

Judgment of the Court (Eighth Chamber) of 1 August 2022 (request for a preliminary ruling from the Corte d'appello di Venezia — Italy) — Agecontrol SpA v ZR, Lidl Italia Srl

(Case C-319/21) ⁽¹⁾

(Reference for a preliminary ruling — Agriculture — Common organisation of the markets — Regulation (EC) No 1234/2007 — Packed fresh fruit and vegetables — Commission Implementing Regulation (EU) No 543/2011 — Conformity check — Transport to a point of sale of the same company — Accompanying document — Indication of country of origin)

(2022/C 408/22)

Language of the case: Italian

Referring court

Corte d'appello di Venezia

Parties to the main proceedings

Applicant: Agecontrol SpA

Defendant: ZR, Lidl Italia Srl

Operative part of the judgment

Article 5(4) of Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011, laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors, read in the light of Article 8 of that regulation and of Articles 113 and 113a of Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), as amended by Council Regulation (EC) No 361/2008 of 14 April 2008, must be interpreted as meaning that the check for conformity with the marketing standards for products in the fruit and vegetables sector does not require the holder of those products to issue an accompanying document. However, where that holder issues such a document, it must, at all stages of the marketing of those products, indicate the name and the country of origin of those products, irrespective of the fact that the external information particulars required by Implementing Regulation No 543/2011 already appear, obviously and indelibly, on one side of their packaging, on a notice placed in an obvious position inside the means of transport by which they are transported and on the invoices issued by the supplier of those products.

⁽¹⁾ OJ C 310, 2.8.2021.

Judgment of the Court (Ninth Chamber) of 8 September 2022 (request for a preliminary ruling from the Finanzgericht Hamburg — Germany) — R.T. v Hauptzollamt Hamburg

(Case C-368/21) ⁽¹⁾

(Reference for a preliminary ruling — Customs union — Union Customs Code — Regulation (EU) No 952/2013 — Place where the customs debt is incurred — Value added tax (VAT) — Directive 2006/112/EC — Article 30 — Article 60 — Article 71(1) — Chargeable event and place where the import VAT becomes chargeable — Place where the tax liability is incurred — Finding of a failure to comply with an obligation imposed by EU customs legislation — Determination of the place of importation of goods — Means of transport registered in a third country and imported into the European Union in infringement of customs legislation)

(2022/C 408/23)

Language of the case: German

Referring court

Finanzgericht Hamburg

Parties to the main proceedings

Applicant: R.T.

Defendant: Hauptzollamt Hamburg

Operative part of the judgment

Articles 30 and 60 of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, as amended by Council Directive (EU) 2018/2057 of 20 December 2018

must be interpreted as meaning that:

for value added tax purposes, the place of importation of a vehicle registered in a third country and imported into the European Union in breach of customs legislation is situated in the Member State in which the person who failed to comply with customs obligations resides and actually uses the vehicle.

⁽¹⁾ OJ C 382, 20.9.2021.

Judgment of the Court (Ninth Chamber) of 8 September 2022 (request for a preliminary ruling from the Svea hovrätt — Sweden) — IRnova AB v FLIR Systems AB

(Case C-399/21) ⁽¹⁾

(Reference for a preliminary ruling — Judicial cooperation in civil matters — Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters — Regulation (EU) No 1215/2012 — Article 24(4) — Exclusive jurisdiction — Jurisdiction over the registration or validity of patents — Scope — Patent application deposited and patent granted in a third State — Status of inventor — Proprietor of the right to an invention)

(2022/C 408/24)

Language of the case: Swedish

Referring court

Svea hovrätt

Parties to the main proceedings

Applicant: IRnova AB

Defendant: FLIR Systems AB

Operative part of the judgment

Article 24(4) of Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters,

must be interpreted as:

not applying to proceedings aimed at determining, in the context of an action based on alleged inventor or co-inventor status, whether a person is the proprietor of the right to inventions covered by patent applications deposited and by patents granted in third countries.

⁽¹⁾ OJ C 368, 13.9.2021.