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EC Appeals European General Court Decision Annuling the Harmonized Classification and Labeling of Titanium Dioxide

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On February 14, 2023, the European Commission (EC) appealed the November 23, 2022, decision of the European General Court that annuls the 2019 harmonized classification and labeling of titanium dioxide as a carcinogenic substance by inhalation in certain powder forms. As reported in our December 6, 2022, [memorandum](#), the court concluded that the EC “made a manifest error in its assessment of the reliability and acceptability of the study on which the classification was based and, second, it infringed the criterion according to which that classification can relate only to a substance that has the intrinsic property to cause cancer.” France, which intervened in the court case, filed its appeal of the court’s decision on February 8, 2023.

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