

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

19 January 2022

(Rectification of the contested decision – Withdrawal of the appeal by the Appellant)

Case number	A-015-2021
Language of the case	English
Appellant	Arkema France S.A., France
Representatives	Eric Barbier de La Serre and Elodie Simon Jones Day, Paris
Contested Decision	CCH-D-2114567361-49-01/F of 6 September 2021, adopted by the European Chemicals Agency pursuant to Article 41 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; the 'REACH Regulation')

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gives the following

Decision

1. On 6 September 2021, the Agency adopted the Contested Decision following a compliance check of the Appellant's registration for the substance heptan-1-ol (EC Number 203-897-9, CAS Number 111-70-6).
2. On 3 December 2021, the Appellant filed the present appeal seeking the annulment of the Contested Decision insofar as it concerned the information requirements set out in Annex X of the REACH Regulation, namely:
 - pre-natal developmental toxicity study in a second species under Section 8.7.2. of Annex X (OECD Test Guideline ('TG') 414), and
 - extended one-generation reproductive toxicity study under Section 8.7.3. of Annex X (OECD TG 443).
3. On 17 December 2021, the Agency informed the Board of Appeal that the Executive Director of the Agency had decided to rectify the Contested Decision pursuant to Article 93(1) of the REACH Regulation by revoking the information requests contested by the Appellant.
4. On 3 January 2022, the Appellant withdrew its appeal.
5. In accordance with Article 1b of Commission Regulation (EC) No 771/2008 laying down the rules of organisation and procedure of the Board of Appeal of the European Chemicals Agency (OJ L 206, 2.8.2008, p. 5), if an appeal is withdrawn the Chairman closes the proceedings.
6. In accordance with Article 10(4) of Commission Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency pursuant to the REACH Regulation (OJ L 107, 17.4.2008, p. 6), the appeal fee is to be refunded if a contested decision is rectified.

On those grounds,

THE CHAIRMAN OF THE BOARD OF APPEAL

hereby:

- 1. Closes Case A-015-2021.**
- 2. Decides that the appeal fee is refunded.**

Antoine BUCHET
Chairman of the Board of Appeal

Alen MOČILNIKAR
Registrar of the Board of Appeal