Judgment of the Court (Tenth Chamber) of 30 March 2017 (request for a preliminary ruling from the Bundesgerichtshof — Germany) — Verband Sozialer Wettbewerb eV v DHL Paket GmbH

(Case C-146/16) ([1])

(Reference for a preliminary ruling — Unfair business practices — Advertisement in a print medium — Omission of material information — Access to that information via the website by means of which the products concerned are distributed — Products sold by the person who published the advertisement or by a third party)

(2017/C 161/04)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Appellant on a point of law: Verband Sozialer Wettbewerb eV

Respondent in the appeal on a point of law: DHL Paket GmbH

Operative part of the judgment

Article 7(4) of Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council must be interpreted as meaning that an advertisement, such as that at issue in the main proceedings, which falls within the definition of an 'invitation to purchase' within the meaning of that directive, may satisfy the obligation regarding information laid down in that provision. It is for the referring court to examine, on a case-by-case basis, first, whether the limitations of space in the advertisement warrant information on the supplier being provided only upon access to the online sales platform and, secondly, whether, so far as the online sales platform is concerned, the information required by Article 7(4)(b) of that directive is communicated simply and quickly.

([1]) OJ C 243, 4.7.2016.

Judgment of the Court (Tenth Chamber) of 30 March 2017 (request for a preliminary ruling from the Kúria — Hungary) — József Lingurár v Miniszterelnökséget vezető miniszter

(Case C-315/16) ([1])

(Reference for a preliminary ruling — Common agricultural policy — EAFRD financing — Rural development support — Natura 2000 payments — Eligibility limited to private owners — Forest area partially owned by the State)

(2017/C 161/05)

Language of the case: Hungarian

Referring court

Kúria

Parties to the main proceedings

Applicant: József Lingurár

Defendant: Miniszterelnökséget vezető miniszter

Operative part of the judgment

The first sentence of Article 42(1) of Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) must be interpreted as meaning that, when a forest area eligible for Natura 2000 support is owned in part by the State and in part by a private owner, account must be taken of the ratio of the size of the part owned by the State to the size of the part owned by that private owner in calculating the amount of support to be paid to the latter.

([1]) OJ C 296, 16.8.2016.

Judgment of the Court (Sixth Chamber) of 30 March 2017 (request for a preliminary ruling from the Općinski sud u Velikoj Gorici — Croatia) — VG Čistoća d.o.o. v Đuro Vladika, Ljubica Vladika

(Case C-335/16) ([1])

(Reference for a preliminary ruling — Environment — Waste — Directive 2008/98/EC — Recovery of waste management costs — Polluter-pays principle — Concept of 'waste holders' — Price charged for waste management — Special levy intended to finance capital investments)

(2017/C 161/06)

Language of the case: Croatian

Referring court

Općinski sud u Velikoj Gorici

Parties to the main proceedings

Applicant: VG Čistoća d.o.o.

Defendants: Đuro Vladika, Ljubica Vladika

Operative part of the judgment

Article 14 and Article 15(1) of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives must, as EU law currently stands, be interpreted as not precluding national legislation, such as that at issue in the main proceedings, which, for the purposes of financing an urban waste management and disposal service, provides for a price calculated on the basis of an estimate of the volume of waste generated by users of that service, and not on the basis of the quantity of waste which they have actually produced and presented for collection, as well as for the payment by users, in their capacity as waste holders, of an additional levy intended to finance capital investments necessary for the processing of waste, including the recycling thereof. It is, however, incumbent on the referring court to verify, on the basis of the matters of fact and law placed before it, whether this results in the imposition on certain 'holders' of costs which are manifestly disproportionate to the volumes or nature of the waste that they are liable to produce. Accordingly, the national court may take into account, inter alia, criteria relating to the type of property that the users occupy, its surface area and use, the productive capacity of the 'holders', the volume of the containers provided to the users, and the frequency of collection, in so far as those parameters are liable to have a direct impact on the amount of the costs of waste management.

([1]) OJ C 296, 16.8.2016.