

Action brought on 26 June 2016 — City of Paris v Commission**(Case T-339/16)***Language of the case: French***Parties***Applicant:* City of Paris (Paris, France) (represented by: J. Assous, lawyer)*Defendant:* European Commission**Form of order sought**

The applicant claims that the Court should:

annul Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6);

order the European Commission to pay symbolic damages of one euro as compensation for the harm caused to the City of Paris as a result of the adoption of such a regulation;

order the European Commission to pay all of the costs.

Pleas in law and main arguments

In support of the action, the applicant raises two pleas in law.

First plea in law, alleging that Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ 2016 L 109, p. 1; ‘the contested regulation’) is null and void for lack of competence as a result of the European Commission’s improper use of the regulatory procedure with scrutiny. The Commission lacked substantive competence and infringed essential procedural requirements when adopting the contested regulation.

Second plea in law, alleging that the contested regulation is null and void by reason of the infringement of primary law, secondary environmental law and subsidiary rules of EU law as a result of the failure to comply with the general principles of EU environmental law and with the principles of legal certainty and the protection of legitimate expectations.

Concerning the compensatory aspect of the action, the applicant submits that the conditions giving rise to non-contractual liability on the part of the European Union are satisfied to the extent that, first, the contested regulation contains irregularities both in form and in substance, secondly, the contested regulation occasioned actual and certain harm to the applicant and, thirdly, the direct causal link between the Commission’s conduct and the harm alleged cannot be disputed.