



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 April 2014

9318/14

**JUR 264
UD 128**

INFORMATION NOTE

from : Legal Service

to : COREPER I

Subject : **Case before the General Court**

- **Case T-191/14** (Lubrizol France S.A.S v. the Council of the European Union)
 - **Application** for annulment of Council Regulation (EU) N° 1387/2013 of 17 December 2013 suspending the autonomous Common Customs Tariff duties on certain industrial, agricultural and fishery products and repealing Regulation (EU) N° 1344/2011
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1. By application notified to the Council on 27 March 2014, the Applicant has asked the General Court to annul Council Regulation (EU) N° 1387/2013 of 17 December 2013 suspending the autonomous Common Customs Tariff duties on certain industrial, agricultural and fishery products and repealing Regulation (EU) N° 1344/2011 insofar as it terminates the suspension of the import duties concerning products under CN codes 2918 29 00 TARIC 80, 3811 29 00 TARIC 10 and 3811 90 00 TARIC 30.

2. According to the Applicant, the termination of the suspension of the import duties has a serious financial impact on its operating cost structure in the Union, since there is an immediate and directly increase of its operating costs, and thus a reduction of its profitability.
3. The Applicant considers that it is entitled to institute proceedings against Regulation (EU) N° 1387/2013 in accordance with Article 263 TFEU.
4. In support of its action for annulment, the Applicant argues that the contested Regulation is vitiated by manifest errors of assessment, and that it infringes essential procedural requirements and safeguards.
5. The Council is invited to submit a statement of defence, by virtue of Article 46 (1) of the Rules of Procedure, within two months from the notification of the application.
6. The Director-General of the Council Legal Service has appointed Mr Fernando FLORINDO GIJÓN and Ms Maria BALTA, legal advisers in the Council Legal Service, as the Council's agents in case T-191/14.
