

**DECISION OF THE BOARD OF APPEAL
OF THE EUROPEAN CHEMICALS AGENCY**

5 December 2013

(Withdrawal of appeal by appellant)

Case number	A-004-2013
Language of the case	English
Appellant	Cromochim SpA Italy
Contested decision	SUB-D-2114248165-51-01/F of 29 May 2013 adopted by the European Chemicals Agency (hereinafter the 'Agency') pursuant to Article 20(2) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (OJ L 396, 30.12.2006, p. 1; corrected by OJ L 136, 29.5.2007, p. 3; hereinafter the 'REACH Regulation') and Article 3(6) of the Commission Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency (OJ L 107, 17.4.2008, p. 6), as amended by Commission Implementing Regulation (EU) No 254/2013 (OJ L 79, 21.3.2013); hereinafter the 'Fee Regulation'

THE BOARD OF APPEAL

composed of Mercedes ORTUÑO (Chairman and Rapporteur), Andrew FASEY (Member) and Barry DOHERTY (Member)

Registrar: Sari HAUKKA

gives the following

Decision

1. On 1 August 2013, the Appellant filed an appeal at the Registry of the Board of Appeal against the Contested Decision of 29 May 2013. The Contested Decision rejected the Appellant's registration and revoked and replaced the previous Agency decision assigning the registration number to the Appellant.
2. On 2 October 2013 the Agency submitted the Defence.
3. On 25 October 2013, the Agency informed the Board of Appeal that it had opened discussions with the Appellant with a view to the possible settlement of the present case and asked the Board of Appeal to stay the proceedings. After hearing the Appellant, the Board of Appeal decided on 6 November 2013 to stay the present appeal proceedings.
4. By letter received at the Registry of the Board of Appeal on 2 December 2013, the Appellant informed the Board of Appeal that, having regard to the dispute settlement, the Appellant renounces its appeal.
5. The Board of Appeal considers the Appellant's communication on the renouncement of the appeal as the Appellant's declaration of its decision to withdraw the appeal. As a result, the present appeal case should be closed.
6. Pursuant to Article 10(4) of the Fee Regulation the appeal fee is not refunded.

ORDER

On those grounds,

THE BOARD OF APPEAL

hereby:

Closes the appeal case A-004-2013.

Mercedes ORTUÑO
Chairman of the Board of Appeal

Sari HAUKKA
Registrar of the Board of Appeal