

**Judgment of the General Court of 15 September 2016 — PT Pelita Agung Agrindustri v Council****(Case T-121/14) <sup>(1)</sup>****(Dumping — Imports of biodiesel originating in Indonesia — Definitive anti-dumping duty — Article 2 (5) of Regulation (EC) No 1225/2009 — Normal value — Production costs)**

(2016/C 392/30)

Language of the case: English

**Parties**

**Applicant:** PT Pelita Agung Agrindustri (Medan, Indonesia) (represented by: F. Graafsma and J. Cornelis, lawyers)

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

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<sup>(1)</sup> OJ C 112, 14.4.2014.

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**Judgment of the General Court of 15 September 2016 — Italy v Commission****(Cases T-353/14 and T-17/15) <sup>(1)</sup>****(Language regime — Notice of open competition for the recruitment of administrators — Choice of second language from three languages — Regulation No 1 — Article 1d(1), Article 27 and Article 28(f) of the Staff Regulations — Principle of non-discrimination — Proportionality)**

(2016/C 392/31)

Language of the case: Italian

**Parties**

**Applicant:** Italian Republic (represented by: G. Palmieri, acting as Agent, and by P. Gentili, avvocato dello Stato)

**Defendant:** European Commission (represented by: initially J. Currall and G. Gattinara (Cases T-353/14 and T-17/15) and F. Simonetti (Case T-17/15), then G. Gattinara and F. Simonetti, acting as Agents)

*Intervener in support of the applicant:* Republic of Lithuania (represented by: D. Kriauciūnas and V. Čepaitė, acting as Agents)

**Re:**

In Case T-353/14, application based on Article 263 TFEU and asking for annulment of the notice of open competition EPSO/AD/276/14, to constitute a reserve list for administrators (OJ 2014 C 74 A, p. 4), and, in Case T-17/15, application based on Article 263 TFEU and asking for annulment of the notice of open competition EPSO/AD/294/14 to constitute a reserve list of administrators in the field of data protection for the European Data Protection Supervisor (OJ 2014 C 391 A, p. 1.)

**Operative part of the judgment**

*The Court:*

- 1) Joins Cases T-353/14 and T-17/15 for the purposes of the judgment;
- 2) Annuls the notice of open competition EPSO/AD/276/14, to constitute a reserve list for administrators and the notice of open competition EPSO/AD/294/14 to constitute a reserve list of administrators in the field of data protection for the European Data Protection Supervisor;
- 3) Orders the European Commission to bear its own costs and to pay those incurred by the Italian Republic;
- 4) Orders the Republic of Lithuania to bear its own costs relating to its intervention in Case T-17/15.

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<sup>(1)</sup> OJ C 212, 7.7.2014.

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**Judgment of the General Court of 15 September 2016 — TAO-AFI and SFIE-PE v Parliament and Council**

**(Case T-456/14) <sup>(1)</sup>**

**(Remuneration and pensions of officials and other servants of the European Union — Annual adjustment — Regulation (EU) No 422/2014 and Regulation (EU) No 423/2014 — Irregularities during the procedure for adopting the measures — Failure to consult trade unions)**

(2016/C 392/32)

*Language of the case: French*

**Parties**

*Applicant:* Association des fonctionnaires indépendants pour la défense de la fonction publique européenne (TAO-AFI) (Brussels, Belgium) and Syndicat des fonctionnaires internationaux et européens — Section du Parlement européen (SFIE-PE) (Brussels) (represented by: M. Casado García-Hirschfeld and J. Vanden Eynde, lawyers)

*Defendants:* European Parliament (represented by: A. Troupiotis and E. Taneva, acting as Agents) and Council of the European Union (represented by: M. Bauer and E. Rebasti, acting as Agents)

*Intervener in support of the defendants:* European Commission (represented by: initially J. Currall and G. Gattinara, then G. Gattinara and F. Simonetti, acting as Agents)

**Re:**

Application based on Article 263 TFEU and asking for annulment of Regulations (EU) Nos 422/2014 and 423/2014 of the European Parliament and of the Council of 16 April 2014 adjusting with effect from 1 July 2011 and from 1 July 2012 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto (OJ 2014 L 129, respectively, p. 5 and p. 12)

**Operative part of the judgment**

*The Court:*

- 1) Dismisses the action;