

Judgment of the General Court of 20 September 2019 — ICL-IP Terneuzen and ICL Europe Coöperatief v Commission(Case T-610/17) ⁽¹⁾

(REACH — Substances subject to authorisation — Inclusion of 1-bromopropane (nPB) in Annex XIV to Regulation No 1907/2006 — Volumes — Registration dossier — Data — Substance grouping — Principle of sound administration — Right to conduct business and pursue a trade freely — Obligation to state reasons — Legitimate expectations — Proportionality — Equal treatment)

(2019/C 406/29)

Language of the case: English

Parties

Applicants: ICL-IP Terneuzen, BV (Terneuzen, Netherlands) and ICL Europe Coöperatief UA (Amsterdam, Netherlands) (represented by: R. Cana, E. Mullier and H. Widemann, lawyers)

Defendant: European Commission (represented by: M. Huttunen, R. Lindenthal and K. Mifsud-Bonnici, acting as Agents)

Intervener in support of the defendant: European Chemicals Agency (represented by: M. Heikkilä, W. Broere, T. Zbihlej and N. Herbatschek, acting as Agents)

Re:

Application under Article 263 TFEU for annulment in part of Commission Regulation (EU) 2017/999 of 13 June 2017 amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ 2017 L 150, p. 7), in so far as it includes 1-bromopropane (nPB) in that annex.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders ICL-IP Terneuzen, BV and ICL Europe Coöperatief UA to bear their own costs and to pay those incurred by the European Commission;*
3. *Orders the European Chemicals Agency (ECHA) to bear its own costs.*

⁽¹⁾ OJ C 357, 23.10.2017.

Judgment of the General Court of 20 September 2019 — PlasticsEurope v ECHA(Case T-636/17) ⁽¹⁾

(REACH — Establishment of a list of substances identified with a view to their eventual inclusion in Annex XIV of Regulation (EC) No 1907/2006 — Supplement to the entry relating to the substance bisphenol A on that list — Articles 57 and 59 of Regulation No 1907/2006 — Manifest error of assessment — Legal certainty — Legitimate expectations — Proportionality)

(2019/C 406/30)

Language of the case: English

Parties

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

Defendant: European Chemicals Agency (ECHA) (represented by: M. Heikkilä, W. Broere, C. Buchanan and A. Hautamäki, Agents, and initially by S. Raes, lawyer)

Interveners in support of the defendant: French Republic (represented: initially by D. Colas, E. de Moustier and J. Traband, and subsequently by D. Colas, J. Traband and A. L. Desjonquères, Agents), ClientEarth (London, United Kingdom), (represented by: P. Kirch, lawyer)

Re:

Application pursuant to Article 263 TFEU seeking the annulment of Decision ED/30/2017 by the Executive Director of ECHA of 6 July 2017, by which the existing entry relating to bisphenol A on the list of identified substances with a view to their eventual inclusion in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ 2006 L 396, p. 1, corrigendum OJ 2007 L 136, p. 3), in accordance with Article 59 of that regulation, was supplemented to the effect that that substance is also identified as a substance with endocrine disrupting properties that may have serious effects on human health which give rise to a level of concern equivalent to that raised by the use of other substances listed in Article 57(a) to (e) of that regulation, within the meaning of Article 57(f) thereof.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders PlasticsEurope to bear its own costs and pay those incurred by the European Chemicals Agency (ECHA) and ClientEarth;*
3. *Orders the French Republic to bear its own costs.*

(¹) OJ C 382, 13.11.2017.

Judgment of the General Court of 20 September 2019 — Jinan Meide Casting v Commission

(Case T-650/17) (¹)

(Dumping — Implementing Regulation (EU) 2017/1146 — Imports of threaded tube or pipe cast fittings, of malleable cast iron, originating in China, manufactured by Jinan Meide Castings Co., Ltd — Definitive anti-dumping duty — Resumption of the procedure following the partial annulment of Implementing Regulation (EU) No 430/2013 — Article 2(7)(a), (10) and (11) of Regulation (EC) No 1225/2009 (now Article 2(7)(a), (10) and (11) of Regulation (EU) 2016/1036) — Normal value — Fair comparison — Non-matching product types — Article 3(1) to (3) and Article 9(4) and (5) of Regulation No 1225/2009 (now Article 3(1) to (3) and Article 9(4) and (5) of Regulation 2016/1036) — Determination of injury)

(2019/C 406/31)

Language of the case: English

Parties

Applicant: Jinan Meide Casting Co. Ltd (Jinan, China) (represented by: R. Antonini, E. Monard and B. Maniatis, lawyers)