

Pleas in law and main arguments

In support of the action, the applicants rely on four pleas in law.

1. First plea in law, alleging the absence of a legal basis for publication.
 - The applicants maintain that publication would be ultra vires given that there is no legal basis upon which the defendant could rely to justify publication, be it under Regulation 1107/2009, Regulation 178/2002 or Commission Implementing Regulation No 844/2012.
2. Second plea in law, alleging that the defendant acted ultra vires in its proposed classification of Thiram since the European Chemicals Agency is the only authority legally responsible for classification or reclassification of substances, as set out in Regulation 1272/2008, and the defendant lacks powers in this regard.
3. Third plea in law, alleging that the defendant breached fundamental rights of the defence by failing to guarantee the applicants a full, proper and effective opportunity to submit comments on a proposed reclassification of its substance.
4. Fourth plea in law, alleging that the defendant infringed Article 63 of Regulation 1107/2009 by deciding to publish the information which the applicants sought to have sanitized, which might undermine their commercial interests.

Action brought on 15 September 2017 — Vallina Fonseca v SRB**(Case T-625/17)**

(2017/C 374/70)

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

Applicant: José Antonio Vallina Fonseca (Madrid, Spain) (represented by: R. Vallina Hoset and A. Sellés Marco, lawyers)

Defendant: 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.;
- Order the SRB to pay the costs.

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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*.
