

The applicants consider that the contested act infringes the applicable rules established for the identification of SVHCs under the REACH and put forward four pleas in law in support of their application which are identical to those raised in Case T-94/10, *Rütgers Germany and Others v ECHA*.

anthracene oil, anthracene paste (CAS Number 90640-81-6) ("anthracene oil (paste)") as a substance meeting the criteria set out in Article 57(d) and (e) of Regulation (EC) No 1907/2006⁽¹⁾ ("REACH"), in accordance with Article 59 REACH.

⁽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)

On the basis of the contested decision, brought to the applicants' attention by means of an ECHA's press release, the anthracene oil (paste) was included in the list of 14 chemical substances of the Candidate List of Substance of Very High Concern ("SVHC") for eventual inclusion in Annex XIV to the REACH. The reasons stated in the contested act for the identification of anthracene oil (paste) as a SVHC are that the substance is carcinogenic mutagenic and also persistent, and very bioaccumulative ('vPvB') in accordance with criteria set out in Annex XIII to the REACH.

Action brought on 17 February 2010 — Rütgers Germany and others v ECHA

(Case T-96/10)

(2010/C 113/98)

Language of the case: English

Parties

Applicants: Rütgers Germany GmbH (Castrop-Rauxel, Germany), Rütgers Belgium NV (Zelzate, Belgium), Deza, a.s. (Valašské Meziříčí, Czech Republic), Koppers Denmark A/S (Nyborg, Denmark), Koppers UK Ltd (Scunthorpe, United Kingdom) (represented by: K. Van Maldegem, R. Cana, lawyers and P. Sellar, Solicitor)

Defendant: European Chemicals Agency (ECHA)

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Form of order sought

— declare the application admissible and well-founded;

— partially annul the contested act, as far as it relates to anthracene oil, anthracene paste;

— order ECHA to pay the costs of these proceedings.

Pleas in law and main arguments

The applicants seek the partial annulment of the decision of the European Chemicals Agency ("ECHA") (ED/68/2009) to identify

Action brought on 2 March 2010 — Meica v OHIM — Tofutown.com (TOFUKING)

(Case T-99/10)

(2010/C 113/99)

Language in which the application was lodged: German

Parties

Applicant: Meica Ammerländische Fleischwarenfabrik Fritz Meinen GmbH & Co. KG (Edewecht, Germany) (represented by: S. Russlies, lawyer)