

**Appeal brought on 18 January 2008 by C. Michail against the judgment of the Civil Service Tribunal delivered on 22 November 2007 in Case F-34/06 Michail v Commission**

(Case T-50/08)

(2008/C 128/73)

*Language of the case: Greek*

**Parties**

*Appellant:* C. Michail (represented by C. Meidanis, lawyer)

*Other party to the proceedings:* Commission of the European Communities

**Form of order sought by the appellant**

- hold that the present application to set aside the judgment of the Civil Service Tribunal in Case F-34/06 is admissible and well founded;
- annul the disputed measures/decisions of the Civil Service Tribunal in Case F-34/06;
- determine the financial compensation for the non-material harm to the appellant, which amounts to EUR 120 000;
- make an order as to costs as laid down by law.

**Grounds of appeal and main arguments**

The appellant submits that, in the contested judgment, the Civil Service Tribunal (‘the CST’) erred in ruling upon his application for annulment of his career development report for 2004 and of the decision of the appointing authority rejecting the complaints submitted by him under Article 90(2) of the Staff Regulations.

More specifically, the appellant contends, first, that that the CST misinterpreted Article 43 of the Staff Regulations and the general provisions implementing that Article. Second, the CST misinterpreted the form of order sought by the application upon which it ruled, and it appraised the evidence wrongly. Third, the CST relied on contradictory reasoning in dismissing his application, with the result that fundamental procedural rights enjoyed by him were infringed. Fourth, the CST erred in refusing to rule on a particular claim or otherwise employed insufficient reasoning and, finally, it wrongly dismissed part of the application for lack of precision.

**Action brought on 6 March 2008 — Arch Chemicals Inc. and Others v Commission**

(Case T-120/08)

(2008/C 128/74)

*Language of the case: English*

**Parties**

*Applicants:* Arch Chemicals, Inc. (Norwalk, United States), Arch Timber Protection Ltd (Castleford, United Kingdom), Bactria Industriehygiene-Service Verwaltungs GmbH (Kirchheimbollen, Germany), Rhodia UK Ltd (Watford, United Kingdom), Sumitomo Chemical (UK) plc (London, United Kingdom) and Troy Chemical Company BV (Maassluis, Netherlands) (represented by: C. Mereu, K. Van Maldegem, lawyers)

*Defendant:* Commission of the European Communities

**Form of order sought**

- to declare the present application admissible and well founded, or, in the alternative, to join the questions of admissibility to the examination of the substance, or, in the alternative, to reserve its decision on standing until judgment in the main proceedings;
- to order the annulment of Article 3(2) (and Annex II), Article 4, Article 7(3), Article 14(2), second paragraph, Article 15(3) and Article 17 of Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market;
- to declare the illegality and the inapplicability vis-à-vis the applicants of Articles 9(a), 10(3), 11 and 16(1) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market;
- to declare the illegality and the inapplicability vis-à-vis the applicants of Article 6(2) of Commission Regulation (EC) No 1896/2000 of 7 September 2000 on the first phase of the programme referred to in 16(2) of Directive 98/8/EC of the European Parliament and of the Council on biocidal products;
- to order the defendant to pay the costs and expenses in these proceedings.

**Pleas in law and main arguments**

The applicants seek partial annulment of Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products