

**Action brought on 21 March 2017 — PlasticsEurope v ECHA**

(Case T-185/17)

(2017/C 161/48)

*Language of the case: English***Parties**

*Applicant:* PlasticsEurope (Brussels, Belgium) (represented by: R. Cana, E. Mullier and F. Mattioli, lawyers)

*Defendant:* European Chemicals Agency

**Form of order sought**

The applicant claims that the Court should:

- declare the application admissible and well-founded;
- annul the ECHA's decision, published on 12 January 2017, to include Bisphenol A in the list of candidate substances for authorisation as a substance of very high concern in accordance with Article 59 of the REACH Regulation;
- order ECHA to pay the costs of the proceedings; and
- take such other or further measure as justice may require.

**Pleas in law and main arguments**

In support of the action, the applicant relies on three pleas in law.

1. First plea in law, alleging that the contested decision breaches Article 2(8)(b) of the REACH Regulation.
  - The contested decision breaches Article 2(8)(b) of Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (OJ 2006 L 396, p. 1, the 'REACH Regulation'), since intermediate uses are exempt from the entire Title VII pursuant to Article 2(8)(b) of the REACH Regulation, and are thus outside the scope of Articles 57 and 59 and outside the scope of authorisation.
2. Second plea in law, alleging the contested decision breaches the principle of proportionality.
  - The applicant submits that the contested decision breaches the principle of proportionality, since the inclusion of intermediate uses in the candidate list exceeds the limits of what is appropriate and necessary to attain the objective pursued and is not the least onerous measure to which the European Chemicals Agency could have had recourse.
3. Third plea in law, alleging that the defendant committed a manifest error of assessment, by failing to take into consideration the information at its disposal showing the uses of BPA as an intermediate.
  - The European Chemicals Agency failed to take into account the information that was made available in the Annex XV dossier for BPA under the REACH Regulation.

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**Action brought on 23 March 2017 — Unipreus v EUIPO — Wallapop (wallapop)**

(Case T-186/17)

(2017/C 161/49)

*Language in which the application was lodged: Spanish***Parties**

*Applicant:* Unipreus, SL (Lleida, Spain) (represented by: C. Rivadulla Oliva, lawyer)