Order of the Court of First Instance (Second Chamber) of 9 June 2006 — Achaiber Sing v Commission

(Case T-4/04)

Non-contractual liability of the Community — Animal health — Requirements for the import of birds — Agreement on the application of health and phytosanitary measures — Compensation for damage — Partial inadmissibility — Action manifestly lacking any foundation in law

1. *Procedure — Application initiating proceedings — Formal requirements (Statute of the Court of Justice, Art. 21, first para.; Rules of Procedure of the Court of First Instance, Art. 44(1)(c)) (see paras 25-29)*

2. *Non-contractual liability — Conditions — Illegality — Damage — Causal link (Art. 288, second para., EC; Rules of Procedure of the Court of First Instance, Art. 44(1)(e)) (see paras 32, 33, 36-38)*

Re:

ACTION for compensation for the damage allegedly suffered by the applicant owing to the application of Commission Decision 2000/666/EC of 16 October 2000 laying down the animal health requirements and the veterinary certification for the import of birds, other than poultry, and the conditions for quarantine (OJ 2000 L 278, p. 26).

Operative part

The Court:

1. Dismisses the action;

2. Orders the applicant to pay the costs incurred by the Commission, including those relating to the plea of inadmissibility.