ORDER OF THE COURT
OF 12 MAY 1975

In Case 100/74

C.A.M., SA, a limited liability company of Paris acting through its President Director-General, represented by Edouard Brisac, Advocate at the Cour de Paris, with an address for service in Luxembourg at the Chambers of Mr Margue, 20 rue Philippe-II,

applicant,

v

EUROPEAN ECONOMIC COMMUNITY, appearing through

(1) The Council of the European Communities;

(2) The Commission of the European Communities,

represented, in respect of the Council, by Daniel Vignes, Director of the Legal Department of the Council, assisted by Félix Van Craeyenest, Principal Administrator in the said department, with an address for service in Luxembourg at the office of J. N. van den Houten, Director of the Legal Department of the European Investment Bank, 2 place de Metz,

and represented, in respect of the Commission, by its Legal Adviser J. H. J. Bourgeois, acting as Agent, assisted by R. Wainwright, Legal Adviser to the Commission, with an address for service in Luxembourg at the office of P. Lamoureux, Legal Adviser to the Commission, 4 boulevard Royal,

defendant,

THE COURT

composed of: R. Lecourt, President, J. Mertens de Wilmars and Lord Mackenzie Stuart, Presidents of Chambers, A. M. Donner, R. Monaco, P. Pescatore, H. Kutscher, M. Sørensen and A. O'Keeffe, Judges,

Advocate-General: J.-P. Warner
Registrar: A. Van Houtte

hereby makes the following order:

The application lodged on 19 December 1974 by the applicant is for the annulment of the measure entitled 'Regulation (EEC) No 2546/74 of the Commission of 4 October 1974'.

By a statement lodged on 11 February 1975 under Article 91 of the Rules of Procedure, the Council of the European Communities contended that the Court should declare the application to be inadmissible to the extent to which it is directed against the Council and order the applicant to pay the costs;

The applicant has not lodged submissions and conclusions in reply;

An application for annulment of a measure adopted by an institution cannot be made against an institution other than that by which the measure is issued;

Since the application is directed towards the annulment of a measure adopted by the Commission it is consequently inadmissible to the extent to which it is directed against the Council.

On those grounds,

THE COURT

hereby:

1. **Dismisses the application as inadmissible to the extent to which it is directed against the Council;**

2. **Orders the applicant to bear the costs.**

Luxembourg, 12 May 1975.

A. Van Houtte
Registrar

R. Lecourt
President