

GENERAL COURT

Judgment of the General Court of 13 January 2017 — Deza v ECHA

(Case T-189/14) ⁽¹⁾

(Access to documents — Regulation (EC) No 1049/2001 — Documents held by the ECHA containing information submitted by an undertaking in connection with its application for authorisation to use di-(2-ethylhexyl)phthalate (DEHP) — Decision to disclose certain information considered confidential by the applicant — Exception relating to the protection of commercial interests — Concept of private life — Right to property — Obligation to state reasons)

(2017/C 063/31)

Language of the case: Czech

Parties

Applicant: Deza, a.s. (Valašské Meziříčí, Czech Republic) (represented by P. Dejl, lawyer)

Defendant: European Chemicals Agency (ECHA) (represented initially by A. Iber, T. Zbihlej and M. Heikkilä, acting as Agents, and subsequently by M. Heikkilä, C. Buchanan and W. Broere, acting as Agents, and by M. Mašková, lawyer)

Interveners in support of the defendant: European Commission (represented by F. Clotuche-Duvieusart, P. Ondrůšek and K. Talabér-Ritz, acting as Agents), and ClientEarth (London, United Kingdom), European Environmental Bureau (EEB) (Brussels, Belgium), Vereniging Health Care Without Harm Europe (Rijswijk, Netherlands) (represented by B. Kloostra, lawyer)

Re:

Application pursuant to Article 263 TFEU seeking the annulment of ECHA's decisions of 24 January 2014 concerning the disclosure of certain information submitted by the applicant in the course of the procedure relating to the application for authorisation to use di-(2-ethylhexyl)phthalate (DEHP).

Operative part of the judgment

The Court:

- 1) Dismisses the action;
- 2) Orders Deza, a.s., in addition to bearing its own costs, to pay those incurred by the European Chemicals Agency (ECHA), including those relating to the application for interim measures;
- 3) Orders the European Commission to bear its own costs;
- 4) Orders ClientEarth, European Environmental Bureau (EEB) and Vereniging Health Care Without Harm Europe to bear their own costs.

⁽¹⁾ OJ C 194, 24.6.2014.