



## Reports of Cases

**Order of the Vice-President of the Court of 7 July 2016 —**

**Commission v Bilbaína de Alquitranes and Others**

**(Case C-691/15 P-R)**

(Application for interim measures — Appeal — Application for suspension of the effects of a regulation annulled by the General Court of the European Union — Environment and protection of human health — Regulation (EU) No 944/2013 — Classification of pitch, coal tar, high-temperature, in the categories of acute aquatic toxicity and chronic aquatic toxicity — Manifest error of assessment — Judgment of the General Court annulling that regulation — Suspensive effect of the appeal — Urgency)

- 1. Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Serious and irreparable damage — Cumulative nature — Weighing-up of the interests — Judgment of the General Court which partially annulled a regulation — Application for interim measures seeking to maintain the effects of a judgment of the General Court and satisfying the condition of a prima facie case — Circumstance not sufficient to relax the condition relating to urgency (Arts 278 TFEU and 279 TFEU; Statute of the Court of Justice, Art. 60, second para.; Rules of Procedure of the Court of Justice, Art. 160(3)) (see paras 19-21, 24, 25)*
- 2. Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Burden of proof — Financial loss — Situation liable to endanger the existence of the applicant company — Assessment having regard to the situation of the group to which the undertaking belongs (Arts 278 TFEU and 279 TFEU) (see paras 41, 43)*

### **Operative part**

1. The application for interim measures is dismissed.
2. Costs are reserved.