

Defendant: Innovation and Networks Executive Agency (represented by: I. Ramallo, D. Silhol and Z. Szilvássy, acting as Agents, and by M. Merola, M. C. Santacroce and L. Armati, lawyers)

Intervener in support of the applicant: Società per l'aeroporto civile di Bergamo-Orio al Serio SpA (SACBO SpA) (Grassobbio, Italy) (represented by: M. Muscardini, G. Greco and G. Carullo, lawyers)

Re:

Application based on Article 263 TFEU and seeking annulment of the letters of 18 March and 23 October 2013 of the Trans-European Transport Network Executive Agency (TEN-TEA), now INEA, relating to certain costs incurred on the occasion of the completion of a feasibility study for the intermodal nature of the Bergamo-Orio al Serio airport (Italy) following the financial assistance granted by the European Commission to the applicant.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders the Ente nazionale per l'aviazione civile (ENAC, the National civil aviation authority, Italy) to pay the costs.*

⁽¹⁾ OJ C 52, 22.2.2014.

Judgment of the General Court of 15 September 2016 — PT Musim Mas v Council

(Case T-80/14) ⁽¹⁾

(Dumping — Imports of biodiesel originating in Indonesia — Definitive collection of provisional anti-dumping duties — Definitive anti-dumping duties — Rights of the defence — Article 2(5) of Regulation (EC) No 1225/2009 — Normal value — Production costs)

(2016/C 402/30)

Language of the case: English

Parties

Applicant: PT Perindustrian dan Perdagangan Musim Semi Mas (PT Musim Mas) (Medan, Indonesia) (represented by: J. García-Gallardo Gil-Fournier, A. Verdegay Mena, lawyers, and C. Humpe, Solicitor)

Defendant: Council of the European Union (represented initially by S. Boelaert, and subsequently by H. Marcos Fraile, acting as Agents, and by R. Bierwagen and C. Hipp, lawyers)

Interveners in support of the defendant: European Commission (represented by J.-F. Brakeland, M. França and A. Stobiecka-Kuik, acting as Agents) and European Biodiesel Board (EBB) (Brussels, Belgium) (represented by O. Prost and M.-S. Dibling, lawyers)

Re:

Action pursuant to Article 263 TFEU for annulment of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia (OJ 2013 L 315, p. 2).

Operative part of the judgment

The Court:

1. *Annuls Articles 1 and 2 of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia, in so far as they concern PT Perindustrian dan Perdagangan Musim Semi Mas (PT Musim Mas);*

2. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by PT Musim Mas;
3. Orders the European Commission and the European Biodiesel Board (EBB) to bear their own costs.

⁽¹⁾ OJ C 102, 7.4.2014.

Judgment of the General Court of 15 September 2016 — Unitec Bio v Council

(Case T-111/14) ⁽¹⁾

(Dumping — Imports of biodiesel originating in Argentina — Definitive anti-dumping duty — Action for annulment — Direct concern — Individual concern — Admissibility — Article 2(5) of Regulation (EC) No 1225/2009 — Normal value — Production costs)

(2016/C 402/31)

Language of the case: English

Parties

Applicant: Unitec Bio SA (Buenos Aires, Argentina) (represented by: J.-F. Bellis, R. Luff and G. Bathory, lawyers)

Defendant: Council of the European Union (represented initially by S. Boelaert and B. Driessen, and subsequently by H. Marcos Fraile, acting as Agents, and by R. Bierwagen and C. Hipp, lawyers)

Interveners in support of the defendant: European Commission (represented by M. França and A. Stobiecka-Kuik, acting as Agents) and European Biodiesel Board (EBB) (Brussels, Belgium) (represented by O. Prost and M.-S. Dibling, lawyers)

Re:

Action pursuant to Article 263 TFUE for annulment of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia (OJ 2013 L 315, p. 2) in so far as it imposes an anti-dumping duty on the applicant.

Operative part of the judgment

The Court:

1. Annuls Articles 1 and 2 of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia, in so far as they concern Unitec Bio SA;
2. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by Unitec Bio;
3. Orders the European Commission and the European Biodiesel Board (EBB) to bear their own costs.

⁽¹⁾ OJ C 112, 14.4.2014.