

Action brought on 4 June 2007 — Italy v Commission**(Case T-205/07)**

(2007/C 170/78)

*Language of the case: Italian***Parties***Applicant:* Italian Republic (represented by: P. Gentili, Avvocato dello Stato)*Defendant:* Commission of the European Communities**Form of order sought**

— Annul the Call for expressions of interest to constitute a database of candidates to be recruited as contracts agents carrying out various activities within the European institutions and agencies, EPSO/CAST/EU/27/07, published only in English, French and German on the EPSO website <http://europe.eu.epso/cast27/call> on 27 March 2007.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied on in Case T-156/07 *Spain v Commission*.

Action brought on 12 June 2007 — Foshan Shunde Yongjian Housewares & Hardware v Council**(Case T-206/07)**

(2007/C 170/79)

*Language of the case: French***Parties***Applicant:* Foshan Shunde Yongjian Housewares & Hardware (represented by: J.-F. Bellis, lawyer, and G. Vallera, Barrister)*Defendant:* Council of the European Union**Form of order sought**

— Annul the antidumping duty imposed with respect to the applicant by Council Regulation (EC) No 452/2007 of

23 April 2007 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of ironing boards originating in the People's Republic of China and Ukraine;

— order the Council to pay the costs.

Pleas in law and main arguments

On 23 April 2007, the Council adopted, on the basis of the Commission's proposal, Regulation (EC) No 452/2007 of 23 April 2007 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of ironing boards originating in the People's Republic of China and Ukraine ⁽¹⁾. That regulation, which is the subject of this action, establishes anti-dumping duty with respect to the applicant.

In its action, the applicant claims that the definitive anti-dumping duty which was imposed on it is illegal inasmuch as the proposal for definitive measures submitted by the Commission to the Council, on which the contested regulation is founded, is flawed in two ways.

First of all, the applicant submits that the proposal sent to the Council by the Commission was not founded on the definitive findings reached by the Commission, but on the provisional findings. The applicant maintains that the Commission erred in interpreting Article 2(7)(c) of Regulation (EC) No 384/96 ⁽²⁾ as prohibiting it from correcting the initial determination of the treatment to be given to an undertaking in the light of that provision. The applicant therefore alleges that the Commission's proposal on definitive measures is vitiated by a manifest error in law.

In addition, the applicant submits that the proposal for definitive measures is vitiated by an infringement of the essential procedural requirements in so far as it was adopted in breach of the rights of the defence and of Article 20(5) of Regulation No 384/96. In support of that plea, the applicant submits that the Commission sent its proposal to the Council *before* the expiry of the period for lodging its representations on the revised final disclosure on which the proposal is founded.

⁽¹⁾ OJ 2000 L 109, p. 12.

⁽²⁾ Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community.