

Defendant: Princesport GmbH

Questions referred

1. Is Article 7(1) of Regulation (EU) No 1007/2011 ⁽¹⁾ to be interpreted as meaning that it is mandatory to clarify that the product is a pure textile product exclusively composed of the same fibre?
2. Is use of one of the three terms mentioned in Article 7 of Regulation (EU) No 1007/2011, namely '100 %', 'pure' or 'all', mandatory or is this merely an option, and not an obligation, for such products?
3. Does the obligation under Article 9(1) of Regulation (EU) No 1007/2011 to label a textile product or to mark it with the name and percentage by weight of all constituent fibres also apply to pure textile products coming under Article 7 of Regulation (EU) No 1007/2011?

⁽¹⁾ Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council (OJ 2011 L 272, p. 1).

Appeal brought on 13 June 2017 by Equipolymers Srl, M&G Polimeri Italia SpA, Novapet SA against the judgment of the General Court (First Chamber) delivered on 5 April 2017 in Case T-422/13: Committee of Polyethylene Terephthalate (PET) Manufacturers in Europe (CPME) and Others v Council of the European Union

(Case C-363/17 P)

(2017/C 283/33)

Language of the case: English

Parties

Appellants: Equipolymers Srl, M&G Polimeri Italia SpA, Novapet SA (represented by: L. Ruessmann, avocat, J. Beck, Solicitor)

Other parties to the proceedings: Committee of Polyethylene Terephthalate (PET) Manufacturers in Europe (CPME), Cepsa Química SA, Indorama Ventures Poland sp. z o.o., Lotte Chemical UK Ltd, Ottana Polimeri Srl, UAB Indorama Polymers Europe, UAB Neo Group, UAB Orion Global pet, Council of the European Union, European Commission

Form of order sought

The appellants claim that the Court should:

- declare the appeal admissible and well-founded;
- set aside the General Court's judgment in so far as it dismisses the claim for compensation of damages;
- rule on the substance of the claim for compensation of damages and award the appellants the damages claimed, or refer the case back to the General Court for a decision on the substance of the Application for Damages; and
- order the Council to pay the appellants' costs.

Pleas in law and main arguments

The General Court distorted and wrongly presented the evidence submitted by the Appellants when finding that there is no causal link between the unlawful adoption of Decision 2013/226⁽¹⁾ and the damages incurred by the Appellants. (Contested Judgment, paragraphs 155 to 197, and in particular paragraphs 187 to 189).

⁽¹⁾ Council Implementing Decision 2013/226/EU of 21 May 2013 rejecting the proposal for a Council implementing regulation imposing a definitive anti-dumping duty on imports of certain polyethylene terephthalate originating in India, Taiwan and Thailand following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 and terminating the expiry review proceeding concerning imports of certain polyethylene terephthalate originating in Indonesia and Malaysia, in so far as the proposal would impose a definitive anti-dumping duty on imports of certain polyethylene terephthalate originating in India, Taiwan and Thailand (OJ 2013, L 136, p. 12).

Request for a preliminary ruling from the Tribunal de grande instance de Bobigny (France) lodged on 19 June 2017 — Caisse de retraite du personnel navigant professionnel de l'aéronautique civile (CRPNPAC) v Vueling Airlines SA

(Case C-370/17)

(2017/C 283/34)

Language of the case: French

Referring court

Tribunal de grande instance de Bobigny

Parties to the main proceedings

Applicant: Caisse de retraite du personnel navigant professionnel de l'aéronautique civile (CRPNPAC)

Defendant: Vueling Airlines SA

Question referred

Is the effect of an E 101 certificate issued, in accordance with Article 11(1) and Article 12a(1a) of Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, ⁽¹⁾ by the institution designated by the authority of the Member State whose social security legislation remains applicable to the situation of the employee to be preserved even though the E 101 certificate has been obtained as a result of fraud or an abuse of right, which has been established in a final decision of a court of the Member State in which the employee carries out or should carry out his activity?

If the answer to that question is in the affirmative, does the issuing of E 101 certificates prevent the victims of the damage suffered as a result of the conduct of the employer, who has committed the fraud, from being compensated for that damage, without the affiliation of the employees to the schemes designated by the E 101 certificate being called into question by the action for damages brought against the employer?

⁽¹⁾ OJ 1972 L 74, p. 1.

Reference for a preliminary ruling from the Supreme Court (Ireland) made on 22 June 2017 — The Minister for Justice and Equality Ireland and the Attorney General v Arkadiusz Piotr Lipinski

(Case C-376/17)

(2017/C 283/35)

Language of the case: English

Referring court

Supreme Court