market and with the functioning of the European Economic Area Agreement (Case IV/M.794 Coca-Cola/Amalgamated Beverages GB) (OJ 1997 L 218, p. 15) — the Court (First Chamber, Extended Composition), composed of: B. Vesterdorf, President, V. Tiili, J. Pirrung, A.W.H. Meij and M. Vilaras, Judges; H. Jung, Registrar, has given a judgment on 22 March 2000, in which it:

1. Dismisses the applications as inadmissible.
2. Orders the Coca-Cola Company and Coca-Cola Enterprises Inc. to pay the costs in Cases T-125/97 and T-127/97 respectively.
3. Orders The Virgin Trading Company Ltd and the Federal Republic of Germany to bear their own costs.

⁽¹⁾ OJ C 199 of 28.6.1997.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 28 March 2000

in Case T-251/97: T. Port GmbH & Co. v Commission of the European Communities⁽¹⁾

(Agriculture — Common organisation of the market — Bananas — Application for allocation of additional import licences — Article 30 of Regulation (EEC) No 404/93 — Action for annulment)

(2000/C 149/57)

(Language of the Case: German)

In Case T-251/97: T. Port GmbH & Co., Hamburg, represented by Gert Meier, Rechtsanwalt, Cologne, with an address for service in Luxembourg at the Chambers of M. Baden, 24 Rue Marie-Adélaïde, against Commission of the European Communities (Agents: K.-D. Borchardt and H. van Vliet), supported by Kingdom of Spain (Agent: R. Silva de Lapuerta) and French Republic (Agent: K. Rispal-Bellanger) — application for annulment of the decision of the Commission of 9 July 1997 refusing to allocate additional import licences to the applicant by way of transitional measures under the common organization of the market in bananas — the Court of First Instance (Fifth Chamber), composed of J.D. Cooke, President, and R. García-Valdecasas and P. Lindh, Judges; H. Jung, Registrar, has given a judgment on 28 March 2000, in which it:

1. Dismisses the application.
2. Orders the applicant to pay its own costs and those of the Commission.
3. Orders the Kingdom of Spain and the French Republic to pay their own costs.

⁽¹⁾ OJ C 357, 22.11.1997.