

Reference for a preliminary ruling from the Oberlandesgericht Hamm (Germany) lodged on 1 June 2022 — Criminal proceedings against A.

(Case C-352/22)

(2022/C 359/28)

Language of the case: German

Referring court

Oberlandesgericht Hamm

Parties to the main proceedings:

Requested person: A.

Applicant: Generalstaatsanwaltschaft Hamm

Questions referred

Must Article 9(2) and (3) of Directive 2013/32/EU, ⁽¹⁾ in conjunction with Article 21(1) of Directive 2011/95/EU, ⁽²⁾ be interpreted as meaning that the final recognition of a person as a refugee within the meaning of the Geneva Convention on Refugees in another Member State of the European Union is binding for the purposes of the extradition procedure in the Member State requested to extradite such a person on account of the obligation under EU law to interpret national law in conformity with the directives (third paragraph of Article 288 TFEU and Article 4(3) TEU), that is to say, is binding in such a way that extradition of the person to the third country or country of origin is thereby necessarily precluded until his or her recognition as a refugee has been revoked or has expired?

⁽¹⁾ Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ 2013 L 180, p. 60).

⁽²⁾ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast) (OJ 2011 L 337, p. 9).

Request for a preliminary ruling from the Bundesgerichtshof (Germany) lodged on 2 June 2022 — Pro Rauchfrei e.V. v JS e.K.

(Case C-356/22)

(2022/C 359/29)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Applicant: Pro Rauchfrei e.V.

Defendant: JS e.K.

Questions referred

1. Does the concept of ‘placing on the market’ within the meaning of the first sentence of Article 8(3) of Directive 2014/40/EU ⁽¹⁾ cover the offering of tobacco products via vending machines in such a way that, although the cigarette packets contained in them display the warnings prescribed by law, the cigarette packets are initially stocked in the machine in such a way that they are not visible to the consumer, and the warnings on them become visible only when the customer operates the machine, which has previously been enabled by the cashier, and the cigarette packet is thus dispensed onto the checkout belt prior to the payment process?