

Notice concerning the classification of pitch, coal tar, high temperature as Aquatic Acute 1 and Aquatic Chronic 1 according to Regulation (EC) No 1272/2008 of the European Parliament and of the Council

(2018/C 239/03)

Further to an application lodged by Bilbaína de Alquitranes SA and others, the General Court of the European Union, by its judgment of 7 October 2015 in Case T-689/13 partially annulled Commission Regulation (EU) No 944/2013 ⁽¹⁾ in so far as it classifies pitch, coal tar, high temperature (EC No 266-028-2) as Aquatic Acute 1 and Aquatic Chronic 1. The Commission appealed the General Court's judgment at the Court of Justice of the European Union, which dismissed the appeal by its judgment of 22 November 2017 in Case C-691/15P. As a consequence, the partial annulment by the General Court is upheld and the substance pitch, coal tar, high temperature (EC No 266-028-2) is not any more classified as Aquatic Acute 1 and Aquatic Chronic 1. The classification of that substance as Carcinogenic 1A, Mutagenic 1B and Toxic for reproduction 1B remains unchanged.

⁽¹⁾ Commission Regulation (EU) No 944/2013 of 2 October 2013 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures.