



C/2026/1858

7.4.2026

Request for a preliminary ruling from the Protodikeio Peiraios (Monomeles Plimmeleiodikeio Peiraios) (Greece) lodged on 17 December 2025 – Criminal proceedings against FU

(Case C-845/25, Aradis ⁽¹⁾)

(C/2026/1858)

Language of the case: Greek

Referring court

Protodikeio Peiraios (Monomeles Plimmeleiodikeio Peiraios)

Criminal proceedings against

FU

Prosecuting authority

Eisaggelia Protodikon Peiraia

Question referred

Must Article 34 of Regulation (EC) No 396/2005 ⁽²⁾, read in conjunction with Article 49(3) of the Charter of Fundamental Rights of the European Union, be interpreted as precluding a provision of national law which imposes a custodial sentence of at least six (6) months on the production, import or export of plant products containing pesticide residues exceeding the maximum permissible limits laid down in that regulation, even where the breach is of minor or trivial importance and no dietary risk is identified, without the possibility for the national court to impose a less severe penalty or to remit the sentence, by assessing the particular circumstances of the case, in particular the seriousness of the infringement, the actual or potential harm or the threat to the protected legal interest?

⁽¹⁾ The name of the present case is a fictitious name. It does not correspond to the real name of any party to the proceedings.

⁽²⁾ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ 2005 L 70, p. 1).