

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, 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?