

9. Ninth plea in law, alleging infringement of the rules on classification as toxic to reproductive toxicity, Category 1B: the defendant infringed the rules laid down in Regulation (EC) 1272/2008 <sup>(3)</sup> when it indicated that the classification of chlorpyrifos-methyl as toxic for reproduction category 1B may be appropriate. That opinion was indeed based on an unlawful and not substantiated application of read-across.

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- <sup>(1)</sup> Commission Implementing Regulation (EU) 2020/17 of 10 January 2020 concerning the non-renewal of the approval of the active substance chlorpyrifos-methyl, in accordance with Regulation (EC) No 107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ 2020 L 7, p. 11).
- <sup>(2)</sup> Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ 2012 L 252, p. 26).
- <sup>(3)</sup> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ 2008, L 353, p. 1).

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**Action brought on 12 February 2020 — AI v ECDC**

**(Case T-79/20)**

(2020/C 129/06)

*Language of the case: English*

**Parties**

*Applicant:* AI (represented by: L. Levi and A. Champetier, lawyers)

*Defendant:* European Centre for Disease Prevention and Control (ECDC)

**Form of order sought**

The applicant claims that the Court should:

- annul the decision dated 5 April 2019 rejecting his request for assistance of 10 April 2018;
- annul, if need be, the decision dated 4 November 2019 rejecting his complaint dated 5 July 2019;
- order financial compensation which can be evaluated, *ex aequo et bono*, as the sum of EUR 75 000;
- order the reimbursement of his legal costs incurred.

**Pleas in law and main arguments**

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

1. First plea in law, alleging violation of the duty to state reasons and the right to be heard.
  2. Second plea in law, alleging manifest error of assessment and a breach of Article 24 of the Staff Regulations.
  3. Third plea in law, alleging violation of the duty of care.
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