

Judgment of the General Court of 28 February 2017 — JingAo Solar and Others v Council(Case T-157/14) ⁽¹⁾

(Dumping — Imports of crystalline silicon photovoltaic modules and key components (cells) originating in or consigned from China — Definitive anti-dumping duty — Undertakings — Action for annulment — Interest in bringing proceedings — Admissibility — Exporting country — Scope of the investigation — Sampling — Normal value — Definition of the product concerned — Time limit for the adoption of a decision on a market economy treatment claim — Temporal application of new provisions — Injury — Causal link)

(2017/C 121/31)

Language of the case: English

Parties

Applicants: JingAo Solar Co. Ltd (Ningjin, China) and the other applicants whose names appear in the annex (represented initially by A. Willems, S. De Knop and J. Charles, and subsequently by A. Willems and S. De Knop, lawyers)

Defendant: Council of the European Union (represented by: B. Driessen, acting as Agent, B. O'Connor, Solicitor, and S. Gubel, lawyer)

Intervener in support of the defendant: European Commission (represented initially by J.-F. Brakeland, T. Maxian Rusche, and A. Stobiecka-Kuik, and subsequently by J.-F. Brakeland, T. Maxian Rusche, and A. Demeneix, acting as Agents)

Re:

Application under Article 263 TFEU for the annulment of Council Implementing Regulation (EU) No 1238/2013 of 2 December 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China (OJ 2013 L 325, p. 1), in so far as it applies to the applicants.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders JingAo Solar Co. Ltd, and the other applicants whose names appear in the annex to bear their own costs and to pay those incurred by the Council of the European Union;
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 159, 26.5.2014.

Judgment of the General Court of 28 February 2017 — JingAo Solar and Others v Council(Joined Cases T-158/14, T-161/14 and T-163/14) ⁽¹⁾

(Subsidies — Imports of crystalline silicon photovoltaic modules and key components (cells) originating in or consigned from China — Definitive countervailing duty — Undertakings — Action for annulment — Interest in bringing proceedings — Admissibility — Scope of the investigation — Sampling — Definition of the product concerned)

(2017/C 121/32)

Language of the case: English

Parties

Applicants: JingAo Solar Co. Ltd (Ningjin, China) and the five other applicants whose names appear in the annex to the judgment (represented initially by A. Willems, S. De Knop and J. Charles, and subsequently by A. Willems and S. De Knop, lawyers)