

Kapellmann successful before the General Court: Classification of titanium dioxide by European Commission annulled

24. November 2022

The General Court in Luxemburg has brought clarity to a years-long dispute over the classification of the white pigment titanium dioxide: It annulled, by judgment of 23 November 2022 in Joined Cases T-279/20, T-283/20 and T-288/20, a Delegated Regulation of the European Commission of 2019 in so far as it concerns the harmonised classification and labelling of titanium dioxide as a carcinogenic substance by inhalation in certain powder forms.

Several companies brought actions for annulment against the Delegated Regulation before the General Court: on the one hand, German and Austrian producers of coatings and paints (Cases T-279/20 and T-288/20) and, on the other hand, producers of titanium dioxide (T-283/20). Other affected companies and industry associations joined the actions for annulment on the applicants' side as interveners.



The applicants and interveners from the German and Austrian paint and coatings industry and from the waste sector were represented in the cases by Kapellmann lawyers > **Prof. Dr Robin van der Hout, LL.M.**, > **Dr Christian Wagner** and > **Valentine Lemonnier, LL.M.**

Kapellmann advises companies, associations and public institutions on all issues of EU law, in particular on regulatory issues of the European internal market such as product safety. The lawyers in the Brussels office regularly represent their clients before the European Commission and the Union Courts in Luxembourg.