

Announcement of appeal¹

Case	A-004-2011
Appellant	Kronochem GmbH, Bischweier, Germany
Appeal received on	11/04/2011
Subject matter	A decision taken by ECHA (the Agency) pursuant to Article 20 of the REACH Regulation <i>Rejection of registration – Registration fee – Late payment</i>
Contested decision	SUB-D-2114193011-62-01/F
Language of the case	English

Remedy sought by the appellant

The appellant requests that the Board of Appeal should:

- annul the contested decision, and
- order the Agency to assign the submission with a registration number.

Pleas in law and main arguments

In the contested decision the Agency rejected the appellant's registration on the grounds that the fee payment had not been received by the deadline set.

The appellant claims that it had made its submission successfully and had fulfilled all the relevant obligations. It adds, however, that due to an internal error the necessary fee was paid 26 days too late.

The appellant contends that the rejection of its registration with the corresponding fee not being refunded together with the resulting obligation to make a new submission and pay the registration fee again is disproportionate and "out of scale".

Further information

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

http://echa.europa.eu/appeals/app_procedure_en.asp

¹ 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.