

**Order of the Court of First Instance (Fifth Chamber) of 12 January 2007 —
SPM v Commission
(Case T-104/06)**

Common organisation of the markets — Bananas — Scheme for the import of bananas originating in ACP countries to the European Union — Regulation (EC) No 219/2006 — Action for annulment — Locus standi — Inadmissibility

1. *Actions for annulment — Interest in bringing proceedings (Art. 233 EC) (see paras 52-54, 57, 59)*
2. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC; Commission Regulation No 219/2006) (see paras 66, 69, 71, 77)*
3. *European Communities — Judicial review of the legality of the acts of the institutions (Arts 230, fourth para., EC, 234 EC, 235 EC, 241 EC and 288, second para., EC) (see paras 81-83)*

Re:

ACTION for annulment of Commission Regulation (EC) No 219/2006 of 8 February 2006 opening and providing for the administration of the tariff quota for bananas falling under CN code 0803 00 19 originating in ACP countries for the period 1 March to 31 December 2006 (OJ 2006 L 38, p. 22).

Operative part

The Court:

1. Dismisses the action as inadmissible;
2. Orders the Société des plantations de Mbanga SA (SPM) to bear its own costs and pay those of the Commission.