

Case T-422/03 R II

Enviro Tech Europe Ltd and Enviro Tech International Inc.

v

Commission of the European Communities

(Interim measures — Directives 67/548/EEC and 2004/73/EC —
Conditions of admissibility)

Order of the President of the Court of First Instance, 2 July 2004 II - 2005

Summary of the Order

- 1. Interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting*
(Arts 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2))
- 2. Interim measures — Conditions of admissibility — Application — Formal requirements — Precise indication of the subject-matter of the application — Condition a matter of public policy*
(Rules of Procedure of the Court of First Instance, Arts 44(1)(d) and 104(3))

1. Article 104(2) of the Rules of Procedure of the Court of First Instance provides that an application for interim measures must state the subject-matter of the proceedings, the circumstances giving rise to urgency and the pleas of fact and law establishing a prima facie case (*fumus boni juris*) for the interim measures applied for.

(see para. 34)

down in Article 44(1)(d) of the Rules of Procedure of the Court of First Instance to which Article 104(3) of those rules refers and is thus inadmissible.

Compliance with Article 44 and the other provisions of the Rules of Procedure, and in particular those laying down conditions as to the admissibility of applications for interim relief, is a matter of public policy.

2. An application which, without details as to its subject-matter, is vague and imprecise does not meet the criteria laid

(see paras 48, 59)