

Judgment of the General Court of 15 September 2016 — Cargill v Council**(Case T-117/14) ⁽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 402/33)

Language of the case: English

Parties

Applicant: Cargill SACI (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 Cargill SACI;
2. Orders the Council of the European Union to bear its own costs and to pay the costs incurred by Cargill;
3. Orders the European Commission and the European Biodiesel Board (EBB) to bear their own costs.

⁽¹⁾ OJ C 151, 19.5.2014.

Judgment of the General Court of 15 September 2016 — LDC Argentina v Council**(Case T-118/14) ⁽¹⁾****(Dumping — Imports of biodiesel originating in Argentina — Definitive anti-dumping duty — Article 2(5) of Regulation (EC) No 1225/2009 — Normal value — Production costs)**

(2016/C 402/34)

Language of the case: English

Parties

Applicant: LDC Argentina 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)