

3. Third plea in law, alleging that the contested decision infringes the principles of legal certainty and protection of legitimate expectations by failing to take into consideration expected studies which were acknowledged as relevant for the assessment of BPA's alleged ED properties, and in particular the CLARITY-BPA study, and by not considering the derivation of a safe level as a factor relevant for the establishment of the equivalent level of concern.
4. Fourth plea in law, alleging that the contested decision breaches Articles 59 and 57(f) of the REACH Regulation by identifying BPA as a Substance of Very High Concern on the basis of the criteria referred to in Article 57(f), since Article 57(f) only covers substances which have not yet been identified under Article 57(a) to (e).
5. Fifth plea in law, alleging that the contested decision breaches Article 2(8)(b) of the REACH Regulation since intermediates are exempt from the entire Title VII, and are thus outside the scope of Articles 57 and 59 and outside the scope of authorisation.
6. Sixth plea in law, alleging that the contested decision breaches the principle of proportionality, since the inclusion of BPA in the Candidate List when it is a non-intermediate exceeds the limits of what is appropriate and necessary to attain the objective pursued and is not the least onerous measure to which the Agency could have had recourse.

**Action brought on 20 September 2017 — Policlínico Centro Médico de Seguros and Medicina
Asturiana v Commission and SRB**

(Case T-637/17)

(2017/C 382/68)

Language of the case: Spanish

Parties

Applicants: Policlínico Centro Médico de Seguros, SA (Oviedo, Spain) and Medicina Asturiana, SA (Oviedo) (represented by: R. Vallina Hoset and A. Lois Perreau de Pinninck, lawyers)

Defendants: European Commission and Single Resolution Board

Form of order sought

The applicants claim that the General Court should:

- Annul Decision SRB/EES/2017/08 of the Single Resolution Board of 7 June 2017 concerning the adoption of a resolution scheme in respect of Banco Popular Español, S.A.;
- Annul Commission Decision (EU) 2017/1246 of 7 June 2017 endorsing the resolution scheme of Banco Popular Español, S.A.;
- Where appropriate, declare Articles 15, 18, 20, 21, 22 and/or 24 of Regulation No 806/2014 inapplicable, in accordance with Article 277 TFEU;
- Order SRB and the Commission to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those put forward in Cases T-478/17, *Mutualidad de la Abogacía and Hermandad Nacional de Arquitectos Superiores y Químicos v Single Resolution Board*, T-481/17, *Fundación Tatiana Pérez de Guzmán el Bueno and SFL v Single Resolution Board*, T-482/17, *Comercial Vascongada Recalde v Commission and Single Resolution Board*, T-483/17, *García Suárez and Others v Commission and Single Resolution Board*, T-484/17, *Fidesban and Others v Single Resolution Board*, T-497/17, *Sánchez del Valle and Calatrava Real State 2015 v Commission and Single Resolution Board*, and T-498/17, *Pablo Álvarez de Linera Granda v Commission and Single Resolution Board*.

Action brought on 21 September 2017 — Helibética v Commission and SRB**(Case T-638/17)**

(2017/C 382/69)

*Language of the case: Spanish***Parties**

Applicant: Helibética, SL (Alicante, Spain) (represented by: R. Vallina Hoset and A. Lois Perreau de Pinninck, lawyers)

Defendants: European Commission and Single Resolution Board

Form of order sought

The applicant claims that the General Court should:

- Annul Decision SRB/EES/2017/08 of the Single Resolution Board of 7 June 2017 concerning the adoption of a resolution scheme in respect of Banco Popular Español, S.A.;
- Annul Commission Decision (EU) 2017/1246 of 7 June 2017 endorsing the resolution scheme of Banco Popular Español, S.A.;
- Where appropriate, declare Articles 15, 18, 20, 21, 22 and/or 24 of Regulation No 806/2014 inapplicable, in accordance with Article 277 TFEU;
- Order SRB and the Commission to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those put forward in Cases T-478/17, *Mutualidad de la Abogacía and Hermandad Nacional de Arquitectos Superiores y Químicos v Single Resolution Board*, T-481/17, *Fundación Tatiana Pérez de Guzmán el Bueno and SFL v Single Resolution Board*, T-482/17, *Comercial Vascongada Recalde v Commission and Single Resolution Board*, T-483/17, *García Suárez and Others v Commission and Single Resolution Board*, T-484/17, *Fidesban and Others v Single Resolution Board*, T-497/17, *Sánchez del Valle and Calatrava Real State 2015 v Commission and Single Resolution Board*, and T-498/17, *Pablo Álvarez de Linera Granda v Commission and Single Resolution Board*.
