

**CORRIGENDA****Corrigendum to the notice in the Official Journal in Case T-197/17**

(Official Journal of the European Union C 151 of 15 May 2017)

(2017/C 213/53)

The Official Journal notice concerning Case T-197/17, *Abel and Others v Commission* should read as follows:

**Action brought on 28 March 2017 — Abel and Others v Commission**

(Case T-197/17)

(2017/C 151/59)

*Language of the case: French*

**Parties**

*Applicants:* Marc Abel (Montreuil, France) and 1 428 other applicants (represented by: J. Assous, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicants claim that the Court should:

- declare the European Commission's conduct to be unlawful;
- acknowledge the harm sustained by the applicants as a result of the adoption of Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6);
- order the European Commission to pay EUR 1 000 by way of compensation for the non-material damage sustained by the applicants as a result of the adoption of such a regulation and one symbolic euro by way of compensation for the material damage;
- issue an injunction to the European Commission obliging it immediately to reduce the 'final conformity factor' created by Regulation (EU) 2016/646 back to 1 and to abandon the 'temporary conformity factor' fixed at 2,1;
- order the European Commission to pay all of the costs.

**Pleas in law and main arguments**

In support of the action, the applicants rely on two pleas in law.

1. First plea in law, alleging that the defendant made errors during the adoption of the regulation at issue, in the context of the exercise of the power delegated to it by the European Parliament and the Council by Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 2007, p. 1), in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission. Specifically in question are the following:
  - infringement of the rules, both primary and secondary, of EU environmental law;
  - infringement of subsidiary rules of EU law, such as the general principles of standstill, precaution, prevention, rectification at source and polluter-pays;

- circumvention of procedural rules, in that the Commission was not entitled to use the regulatory procedure with scrutiny in order to amend an essential aspect of Regulation (EC) No 715/2007;
  - infringement of essential procedural requirements, in that the regulation at issue did not benefit from the democratic guarantees offered by recourse to the ordinary legislative procedure of joint decision-making by the European Parliament and the Council.
2. Second plea in law, alleging the existence of actual and certain damage and of a direct causal link between the conduct of the Commission and the damage alleged.
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