## Judgment of the Court (Grand Chamber) of 14 March 2017 — Evonik Degussa GmbH v European Commission

**(Case C-162/15 P)** ([1])

***(Appeal — Competition — Articles 101 TFEU and 102 TFEU — Regulation (EC) No 1/2003 — Article 30 — Commission decision finding an illegal cartel on the European hydrogen peroxide and perborate market — Publication of an extended non-confidential version of that decision — Rejection of a request for confidential treatment of certain information — Terms of reference of the hearing officer — Decision 2011/695/EU — Article 8 — Confidentiality — Protection of professional secrecy — Article 339 TFEU — Concept of 'business secrets or other confidential information' — Information from a request for leniency — Rejection of the request for confidential treatment — Legitimate expectation)***

(2017/C 151/04)

*Language of the case: German*

### Parties

*Appellant:* Evonik Degussa GmbH (represented by: C. Steinle, C. von Köckritz and A. Richter, Rechtsanwälte)

*Other party to the proceedings:* European Commission (represented by: G. Meessen, M. Kellerbauer and F. van Schaik, Agents)

### Operative part of the judgment

*The Court:*

1. *Sets aside the judgment of the General Court of the European Union of 28 January 2015, Evonik Degussa v Commission (T-341/12, EU:T:2015:51) in so far as by that judgment the General Court held that the hearing officer was correct to decline competence to answer the objections, raised by Evonik Degussa GmbH on the basis of the observance of the principles of the protection of legitimate expectations and equal treatment, to the proposed publication of a detailed, non-confidential version of Commission Decision C (2006) 1766 final of 3 May 2006 relating to a proceeding under Article 81 [EC] and Article 53 of the EEA Agreement against Akzo Nobel NV, Akzo Nobel Chemicals Holding AB, Eka Chemicals AB, Degussa AG, Edison SpA, FMC Corporation, FMC Foret SA, Kemira OYJ, L'Air Liquide SA, Chemoxal SA, Snia SpA, Caffaro Srl, Solvay SA/NV, Solvay Solexis SpA, Total SA, Elf Aquitaine SA and Arkema SA (Case COMP/F/38.620 — Hydrogen Peroxide and Perborate);*

2. *Dismisses the appeal as to the remainder;*

3. *Annuls Commission Decision C(2012) 3534 final of 24 May 2012, rejecting a request for confidential treatment submitted by Evonik Degussa GmbH in so far as, by that decision, the hearing officer declined competence to answer the objections referred to in point 1 of the operative part of this judgment;*

4. *Orders Evonik Degussa GmbH and the European Commission to bear their own costs.*

([1]) OJ C 198, 15.6.2015.

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## Judgment of the Court (Grand Chamber) of 14 March 2017 (request for a preliminary ruling from the Cour de cassation — France) — Asma Bougnaoui, Association de défense des droits de l'homme (ADDH) v Micropole SA, formerly Micropole Univers SA

**(Case C-188/15)** ([1])

***(Reference for a preliminary ruling — Social policy — Directive 2000/78/EC — Equal treatment — Discrimination based on religion or belief — Genuine and determining occupational requirement — Meaning — Customer's wish not to have services provided by a worker wearing an Islamic headscarf)***

(2017/C 151/05)

*Language of the case: French*

### Referring court

Cour de cassation

**Parties to the main proceedings**

*Applicants:* Asma Bougnaoui, Association de défense des droits de l'homme (ADDH)

*Defendant:* Micropole SA, formerly Micropole Univers SA

**Operative part of the judgment**

*Article 4(1) of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation must be interpreted as meaning that the willingness of an employer to take account of the wishes of a customer no longer to have the services of that employer provided by a worker wearing an Islamic headscarf cannot be considered a genuine and determining occupational requirement within the meaning of that provision.*

([1]) OJ C 221, 6.7.2015.

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**Judgment of the Court (First Chamber) of 15 March 2017 — Polynt SpA v New Japan Chemical, REACh ChemAdvice GmbH, Sitre Srl, European Chemicals Agency, Kingdom of the Netherlands, European Commission**

**(Case C-323/15 P)** ([1])

***(Appeal — Regulation (EC) No 1907/2006 (REACH Regulation) — Article 57(f) — Authorisation — Substances of very high concern — Identification — Equivalent level of concern — Cyclohexane-1,2-dicarboxylic anhydride, cis-cyclohexane-1,2-dicarboxylic anhydride and trans-cyclohexane-1,2-dicarboxylic anhydride)***

(2017/C 151/06)

*Language of the case: English*

**Parties**

*Appellant:* Polynt SpA (represented by: C. Mereu and M. Grunchard, avocats)

*Other parties to the proceedings:* New Japan Chemical (represented by: C. Mereu and M. Grunchard, avocats), REACh ChemAdvice GmbH (represented by: C. Mereu and M. Grunchard, avocats), Sitre Srl (represented by: C. Mereu and M. Grunchard, avocats), European Chemicals Agency (ECHA) (represented by: M. Heikkilä, C. Buchanan, W. Broere and T. Zbihlej, acting as Agents, and J. Stuyck, advocaat), Kingdom of the Netherlands (represented by: C. Schillemans and M. Bulterman, acting as Agents), European Commission (represented by: D. Kukovec and K. Mifsud-Bonnici, acting as Agents)

**Operative part of the judgment**

*The Court:*

1. *Dismisses the appeal;*

2. *Orders Polynt SpA to bear its own costs and to pay those incurred by the European Chemicals Agency (ECHA);*

3. *Orders the Kingdom of the Netherlands and the European Commission to bear their own costs;*

4. *Orders New Japan Chemical and REACh ChemAdvice GmbH to bear their own costs.*

([1]) OJ C 311, 21.9.2015.