

Action brought on 19 August 2022 — Schrom Farms v Commission**(Case T-507/22)**

(2022/C 408/49)

*Language of the case: English***Parties**

Applicant: Schrom Farms spol. s r. o. (Velké Albrechtice, Czech Republic) (represented by: S. Sobolová and O. Billard, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- declare the application admissible and well-founded;
- annul Commission Implementing Decision (EU) 2022/908 of 8 June 2022 excluding from European Union financing certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (notified under document C(2022) 3543) (OJ 2022 L 157, p. 15), insofar as it excludes from the Union financing expenditure related to a grant awarded to the applicant by the Czech authorities in the amount of EUR 30 606,96;
- order the Commission to pay the applicant's costs; and
- order any other measure deemed appropriate.

Pleas in law and main arguments

In support of the action, the applicant relies on five pleas in law.

1. First plea in law, alleging that the exclusion from the Union financing of expenditure related to the grant awarded to the applicant by the Czech authorities in the amount of EUR 30 606,96 is insufficiently motivated, i.e. is deprived of any statement of reasons, in violation of Article 296 TFEU as well as of Article 41(2)(c) of the Charter of Fundamental Rights of the European Union.
2. Second plea in law, alleging that the applicant's fundamental rights have been violated both directly and indirectly by the defendant, as the applicant was not given the opportunity to express its views in the course of the audit leading up to the adoption of the contested decision even though the latter allegedly adversely affects the grant awarded to the applicant.
3. Third plea in law, alleging that the defendant has no competence to interpret and apply Member States' internal law.
4. Fourth plea in law, alleging that the defendant did not prove the content of the Czech law and erred in its interpretation and application.
5. Fifth plea in law, alleging that the defendant erred also in the interpretation and application of EU law, as it wrongly considered that there was a breach of Article 61 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (OJ 2018 L 193, p. 1), and applied the Czech rules on conflicts of interest in violation of the fundamental principles of EU law, including the fundamental principle of equal treatment and non-discrimination.