

**Request for a preliminary ruling from the Bayerisches Verwaltungsgericht Regensburg (Germany)
lodged on 20 April 2023 — European Chemicals Agency v Hallertauer Hopfenveredelungsges. m.b.H.**

(Case C-256/23, ECHA)

(2023/C 338/07)

Language of the case: German

Referring court

Bayerisches Verwaltungsgericht Regensburg

Parties to the main proceedings

Applicant: European Chemicals Agency

Defendant: Hallertauer Hopfenveredelungsges. m.b.H.

Intervening party: Regierung von Niederbayern (Government of Lower Bavaria) as a representative of the public interest

Questions referred

1. Is Article 94(1) of Regulation (EC) No 1907/2006, ⁽¹⁾ according to which an action may be brought before the Court of Justice of the European Union against a decision of the agency, to be interpreted as meaning that the enforceability of decisions of the agency may also be the subject of an action?
2. If the first question is to be answered in the negative: Is the first paragraph of Article 299 TFEU to be interpreted as meaning that it applies not only to acts adopted by the Council, the Commission or the European Central Bank, but also to decisions of the European Chemicals Agency imposing an administrative charge?
3. If the second question is to be answered in the affirmative: Is the second paragraph of Article 299 TFEU to be interpreted as meaning that the reference to the Member State's rules of civil procedure encompasses not only the rules of procedure but also the rules governing jurisdiction?

⁽¹⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ 2006 L 396, p. 1).

**Request for a preliminary ruling from the Oberverwaltungsgericht des Landes Sachsen-Anhalt
(Germany) lodged on 8 May 2023 — European Chemicals Agency v B. GmbH**

(Case C-290/23, ECHA)

(2023/C 338/08)

Language of the case: German

Referring court

Oberverwaltungsgericht des Landes Sachsen-Anhalt

Parties to the main proceedings

Applicant and appellant: European Chemicals Agency

Defendant and respondent: B. GmbH