



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 April 2014

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INFORMATION NOTE

from : Council Legal Service
to : COREPER (2nd part)
Subject : **Case before the General Court of the European Union**
- Case T-120/14 (PT Ciliandra Perkasa v. Council)

1. By an application notified to the Council on 7 March 2014, the above-mentioned company has brought an action for the annulment, pursuant to Article 263 of the Treaty on the Functioning of the European Union, of Council Implementing Regulation (EU) No 1194/2013 of 19 November 2013 (OJ L 315, 26.11.2013, p. 2) 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 it relates to the Applicant.
2. The Applicant submits five pleas in law in support of its application for the annulment of Implementing Regulation (EU) No 1194/2013 insofar as it imposes an antidumping duty on the Applicant:
 - manifest error of assessment in finding that the Applicant's purchase prices from related parties are distorted;
 - adjustment of the cost of production of CPO is impermissible since the ADA does not allow such cost adjustments;

- violation of Article 2(5) basic regulation;
- illegal determination of the reasonable profit margin;
- failure to state reasons and breach of the obligation of due diligence and proper administration.

3. In accordance with Article 46(1) of the Rules of Procedure of the General Court, the Council has to lodge its statement of defence within two months of receipt of the notification of the application. The Director-General of the Council Legal Service has appointed Ms. Sonja Boelaert, member of the Legal Service, as the Council's agent in this case. She will be assisted Mr. Rainer BIERWAGEN and Mr. Christian HIPPE (BEITEN BURKHARDT in Brussels)
