

3. Orders the Commission to pay the costs.

(¹) OJ C 200 of 23.8.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 17 March 2005

in Case T-285/03 Agraz, SA and Others v Commission of the European Communities (¹)

(Agriculture — Common organisation of the markets in processed fruit and vegetable products — Production aid for processed tomato products — Method of calculating the amount — 2000-01 marketing year)

(2005/C 132/47)

(Language of the case: French)

In Case T-285/03: Agraz, SA and Others, established in Madrid (Spain), Agrícola Conservera de Malpica, SA, established in Tolède (Spain), Agridor Soc. coop. rl, established in Pontenure (Italy), Alfonso Sellitto SpA, established in Mercato S. Severino (Italy), Alimentos Españoles, Alsat, SL, established in Don Benito, Badajoz (Spain), AR Industrie Alimentari SpA, established in Angri (Italy), Argo Food — Packaging & Innovation Co. SA, established in Serres (Greece), Asteris Industrial Commercial SA, established in Athens (Greece), Attianese Srl, established in Nocera Superiore (Italy), Audecoop distillerie Arzens — Techniques séparatives (AUDIA), established in Montréal (France), Benincasa Srl, established in Angri, Boschi Luigi & Figli SpA, established in Fontanellato (Italy), CAS SpA, established in Castagnaro (Italy), Calispa SpA, established in

Castel San Giorgio (Italy), Campil — Agro Industrial do Campo do Tejo, L^{da}, established in Cartaxo (Portugal), Campoverde Srl, established in Carinola (Italy), Carlo Manzella & C. Sas, established in Castel San Giovanni (Italy), Carmine Tagliamonte & C. Srl, established in Sant'Egidio del Monte Albino (Italy), Carnes y Conservas Españolas, SA, established in Mérida (Spain), Cbcotti Srl, established in Nocera Inferiore (Italy), Cirio del Monte Italia SpA, established in Rome (Italy), Consorzio Ortofrutticoli Trasformati Polesano (Cotrapo) Soc. coop. rl, established in Fiesso Umbertiano (Italy), Columbus Srl, established in Parma (Italy), Compal — Companhia produtora de Conservas Alimentares, SA, established in Almeirim (Portugal), Conditalia Srl, established in Nocera Superiore, Conservas El Cidacos, SA, established in Autol (Spain), Conservas Elagón, SA, established in Coria (Spain), Conservas Martinete, SA, established in Puebla de la Calzada (Spain), Conservas Vegetales de Extremadura, SA, established in Badajoz, Conserve Italia Soc. coop. rl, established in San Lazzaro di Savena (Italy), ConserveFranceSA, established in Nîmes (France), Conserve Guintrand SA, established in Carpentras (France), Conservificio Cooperativo Valbiferno Soc. coop. rl, established in Guglionesi (Italy), Consorzio Casalasco del Pomodoro Soc. coop. rl, established in Rivarolo del Re ed Uniti (Italy), Consorzio Padano Ortofrutticolo (Copador) Soc. coop. rl, established in Collecchio (Italy), Copais Food and Beverage Company SA, established in Nea Ionia (Greece), Tin Industry D. Nomikos SA, established in Marousi (Greece), Davia Srl, established in Gragnano (Italy), De Clemente Conserve Srl, established in Fisciano (Italy), DE. CON Srl, established in Scafati (Italy), Desco SpA, established in Terracina (Italy), 'Di Lallo' — Di Teodoro di Lallo & C. Snc, established in Scafati, Di Leo Nobile — SpA Industria Conserve Alimentari, established in Castel San Giorgio, Marotta Emilio, established in Sant'Antonio Abate (Italy), E. & O. von Felten SpA, established in Fontanini (Italy), Egacoop, S. Coop., L^{da}, established in Andosilla (Spain), Elais SA, established in Athens, Emiliana Conserve Srl, established in Busseto (Italy), Perano Enrico & Figli Spa, established in San Valentino Torio (Italy), FIT — Fomento da Indústria do Tomate, SA, established in Águas de Moura (Portugal), Faiella & C. Srl, established in Scafati, 'Feger' di Gerardo Ferraioli SpA, established in Angri, Fratelli Longobardi Srl, established in Nocera Superiore, Fratelli Longobardi Srl, established in Scafati, Fruttage Soc. coop. rl, established in Alfonsine (Italy), G3 Srl, established in Nocera Superiore, Giaguaro SpA, established in Sarno (Italy), Giulio Franzese Srl, established in Carbonara di Nola (Italy), Greci Geremia & Figli SpA, established in Parme, Greci — Industria Alimentar SpA, established in Parme, Greek Canning Co. SA Kyknos, established in Nauplie (Greece), Grilli Paolo & Figli — Sas di Grilli Enzo e Togni Selvino, established in Gambettola (Italy), Heinz Iberica, SA, established in Alfaro (Spain), IAN — Industrias Alimentarias de Navarra, SA, established in Vilafranca (Spain), Industria Conserve Alimentari Aniello Longobardi — Di Gaetano, Enrico & Carlo Longobardi Srl, established in Scafati, Industrias de Alimentação Idal, L^{da}, established in Benavente (Portugal), Industrias y Promociones Alimenticias, SA, established in Miajadas (Spain), Industrie Rolli Alimentari SpA, established in Roseto degli Abruzzi (Italy), Italoagro — Indústria de Transformação de Produtos Alimentares, SA, established in Castanheira do Ribatejo (Portugal), La Cesenate Conserve Alimentari SpA, established in Cesena (Italy), La Dispensa di Campagna Srl, established in Castagneto Carducci (Italy), La Doria SpA, established in Angri, La Dorotea di Giuseppe Alfano & C. Srl, established in Sant'Antonio Abate, La Regina del Pomodoro Srl, established in Sant'Egidio del Monte Albino, 'La Regina di San Marzano' di Antonio, Felice e Luigi Romano Snc, established in Scafati, La Rosina Srl, established in Angri, Le Quattro Stelle Srl, established in Angri, Lodato Gennaro & C. SpA, established in Castel San Giorgio, Louis Martin production SAS,

established in Monteux (France), Menú Srl, established in Medolla (Italy), Mutti SpA, established in Montechiarugolo (Italy), National Conserve Srl, established in Sant'Egidio del Monte Albino, Nestlé España, SA, established in Miajadas, Nuova Agricast Srl, established in Verignola (Italy), Pancrazio SpA, established in Cava De'Tirreni (Italy), Pecos SpA, established in Castel San Giorgio, Pelati Sud di De Stefano Catello Sas, established in Sant'Antonio Abate, Pomagro Srl, established in Fisciano, Pomilia Srl, established in Nocera Superiore, Raffaele Viscardi Srl, established in Scafati, Rispoli Luigi & C. Srl, established in Altavilla Silentina (Italy), Rodolfi Mansueto SpA, established in Collecchio, Riberal de Navarra S. en C., established in Castejon (Spain), Salvati Mario & C. SpA, established in Mercato San Severino, Saviano Pasquale Srl, established in San Valentino Torio, Sefa Srl, established in Nocera Superiore, Serraikei Konservopia Oporokipeftikon Serko SA, established in Serres, Sevath SA, established in Xanthi (Greece), Silaro Conserve Srl, established in Nocera Superiore, ARP — Agricoltori Riuniti Piacentini Soc. coop. rl, established in Gariga di Podenzano (Italy), Société coopérative agricole de transformations and de ventes (SCATV), established in Camaret-sur-Aigues (France), Sociedade de Industrialização de Produtos Agrícolas — Sopragol, SA, established in Mora (Portugal), Spineta SpA, established in Pontecagnano Faiano (Italy), Star Stabilimento Alimentare SpA, established in Agrate Brianza (Italy), Steriltom Aseptic — System Srl, established in Plaisance (Italy), Sugal Alimentos, SA, established in Azambuja (Portugal), Sutol — Indústrias Alimentares, L^{da}, established in Alcácer do Sal (Portugal), Tomsil — Sociedade Industrial de Concentrado de Tomate, SA, established in Ferreira do Alentejo (Portugal), Transformaciones Agrícolas de Badajoz, SA, established in Villanueva de la Serena (Spain), Zanae — Nicoglou levures de boulangerie industrie commerce alimentaire SA, established in Thessalonica (Greece), represented by J. da Cruz Vilaça, R. Oliveira, M Melícias and D. Choussy, avocats, against Commission of the European Communities (Agent: M. Nolin, with an address for service in Luxembourg) — the Court of First Instance (Third Chamber), composed of J. Azizi, President, F. Dehousse and E. Cremona, Judges; J. Palacio González, Principal Administrator, for the Registrar, gave a judgment on 17 March 2005, in which it:

1. *Dismisses the application;*

2. *Orders the applicants to bear five sixths of their costs and the Commission, in addition to bearing its own costs, to pay one sixth of the applicant's costs.*

(¹) OJ C 251 of 18.10.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 16 March 2005

in Case T-329/03 Fabio Andrés Ricci v Commission of the European Communities (¹)

(Officials — Competition — Condition for admission — Professional experience — Decisions of the competition selection board — Type of control exercised by the appointing authority — Evaluation of experience — Legitimate expectations)

(2005/C 132/48)

(Language of the case: Italian)

In Case T-329/03: Fabio Andrés Ricci, residing in Turin (Italy), represented by M. Condinanzi, lawyer, against Commission of the European Communities (Agents: J. Currall and H. Tserepa-Lacombe, and A. Dal Ferro, lawyer, with an address for service in Luxembourg) — application for annulment of the decision of the Commission not to appoint the applicant in connection with vacancy notice COM/2001/5265/R — the Court of First Instance (Second Chamber), composed of J. Pirrung, President, N.J. Forwood and S. Pappasavvas, Judges; J. Palacio González, Principal Administrator, for the Registrar, gave a judgment on 16 March 2005, in which it:

1. *Dismisses the application;*

2. *Orders each party to bear its own costs.*

(¹) OJ C 275, 15.11.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 17 March 2005

in Case T-362/03 Antonio Milano v Commission of the European Communities (¹)

(Officials — Recruitment — Competition — Refusal of admission to a competition — Action for annulment and damages)

(2005/C 132/49)

(Language of the case: Italian)

In Case T-362/03: Antonio Milano, residing in Isernia (Italy), represented by S. Scarano, lawyer, against Commission of the