

**Case T-177/01 Jégo Quéré et Cie SA v Commission of the European Communities [2002]
ECR II-2365**

Facts: A Commission regulation which imposed mesh size minimums for different nets fishing company was challenged by the applicant. The measure required no implementation at a national level. Importantly, bringing an action at the national level was only permitted if the applicant infringed EU law. The General Court had attempted to alter the test laid down in *Plaumann v. Commission*, proposing the following formulation: A natural or legal person is to be regarded as individually concerned if the measure in question affects his legal position, in a manner which is both definite and immediate, by restricting his rights or by imposing obligations on him.

Held: The Court reaffirmed the general right to effective judicial protection, finding, nevertheless, that this could not have the effect of setting aside a condition expressly laid down by the Treaty, as it had established a complete system of legal protection through a combination of Art. 263 and Art. 267 TFEU. It was incumbent upon Member States to provide for the right of challenge of EU measures at the national law even when no implementing measures were involved.