

Case T-598/97

British Shoe Corporation Footwear Supplies Ltd and Others

v

Council of the European Union

(Anti-dumping duty — Action for annulment — Inadmissibility)

Judgment of the Court of First Instance (Fourth Chamber, Extended Composition), 28 February 2002 II-1157

Summary of the Judgment

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Regulation imposing an anti-dumping duty — Undertaking participating in the administrative procedure — Inadmissibility
(EC Treaty, Art. 173, fourth para. (now, after amendment, Art. 230, fourth para., EC))

Although participation by an undertaking in an anti-dumping proceeding may be taken into account, amongst other factors, in order to establish whether that undertaking is individually concerned, within the

meaning of the fourth paragraph of Article 173 EC (now, after amendment, the fourth paragraph of Article 230 EC), by the regulation introducing anti-dumping duties adopted at the conclusion of that

proceeding, if there are no other factors giving rise to a particular situation which distinguishes that undertaking from all other traders, with respect to the measure in question, such participation does not, of itself, give rise to a right enabling the undertaking to bring a direct action against that regulation. For that purpose, the mere fact that a number of the applicant under-

takings were specifically named in the contested regulation cannot lead to a different conclusion.

(see paras 61-62)