

Application for:

Annulment of the defendants' acts permitting the Kingdom of Norway to apply more stringent concentration limits for acrylamide than those applicable in the European Community and set out in Decision of the EEA Joint Committee No 59/2004 of 6 April 2004 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement (OJ 2004 L 277, p. 30), and annulment of the Community's position relating to that decision.

Operative part of the Order:

1. *The action is dismissed as inadmissible.*
2. *The applicant is to bear its own costs and to pay those incurred by the Commission and the Council.*

(¹) OJ C 284, 20.11.2004.

Order of the President of the Court of First Instance of 23 May 2005: Dimos Ano Liosion and Others v Commission

(Case T-85/05 R)

(Interim measures — Cohesion Fund — Co-financing decision — Project for hygienic infill of domestic waste — Admissibility — Prima facie case — Urgency — None)

(2005/C 257/23)

Language of the case: Greek

Parties:

Applicants: Dimos Ano Liosion and Others (Greece) (represented by: G. Kalavros, lawyer).

Defendant: Commission of the European Communities (represented by: D. Triantafyllou and L. Flynn, acting as Agents).

Application for:

Suspension of operation of Commission Decision E(2004) 5522 of 21 December 2004 concerning the grant of assistance by the Cohesion Fund for the construction of Phase 1 of the second landfill site for waste (XYTA) in Western Attica, at Skalistiri in the Deme of Phylis, Attica (Greece)

Operative part of the order:

- 1) *The application is dismissed.*
- 2) *The costs are reserved.*

Action brought on 25 July 2005 — Friedrich Weber v Commission

(Case T-290/05)

(2005/C 257/24)

Language of the case: German

Parties:

Applicant: Friedrich Weber (Cologne, Germany) (represented by: W. Declair, lawyer)

Defendant: Commission of the European Communities

Form of order sought:

The applicant claims that the Court should:

- vary the defendant's decision of 27 May 2005 so that it is obligated to grant the applicant access, in accordance with its letters of 23 April 2005 and 27 April 2005, to documents in connection with the State aid proceedings E 3/2005 concerning the financing of public-law broadcasting bodies pursuant to Regulation (EC) No 1049/2001.

Pleas in law and main arguments:

In the contested decision, the Commission refused the applicant's request for access to documents in connection with the State aid proceedings E 3/2005 concerning the financing of public-law broadcasting bodies with reference to the third indent of Article 4(2) and the first subparagraph of Article 4(3) of the openness regulation. (¹)

The applicant claims that there is a public interest in disclosure of the documents at issue.

(¹) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145 of 31.05.2001 p. 43).