

**Order of the Court of First Instance (Fifth Chamber) of 7 July 2006 —
Juchem and Others v Parliament and Council**

(Case T-321/03)

Action for damages — Non-contractual liability — Marketing of compound
feedingstuffs for animals — Actual damage

*Non-contractual liability — Conditions — Actual and certain damage (Arts 235 EC
and 288, second para., EC; European Parliament and Council Directive 2002/2,
Art. 1(1)(b) and (4) (see paras 19, 27-29, 35)*

Re:

APPLICATION for compensation for the damage allegedly suffered by the
applicants owing to Directive 2002/2/EC of the European Parliament and of the
Council of 28 January 2002 amending Council Directive 79/373/EEC on the
circulation of compound feedingstuffs and repealing Commission Directive 91/357/
EEC (OJ 2002 L 63, p. 23).

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicants and the Parliament and the Council to bear their own costs;
3. Orders the Federal Republic of Germany and the Commission to bear their own costs.