

**Request for a preliminary ruling from the Cour de cassation (France) lodged on 25 January 2017 —
Lubrizol France SAS v Caisse nationale du Régime social des indépendants (RSI) participations
extérieures**

(Case C-39/17)

(2017/C 112/31)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Applicant: Lubrizol France SAS

Defendant: Caisse nationale du Régime social des indépendants (RSI) participations extérieures

Question referred

Is it contrary to Articles 28 and 30 of the Treaty on the Functioning of the European Union for the value of goods transferred from France to another Member State of the European Union by or on behalf of an entity subject to the social solidarity contribution payable by companies and to the contribution additional to the latter or on that account, for the purposes of its business, to be taken into account for determining the overall turnover that constitutes the basis of assessment to those contributions?

**Request for a preliminary ruling from the Oberlandesgericht Düsseldorf (Germany) lodged on
26 January 2017 — Fashion ID GmbH & Co.KG v Verbraucherzentrale NRW eV**

(Case C-40/17)

(2017/C 112/32)

Language of the case: German

Referring court

Oberlandesgericht Düsseldorf

Parties to the main proceedings

Applicant: Fashion ID GmbH & Co.KG

Defendant: Verbraucherzentrale NRW eV

Questions referred

1. Do the rules in Articles 22, 23 and 24 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽¹⁾ preclude national legislation which, in addition to the powers of intervention conferred on the data-protection authorities and the remedies available to the data subject, grants public-service associations the power to take action against the infringer in the event of an infringement in order to safeguard the interests of consumers?

If Question 1 is answered in the negative:

2. In a case such as the present one, in which someone has embedded a programming code in his website which causes the user's browser to request content from a third party and, to this end, transmits personal data to the third party, is the person embedding the content the 'controller' within the meaning of Article 2(d) of Directive 95/46/EC of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ 1995 L 281, p. 31) if that person is himself unable to influence this data-processing operation?