Question referred

Are medicinal products, as defined in Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use, [1] which contain scheduled substances listed in Regulations (EC) No 273/2004 [2] and (EC) No 111/2005 [3] always excluded from the scope of those regulations in accordance with Article 2(a) of both those regulations, or is that to be presumed only where the medicinal products are compounded in such a way that the scheduled substances cannot be easily used or extracted by readily applicable or economically viable means?

[1] OJ 2001 L 311, p. 67.
[2] Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors (OJ 2004 L 47, p. 1).
[3] Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Community and third countries in drug precursors (OJ 2005 L 22, p. 1).

Request for a preliminary ruling from the Cour de cassation (France) lodged on 2 December 2013 — Jean-Bernard Lafonta v Autorité des marchés financiers

(Case C-628/13)

(2014/C 39/20)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Appellant: Jean-Bernard Lafonta

Respondent: Autorité des marchés financiers

Question referred

Must Article 1(1) of Directive 2003/6/EC of the European Parliament and of the Council of 28 January 2003 on insider dealing and market manipulation (market abuse) [1] and Article 1(1) and (2) of Commission Directive 2003/124/EC of 22 December 2003 implementing Directive 2003/6/EC of the European Parliament and of the Council as regards the definition and public disclosure of inside information and the definition of market manipulation [2] be interpreted as meaning that only information in respect of which it may be determined, with a sufficient degree of probability, that, once it is made public, its potential effect on the prices of the financial instruments concerned will be in a particular direction may constitute inside information?

[1] OJ 2003 L 96, p. 16.
[2] OJ 2003 L 339, p. 70.

Request for a preliminary ruling from the Tribunalul București (Romania) lodged on 4 December 2013 — SC ALKA CO SRL v Autoritatea Națională a Vămilor — Direcția Regională pentru Accize și Operațiuni Vamale Constanța, Direcția Generală a Finanțelor Publice a Municipiului București

(Case C-635/13)

(2014/C 39/21)

Language of the case: Romanian

Referring court

Tribunalul București

Parties to the main proceedings

Appellant: SC ALKA CO SRL

Respondents: Autoritatea Națională a Vămilor — Direcția Regională pentru Accize și Operațiuni Vamale Constanța, Direcția Generală a Finanțelor Publice a Municipiului București

Questions referred

1. Must raw shelled pumpkin (vegetable) seeds, intended to undergo heat and mechanical treatment in order to be used for human consumption (as a snack-type food) be classified under heading 1207 — subheading 1207999710, or under heading 1209 — subheading 1209919010 of the combined nomenclature of goods?

2. Must raw shelled pumpkin (vegetables) seeds, intended to undergo heat and mechanical treatment in order to be used for human consumption (as a snack-type food) be classified, according to the explanatory notes to the combined nomenclature, under heading 1207 — subheading 1207999710, or under heading 1209 — subheading 1209919010?

3. Where there exists a contradiction between the customs classification under the Common Customs Tariff and the customs classification derived from the explanatory notes concerning the same product (raw shelled pumpkin — vegetable — seeds), which of those customs classifications applies in this case?

4. In the light of Articles 109(a), 110 and 256(3) of Regulation (EEC) No 2454/1993, [1] are special administrative procedures necessary, such as submitting an application or presenting a EUR.1 certificate to a specific authority, in order to trigger the specific effect, namely, the concession by the customs authority of the preferential tariff scheme under Article 98 of the same regulation?

[1] Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ 1993 L 253, p. 1).

Request for a preliminary ruling from the Curtea de Apel Galați (Romania) lodged on 5 December 2013 — Casa Județeană de Pensii Brăila v E.S.

(Case C-646/13)

(2014/C 39/22)

Language of the case: Romanian

Referring court

Curtea de Apel Galați

Parties to the main proceedings

Appellant: Casa Județeană de Pensii Brăila

Respondent: E.S.

Questions referred

1. Must Article 8(1) of Regulation (EC) No 883/2004 [1] be interpreted as excluding the application of a bilateral convention on social security which was entered into prior to application of that regulation and does not appear in Annex II to that regulation, under circumstances in which the rules applicable under that bilateral convention prove to be more favourable for the insured person than would be the case under the rules based on that regulation?

2. When an assessment is made as to whether the bilateral convention is more favourable, does Article 8(1) of Regulation (EC) No 883/2004 require the view to be taken that it is necessary to remain within the legal interpretation of the bilateral convention or is it also necessary to include the specific detailed arrangements for application (regarding the quantum of the pension which can be granted by each State, the payment of which is determined by reference to the application/exclusion of application of the convention by the regulation)?

3. In the event of a negative answer to the first question (to the effect that application of the bilateral convention on social security is not excluded), is it possible to regard as more favourable, within the meaning of Article 8(1) of Regulation (EC) No 883/2004, legal rules on the basis of which a State signatory to the convention on social security recognises a shorter contributory period than that actually completed, and that State pays a pension of a greater amount than that to which entitlement would arise if the entire contributory period in the joint-signatory State were to be recognised?

[1] Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ 2004 L 166, p. 1).

Request for a preliminary ruling from the Tribunal de commerce de Versailles (France) lodged on 6 December 2013 — Works Council of Nortel Networks SA and Others v Me Rogeau, Liquidator of Nortel Networks SA, Alan Robert Bloom and Others

(Case C-649/13)

(2014/C 39/23)

Language of the case: French

Referring court

Tribunal de commerce de Versailles

Parties to the main proceedings

Applicants: Works Council of Nortel Networks SA and Others

Defendants: Me Rogeau, Liquidator of Nortel Networks SA, Alan Robert Bloom and Others

Question referred

Do the courts of the State in which secondary proceedings have been opened have exclusive jurisdiction over or concurrent jurisdiction with the courts of the State in which the main proceedings have been opened, to rule on the determination of the debtor's assets falling with the scope of the effects of the secondary proceedings in accordance with Articles 2(g), 3(2) and 27 of Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings [1] and, in the event that there is exclusive or concurrent jurisdiction, is the applicable law that of the main proceedings or of the secondary proceedings?

[1] OJ 2000 L 160, p. 1.