

## Announcement of appeal<sup>1</sup>

<b>Case</b>	A-007-2018
<b>Appellants</b>	Sumitomo Chemical (UK) plc, United Kingdom Sumitomo Chemical Company Ltd, Japan
<b>Appeal received on</b>	27 April 2018
<b>Subject matter</b>	A decision taken by the European Chemicals Agency (the 'Agency') pursuant to Article 63(3) of the Biocidal Products Regulation ('the BPR').
<b>Keywords</b>	<i>Biocidal products – Data sharing dispute</i>
<b>Contested Decision</b>	DSH-63-3-D-0022-2017
<b>Language of the case</b>	English

### Remedy sought by the Appellants

The Appellants request the Board of Appeal to annul the Contested Decision and order the refund of the appeal fee.

### Pleas in law and main arguments

The Contested Decision granted permission to a third party to refer to data on the active substance prallethrin (EC No 245-387-9).

The Appellants claim that the Agency breached Articles 62 and 63(3) of the BPR, the right to be heard, the precautionary principle, the principle of sound administration and the principle of non-discrimination, and committed several errors of assessment.

### Further information

The rules for the appeal procedure and other background information are available on the 'Appeals' section of the Agency's website:

<http://echa.europa.eu/web/guest/regulations/appeals>

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<sup>1</sup> Announcement published in accordance with Article 6(6) of Regulation (EC) No 771/2008 laying down the rules of organisation and procedure of the Board of Appeal of the European Chemicals Agency, as amended by Commission Implementing Regulation (EU) 2016/823.