



Reports of Cases

Order of the President of the General Court of 11 March 2013 — *Calestep v ECHA*

(Case T-89/13 R)

(Application for interim measures — Fees and charges payable to ECHA — Reduced fees granted to small enterprises — Verification by ECHA of the declaration relating to the size of the enterprise — Decision ordering the recovery of the uncollected amount of the total fees payable — Application for suspension of operation of the decision — Disregard of the procedural requirements — Inadmissibility)

1. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Serious and irreparable damage — Cumulative nature — Discretion of the judge dealing with the application for interim relief (Arts 256(1) TFEU, 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 7-9)*
2. *Application for interim measures — Conditions for admissibility — Application — Formal requirements — Pleas establishing a prima facie case for the measures applied for — Pleas in law not set out in the application — Inadmissible (Arts 278 TFEU and 279 TFEU; Rules of Procedure of the General Court, Arts 44(1)(c), and 104(3)) (see paras 10, 11, 15, 18)*
3. *Application for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Urgency — Serious and irreparable damage — Burden of proof — Financial loss — Situation which could jeopardise the existence of the applicant company — Loss capable of being subsequently remedied by means of an action for compensation — Not irreparable (Arts 268 TFEU, 278 TFEU, 279 TFEU and 340 TFEU; Rules of Procedure of the General Court, Art. 104(2)) (see paras 13, 14, 16-18)*

Re:

APPLICATION for suspension of operation of the payment reminders of 23 January and 8 February 2013 addressed by ECHA to the applicant on the ground that it did not meet the conditions in order to benefit from the reduction of fees for small undertakings.

Operative part

1. The application for interim measures is dismissed.
2. Costs are reserved.