

Case T-122/96 Federazione nazionale del commercio oleario (Federolio) v Commission of the European Communities [1997] ECR II-1559

Facts: A trade organisation aimed at ensuring sellers of particular vegetable oils were protected sought the partial annulment of a regulation imposing penalties when those products fell short of Community standards. The Commission had contended that associations could not have standing as they were not individually concerned by a measure of a general nature.

Held: The applicants had no standing. The Court reiterated the test laid down in *Plaumann v Commission* and argued that an association formed for the protection of the collective interests of a category of persons could not be considered to be individually concerned by a measure affecting the general interests of that category, and was therefore not entitled to bring an action for annulment where its members could not do so individually. However, the Court went on to say that the existence of special circumstances, such as the part taken by an association in the procedure leading up to the adoption of an act could support the admissibility of an action brought by an association whose members were not directly and individually concerned by that act. On the facts, the applicant had not attempted to differentiate its members and so meet the test in *Plaumann v Commission*.