

The aim of the Board of Appeal

The appeals process offers affected parties the possibility to request an independent review of certain ECHA decisions taken under the REACH Regulation and the Biocidal Products Regulation.

All appeals are considered by the Board of Appeal on a case-by-case basis.

The Board of Appeal's aim is to consider all appeals as effectively and efficiently as possible. This includes, for example, ensuring that:

- the rights of all parties involved in an appeal are fully respected;
- exemplary standards of integrity, impartiality and independence are applied in the Board of Appeal's decision making process; and
- appeals are fully considered from both a legal and a scientific perspective.

The Registry of the Board of Appeal

The Board of Appeal is assisted by a Registry. In particular, the Registry is responsible for all communication between the Board of Appeal and those involved in appeal proceedings.



Contacts

ALL COMMUNICATIONS TO THE BOARD OF APPEAL MUST BE ADDRESSED TO THE REGISTRY OF THE BOARD OF APPEAL.

echa.europa.eu

**EUROPEAN CHEMICALS AGENCY
REGISTRY OF THE BOARD OF APPEAL
ANNANKATU 18, P. O. BOX 400,
FI - 00121 HELSINKI, FINLAND
PHONE +358-9-686180
TELEFAX +358-9-68618930
E-MAIL: appeal@echa.europa.eu**

The Board of Appeal of the European Chemicals Agency

An independent review of ECHA decisions



Who we are

The Board of Appeal was created by the REACH Regulation to decide on appeals against certain decisions taken by the European Chemicals Agency (ECHA).

Although the Board of Appeal is part of ECHA, it takes its decisions independently.

Each case is decided by a Chairman, a technically qualified member and a legally qualified member.



What decisions can be appealed?

The types of ECHA decisions taken under the REACH Regulation that can be the subject of an appeal to the Board of Appeal include:

- Exemptions from the general obligation to register PPORDs;
- Rejections of registrations;
- Data sharing;
- Examination of testing proposals;
- Compliance checks of registrations;
- Substance evaluation.

The Board of Appeal is also competent to decide on appeals against certain ECHA decisions taken under the Biocidal Products Regulation, such as:

- Applications for approval of an active substance;
- Application for union authorisation of a biocidal product;
- Assessment of technical equivalence of active substances;
- Data-sharing.

For the types of ECHA decisions set out above, an appeal must be brought to the Board of Appeal before an action can be brought to the General Court of the European Union.

It may be possible to challenge other ECHA decisions that do not appear in the list above, directly before the General Court.

Who can appeal?

Any natural or legal person may appeal against a decision addressed to that person. Any natural or legal person may also appeal against a decision that is of direct and individual concern to them, even though the decision is addressed to another person.

When to appeal?

In general terms, an appeal must be received by the Registry of the Board of Appeal within three months of the date of the contested decision.

What does it cost?

Fees range from 1 794 EUR to 7 175 EUR depending on the type of decision being appealed and the size of the company.

An appeal will not be considered to be received if the appeal fee is not paid before the expiry of the time limit for bringing an appeal.

Further information

More information on the appeals procedure (including practice directions, appeal announcements and final decisions) can be found on ECHA's website:

echa.europa.eu