

Order of the Court of 8 December 2006 — Polyelectrolyte Producers Group v Commission of the European Communities, Council of the European Union

(Case C-368/05 P) ⁽¹⁾

(Appeal — Council decision determining the Community's position — Decision of the EEA Joint Committee permitting the Kingdom of Norway to apply more stringent specific concentration limits for acrylamide than those applicable in the Community)

(2007/C 82/16)

Language of the case: English

Parties

Applicant: Polyelectrolyte Producers Group (represented by: K. Van Maldegem and C. Mereu, avocats)

Other parties to the proceedings: Council of the European Union (represented by: G. Curmi, J.-P. Hix and F. Florindo Gijón), Commission of the European Communities (represented by: J. Forman and M. Wilderspin, Agents)

Re:

Appeal against the order of the Court of First Instance (Second Chamber) of 22 July 2005 in Case T-376/04 *Polyelectrolyte Producers Group v Council and Commission*, which declared inadmissible an action for, first, annulment of Decision of the EEA Joint Committee No 59/2004 of 26 April 2004 amending Annex II to the EEA Agreement (OJ 2004 L 277, p. 30) permitting Norway to apply more stringent concentration limits for acrylamide than those applicable in the Community, and also a declaration that the joint statement relating to the EEA Agreement regarding the review clauses in the field of dangerous substances, adopted at the meeting of the Joint Committee on 26 March 1999 (OJ 1999 C 185, p. 6), is unlawful and, second, an action for damages to obtain compensation for the loss allegedly suffered by the applicant following the adoption of the contested decision.

Operative part of the order

1. *The appeal is dismissed.*
2. *Polyelectrolyte Producers Group is ordered to pay the costs.*

⁽¹⁾ OJ C 10, 14.1.2006.

Order of the Court of 22 January 2007 — Bart Nijs v Court of Auditors of the European Communities

(Case C-373/05 P) ⁽¹⁾

(Appeal — Officials — Decision not to promote an official to Grade LA 5 — Previous complaint — Identity of subject-matter and legal basis — Appeal manifestly unfounded)

(2007/C 82/17)

Language of the case: French

Parties

Appellant: Bart Nijs (represented by: F. Rollinger, lawyer)

Other party to the proceedings: Court of Auditors of the European Communities (represented by: T. Kennedy and G. Corstens, Agents)

Re:

Appeal against the order of the Court of First Instance (Second Chamber) of 26 May 2005 in Case T-377/04 *Nijs v Court of Auditors*, in which the Court of First Instance dismissed as inadmissible the action for annulment of the decision of the Court of Auditors not to promote the appellant to the post of translator-reviser (LA 5) in the 2003 promotion exercise

Operative part of the order

1. *The appeal is dismissed;*
2. *Mr Nijs is ordered to pay the costs.*

⁽¹⁾ OJ C 330, 24.12.2005.

Order of the Court of 26 January 2007 — Elisabetta Righini v Commission of the European Communities

(Case C-57/06 P) ⁽¹⁾

(Appeal — Officials — Temporary staff — Classification by grade and step — Classification in a higher career bracket — Distortion of the facts — Defective statement of reasons — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(2007/C 82/18)

Language of the case: French

Parties

Appellant: Elisabetta Righini (represented by E. Boigelot, avocat)