

Order of the General Court of 8 June 2021 — One Voice v ECHA(Case T-663/20) ⁽¹⁾

(Action for annulment — REACH — Substance homosalate — Exclusive use for the manufacture of cosmetic products — Compliance check of registrations — Article 41(1) of Regulation (EC) No 1907/2006 — Time limit for bringing an action — Article 21(5) of Regulation (EC) No 771/2008 — Article 59 of the Rules of Procedure — Inadmissibility)

(2021/C 310/46)

*Language of the case: French***Parties**

Applicant: One Voice (Strasbourg, France) (represented by: A. Ghersi, lawyer)

Defendant: European Chemicals Agency (represented by: W. Broere and L. Bolzonello, acting as Agents, and by S. Raes, lawyer)

Re:

Application under Article 263 TFEU seeking the annulment of Decision A-009-2018 of the Board of Appeal of ECHA of 18 August 2020, relating to the compliance check of a registration dossier for homosalate.

Operative part of the order

1. The action is dismissed as inadmissible.
2. One Voice is ordered to pay the costs.

⁽¹⁾ OJ C 9, 11.1.2021.

Order of the General Court of 8 June 2021 — One Voice v ECHA(Case T-664/20) ⁽¹⁾

(Action for annulment — REACH — Substance 2-ethylhexyl salicylate — Exclusive use for the manufacture of cosmetic products — Compliance check of registrations — Article 41(1) of Regulation (EC) No 1907/2006 — Time limit for bringing an action — Article 21(5) of Regulation (EC) No 771/2008 — Article 59 of the Rules of Procedure — Inadmissibility)

(2021/C 310/47)

*Language of the case: French***Parties**

Applicant: One Voice (Strasbourg, France) (represented by: A. Ghersi, lawyer)

Defendant: European Chemicals Agency (represented by: W. Broere and L. Bolzonello, acting as Agents, and by S. Raes, lawyer)

Re:

Application under Article 263 TFEU seeking the annulment of Decision A-010-2018 of the Board of Appeal of ECHA of 18 August 2020, relating to the compliance check of a registration dossier for 2-ethylhexyl salicylate.

Operative part of the order

1. The action is dismissed as inadmissible.

2. One Voice is ordered to pay the costs.

(¹) OJ C 9, 11.1.2021.

Action brought on 2 June 2021 — SY v Commission

(Case T-312/21)

(2021/C 310/48)

Language of the case: German

Parties

Applicant: SY (represented by: T. Walberer, lawyer)

Defendant: European Commission

Form of order sought

Pursuant to Article 270 TFEU, Article 91(1) of the Staff Regulations, and Articles 263 and 265 TFEU, the applicant claims that the Court should:

- annul the reserve list of the competition EPSO/AD/374/19-1; the decisions to recruit the candidates included on that reserve list; the decisions of the Selection Board of 21 April 2021 and 14 January 2021 not to include the applicant on the reserve list in the field of Competition Law; the Addendum to the Notice of Competition EPSO/AD/374/19-1 of 5 November 2020; and the applicant's invitation of 20 November 2020;
- in the alternative, annul the decisions of the Selection Board of 21 April 2021 and 14 January 2021 relating to the applicant and, in the judgment, provide the defendant with the necessary detailed guidelines for the lawful restoration of the applicant to his legal position prior to the infringement of his rights, which would enable the defendant to include the applicant in the reserve list, either immediately or after a reassessment of his performance; and annul the Addendum to the Notice of Competition EPSO/AD/374/19-1 of 5 November 2020; and the applicant's invitation of 20 November 2020;
- declare that the defendant infringed Article 265 TFEU by failing to issue a decision in respect of the applicant's administrative complaint of 17 January 2021;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law.

1. First plea in law: The retroactive amendment of the selection procedure is unlawful, because it lacks a legal basis, and due to countervailing rights as well as infringement of legal clarity, the obligation to state reasons, and rights of participation.
 2. Second plea in law: The prohibition of discrimination was infringed in relation to the applicant's pre-existing condition, due to the defendant's failure to provide him with special accommodations for the assessment.
 3. Third plea in law: Because of a time delay, the applicant was discriminated against compared to the participants in the fully remote Assessment Centre.
 4. Fourth plea in law: The applicant was discriminated against compared to the staff members of the defendant.
-