



Reports of Cases

Order of the General Court (Fifth Chamber) of 14 February 2012 — *AJD Tuna v Commission*

(Case T-329/08)

(Action for annulment — Regulation (EC) No 530/2008 — Recovery plan for bluefin tuna — Setting of TACs for 2008 — Act of general application — Lack of individual concern — Inadmissible)

1. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Not possible to base an action brought before the entry into force of the Lisbon Treaty on Article 263, fourth para., TFEU (Art. 230, fourth para., EC; Art. 263, fourth para., TFEU) (see para. 28)*
2. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Regulation establishing emergency measures to restrict red tuna fishing — Measure of general scope — Action by an owner of undertakings authorised to fatten and rear red tuna — Applicant not individually concerned — Inadmissibility (Art. 230, fourth para., EC; Commission Regulation No 530/2008) (see paras 30-35, 38-44)*
3. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Interpretation, contrary to law, of the requirement of being individually concerned — Not permissible (Art. 230, fourth para., EC; Charter of Fundamental Rights of the European Union, Art. 47) (see para. 46)*

Re:

APPLICATION for annulment of Commission Regulation (EC) No 530/2008 of 12 June 2008 establishing emergency measures as regards purse seiners fishing for bluefin tuna in the Atlantic Ocean, east of longitude 45°W, and in the Mediterranean Sea (OJ 2008 L 155, p. 9).

Operative part

1. The action is dismissed as inadmissible.
2. *AJD Tuna Ltd* is ordered to bear its own costs and to pay those incurred by the European Commission.