

Case T-609/97

Regione Puglia

v

**Commission of the European Communities and
Kingdom of Spain**

(Agriculture — Regulation having general application —
Action brought by a regional body — Inadmissibility)

Order of the Court of First Instance (Fourth Chamber), 23 October 1998 II - 4053

Summary of the Order

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Regulation fixing the amount of production aid payable in advance to producers of olive oil — Action brought by a Member State regional body founding on the measure's impact on that region — Inadmissible

(EC Treaty, Art. 173, second and fourth paras; Commission Regulation No 1979/97)

A regional body of a Member State has no right of action against a regulation determining, in the context of the common organisation of the markets in oils and fats, the esti-

mated production of olive oil and the amount of unit production aid that may be paid in advance for any given marketing year to producers established in the Community,

claiming that the reduction brought about by the regulation in the amount of aid payable has significant socio-economic consequences for its region.

A regional body cannot rely on the second paragraph of Article 173 of the Treaty since it is clear from the general scheme of the Treaty that the term 'Member State', for the purposes of the provisions relating to proceedings before the Community courts, refers only to the government authorities of the Member States of the European Communities and cannot be extended to the govern-

ments of the regions, irrespective of the powers they may have.

Notwithstanding the fact that the body in question may possess the requisite legal personality to bring an action under the fourth paragraph of Article 173, since the regulation in question is not in the nature of a decision, the general interest that such an applicant may have — as the body responsible for the economic and social affairs within its jurisdiction — in obtaining a result that is favourable to the economic prosperity of the region, is not sufficient on its own to enable it to be regarded as individually concerned by the provisions of the regulation.