

## Joined Cases T-14/97 and T-15/97

**Sofivo SAS and Others**

**v**

**Council of the European Union**

(Agriculture — Common organisation of the markets — Beef and veal —  
Intervention mechanisms — Premium for the early marketing of veal calves —  
Average slaughter weight — Criteria for fixing the same —  
Action for annulment — Inadmissibility)

Order of the Court of First Instance (Fifth Chamber), 25 June 1998 ..... II - 2603

### Summary of the Order

*Actions for annulment — Natural or legal persons — Acts of direct and individual concern to them — Regulation introducing an early marketing premium for veal — Inadmissible*  
(EC Treaty, Arts 173, fourth para., 177 and 189; Council Regulation No 2222/96, Art. 1(4))

An action for annulment brought by veal producers operating in a Member State against Article 1(4) of Regulation No	2222/96 providing for an early marketing premium for veal to be granted on the slaughter of calves whose slaughter weight is
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not more than the average slaughter weight of calves in the Member State concerned, less 15%, must be dismissed as inadmissible.

First, that provision is, by reason of its nature and its scope of application, of a legislative character, and does not constitute a decision within the meaning of Article 189 of the Treaty. Second, whilst it is true that under certain circumstances, a provision of a legislative act applicable to the traders concerned in general, may be of individual concern to some of them, that is not so where the applicants are in the same situation as all other traders bringing calves to slaughter in the Member State concerned, so that the pro-

vision concerns them only by reason of their objective status of traders active in the sector contemplated by the regulation, in the same way as any other trader carrying on the same activity.

Finally, it is always possible that a trader may challenge the validity of a contested regulation in an action brought before the courts of that Member State against the decision of the competent State authority on his application for a premium and such proceedings will then be liable to give rise to a reference to the Court of Justice for a preliminary ruling on validity, pursuant to Article 177 of the Treaty.