



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 2 June 2014**

**10436/14**

**JUR 331  
AGRI 402  
AGRIORG 94  
AGRIFIN 88  
AGRISTR 32**

#### **INFORMATION NOTE**

---

from : Council Legal Service  
to : Permanent Representatives' Committee (part 1)  
Subject : **Case before the Court of Justice**

---

- **Case C-103/14** (Jakutis et Kretingalės kooperatinė ŽŪB)  
= Reference by the Vilnius Regional Administrative Court to the Court of Justice of the questions on the interpretation and the validity of Council Regulation (EC) No 73/2009 of 19 January 2009<sup>1</sup>
- 

1. By a letter notified to the Council on 16 April 2014, the Vilnius Regional Administrative Court requested the Court of Justice of the European Union to give a preliminary ruling, pursuant to Article 267 TFEU, on
  - the interpretation of Articles 7(1), 10(1), 121 and 132(2) of Council Regulation (EC) No 73/2009 of 19 January 2009;

---

<sup>1</sup> Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ L 30, 31.1.2009, p. 16).

- the question of the compatibility of Articles 10(1) and 132(2) of Council Regulation (EC) No 73/2009 with the Act of Accession of 23 September 2003, with principles of European Union Law and with Article 39 of the Treaty on the Functioning of the European Union ("TFEU");
- the question of the compatibility of Commission Implementing Decision C(2012) 4391 final of 2 July 2012 authorising the making of complementary national direct payments in Lithuania for 2012 and applying a reduction to the complementary national payments ("the Commission Implementing Decision") and of Commission working document DS/2011/14/REV 2 of 20 October 2011 ("the Commission working document") with the Act of Accession and with principles of European Union Law; and
- the question of the validity of Articles 10(1) and 132(2) of Council Regulation (EC) No 73/2009 and of Article 1(4) of the above-mentioned Commission Implementing Decision.

2. Whereas agents should therefore be appointed to represent the Council before the Court of Justice in this case, in order to defend the validity of the Regulation adopted by the Council.
3. The Director-General of the Council Legal service has appointed Ms Eva KARLSSON and Ms Jūratė VAIČIUKAITĖ, Legal Advisers at the Council Legal Service, as the Council's agents in this Case.

---