

**Case 26/76 Metro SB-Großmärkte GmbH & Co. KG v Commission of the European Communities [1977] ECR 1875**

**Facts:** The applicant contended that a selective distribution scheme operated by SABA fell afoul of Art. 101 TFEU. SABA had stringent requirements for undertakings to meet in order to be classified as wholesalers, and the applicant did not meet these. The Commission had decided that parts of the distribution scheme were legal, and so competition law had not been breached. The applicant sought to annul that decision, but as it was not addressed to it, the question was whether this was possible.

**Held:** The applicant had standing as it was directly and individually concerned. The contested decision was adopted, in particular, as the result of a complaint submitted by Metro, and it related to the provisions of SABA's distribution system on which SABA relied against Metro to refuse to sell to it or to appoint it as a wholesaler. In order to pursue the satisfactory administration of justice, natural and legal persons should be able, if their request is not complied with either wholly or in part, to institute proceedings in order to protect their legitimate interests.