Or is an opposing interpretation correct, in other words, must the control mechanism described in paragraphs 2, 4 and 5 of Article 3 of Regulation No 1484/95, including *ex post* controls, be interpreted as meaning that, if the importer makes one or more resales on the Community market at a price below the reported cif import price of the consignment plus the amount of import duties due, this does not satisfy the required conditions (or conditions of disposal) on the Community market and additional duties are therefore due for this reason alone? To answer the latter question, is it relevant whether the importer made the aforementioned resale or resales at a price below the applicable representative price? In this context is it significant that the representative price was calculated in a different way prior to 11 September 2009 than in the period since that date? Furthermore, in order to answer these questions, is it relevant whether the customers within the European Union and the importer are related companies?

2. If it follows from the answers to the questions set out under 1 above that reselling at a loss constitutes a sufficient ground for rejecting the reported cif import price, how should the level of the additional duties due be determined? Should that basis be established in accordance with the methods for determining customs value laid down in Articles 29 to 31 of Council Regulation (EEC) No 2913/92 ([3]) establishing the Community Customs Code? Or must it be established solely on the basis of the applicable representative price? Does Article 141(3) of Regulation (EC) No 1234/2007 preclude use of the representative price determined prior to 11 September 2009?

3. If it follows from the answers to Questions 1 and 2 that the decisive factor in additional duties being owed is the resale of imported products at a loss on the Community market, and the representative price must then be taken as a basis for calculating the level of those additional duties, are paragraphs 2, 4 and 5 of Article 3 of Regulation (EC) No 1484/95 compatible with Article 141 of Regulation (EC) No 1234/2007 in the light of the judgment of the Court of Justice of the European Union of 13 December 2001, *Kloosterboer Rotterdam B.V.*, C-317/99, EU:C:2001:681?

([1]) Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing additional import duties in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC (OJ 1995 L 145, p. 47).

([2]) 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) (OJ 2007 L 299, p. 1).

([3]) OJ 1992 L 302, p. 1.

Request for a preliminary ruling from the Rechtbank Noord-Nederland (Netherlands) lodged on 1 March 2018 — HQ, on her own behalf and as the legal representative of her minor child IP, JO v Aegean Airlines SA

(Case C-163/18)

(2018/C 182/12)

Language of the case: Dutch

Referring court

Rechtbank Noord-Nederland

Parties to the main proceedings

Applicants: HQ, on her own behalf and as the legal representative of her minor child IP, JO

Defendant: Aegean Airlines SA

Questions referred

1. Must Article 8(2) of Regulation No 261/2004 ([1]) be interpreted as meaning that a passenger who, under Directive 90/[314]/EEC ([2]) on package travel (as implemented in national law), has the right to hold his tour organiser liable for reimbursement of the cost of his ticket, can no longer claim reimbursement from the air carrier?

2. If the answer to Question 1 is in the affirmative, can a passenger nevertheless hold the air carrier liable for reimbursement of the cost of his ticket if it is to be assumed that his tour organiser, if it were to be held liable, would be financially incapable of actually reimbursing the cost of the ticket and that tour organiser has also not taken any safeguard measures to guarantee reimbursement?

([1]) Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

([2]) Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours (OJ 1990 L 158, p. 59).

Request for a preliminary ruling from the Arbeidsrechtbank Gent (Belgium) lodged on 7 March 2018 — Ronny Rohart v Federale Pensioendienst

(Case C-179/18)

(2018/C 182/13)

Language of the case: Dutch

Referring court

Arbeidsrechtbank Gent

Parties to the main proceedings

Applicant: Ronny Rohart

Defendant: Federale Pensioendienst

Question referred

Must the principle of sincere cooperation as laid down in Article 4(3) TEU, in conjunction with the Staff Regulations of Officials of the European Union, as laid down in Regulation (EEC, Euratom, ECSC) No 259/68 ([1]) of the Council of 29 February 1968, be interpreted as precluding the legislation of a Member State not permitting the military service which a worker has carried out in a Member State to be taken into account in the calculation of that worker's retirement pension on the basis of his performance in that Member State, because at the time of his military service and subsequently as well, the person concerned was uninterruptedly an official of the European Union, and consequently, does not satisfy the conditions for equivalence as laid down in the legislation of that Member State?

([1]) Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ 1968, L 56, p. 1).

Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 9 March 2018 — Agrenergy Srl v Ministero dello Sviluppo Economico

(Case C-180/18)

(2018/C 182/14)

Language of the case: Italian

Referring court

Consiglio di Stato