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INFORMATION NOTE

From: Legal Service
To: Permanent Representatives Committee (Part 2)
Subject: Case before the EU General Court:
- Case T-733/19, *Zhejiang Sunflower Light Energy Science & Technology et Sunowe Sola v. European Commission*

- 1) By an application notified to the Council on 8 November 2019, the above-mentioned companies seek the annulment of Commission Implementing Regulation (EU) 2019/1329 invalidating invoices issued by Zhejiang Sunflower Light Energy Science & Technology Ltd in breach of the undertaking repealed by Implementing Regulation (EU) 2017/1570 of 6 August 2019.
- 2) This application for annulment is based on a plea of illegality under Article 277 TFEU of Article 3(2) of Council Implementing Regulation (EU) No 1238/2013 of 2 December 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China; and Article 2(2) of Council Implementing Regulation (EU) No 1239/2013 of 2 December 2013 imposing a definitive countervailing duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China to invalidate undertaking invoices which are found to violate the price undertaking accepted by Commission Implementing Decision 2013/707/EU.

- 3) The Director-General of the Legal Service has appointed Ms. Helena MARCOS FRAILE, legal adviser at the Legal Service of the Council, as the Council's agent in Case T-733/19. She will be assisted by Ms. Nicoleta Tuominen (Dentons Europe LLP).

- 4) The agents will present, on behalf of the Council, an application to intervene pursuant to Articles 40 and 53 of the Statute of the Court of Justice and Article 143 of the Rules of Procedure of the General Court.
