



Reports of Cases

Order of the Court (Sixth Chamber) of 19 July 2017 — Lysoform Dr. Hans Rosemann and Ecolab Deutschland v ECHA

(Case C-663/16 P)¹

(Appeal — Article 181 of the Rules of Procedure of the Court of Justice — Regulation (EU) No 528/2012 — Making available on the market and use of biocidal products — Article 95 — European Chemicals Agency (ECHA) — Publication of a list of active substances — Inclusion of a company as a supplier of an active substance)

1. *Judicial proceedings — Plea of inadmissibility — Subject matter — No obligation on the party raising the plea to set out in its pleadings its arguments on the substance of the case*

(Rules of Procedure of the Court of Justice, Art. 151; Rules of Procedure of the General Court, Art. 130)

(see paras 28-33)

2. *Judicial proceedings — No obligation on the General Court to commence the oral procedure before ruling on an objection of inadmissibility*

(Rules of Procedure of the General Court, Art. 130(7))

(see para. 36)

3. *Actions for annulment — Natural or legal persons — Admissibility criteria — Interest in bringing proceedings — Locus standi — Definition*

(Arts 263, fourth para., TFEU)

(see para. 41)

4. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Whether directly concerned — Criteria*

(Art. 263, fourth para., TFEU)

(see para. 42)

¹ OJ C 53, 20.2.2017.

5. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Interpretation contra legem of the requirement that the applicants be directly concerned — Not permissible*

(Arts 263, fourth para., TFEU)

(see para. 43)

Operative part

1. The appeal is dismissed.
2. Lysoform Dr. Hans Rosemann GmbH and Ecolab Deutschland GmbH shall pay the costs.
3. Lysoform Dr. Hans Rosemann GmbH, Ecolab Deutschland GmbH, the European Chemicals Agency (ECHA), BASF SE and Oxea GmbH shall each bear their own costs relating to the application for leave to intervene.