

Pleas in law and main arguments

By virtue of Article 67(1) of Directive (EU) 2015/849 Member States must bring into force the laws, regulations and administrative provisions necessary to comply with that Directive by 26 June 2017 and must immediately communicate the text of those measures to the Commission. Given the on-going lack of transposition of that Directive, the Commission decided to commence proceedings before the Court of Justice.

**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 29 August 2018 —
Indaco Service Soc. coop. sociale, Coop. sociale il Melograno v Ufficio Territoriale del Governo
Taranto**

(Case C-552/18)

(2018/C 436/29)

Language of the case: Italian

Referring court

Consiglio di Stato

Parties to the main proceedings

Appellant: Indaco Service Soc. coop. sociale, Coop. sociale il Melograno

Respondent: Ufficio Territoriale del Governo Taranto

Question referred

Does EU law, more specifically Article 57(4) of Directive 2014/24/EU ⁽¹⁾ on public procurement, in conjunction with recital 101 of the directive and the principles of proportionality and equal treatment, preclude national legislation, such as that at issue, which categorises ‘grave professional misconduct’ as a mandatory ground of exclusion of an economic operator and provides that, where the professional misconduct has led to the early termination of a public contract, the operator may be excluded only if the termination is not contested or is confirmed at the conclusion of judicial proceedings?

⁽¹⁾ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ 2014 L 94, p. 65).

**Request for a preliminary ruling from the Landgericht Hamburg (Germany) lodged on 31 August
2018 — Eurowings GmbH v JJ and KI**

(Case C-557/18)

(2018/C 436/30)

Language of the case: German

Referring court

Landgericht Hamburg

Parties to the main proceedings

Defendant and appellant: Eurowings GmbH

Applicants and respondents: JJ, KI

Question referred

Is the total flight distance to be used as a basis for calculating the entitlement to compensation under Article 7 of Regulation (EC) No 261/2004 ⁽¹⁾ also in the case where the arrival of a passenger at the final destination is delayed by three hours or more solely as a result of a delay/cancellation of the connecting flight, but the feeder flight was on time, the two flights were operated by different air carriers and the booking confirmation was issued by a tour operator which combined the flights for its customer?

⁽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).

Request for a preliminary ruling from the Finanzgericht Baden-Württemberg (Germany) lodged on 4 September 2018 — TDK-Lambda Germany GmbH v Hauptzollamt Lörrach

(Case C-559/18)

(2018/C 436/31)

Language of the case: German

Referring court

Finanzgericht Baden-Württemberg

Parties to the main proceedings

Applicant: TDK-Lambda Germany GmbH

Defendant: Hauptzollamt Lörrach

Question referred

Is the Combined Nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, ⁽¹⁾ as amended by Implementing Regulation (EU) No 1218/2012 [of the European Parliament and of the Council] of 12 December 2012 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, ⁽²⁾ to be interpreted as meaning that static converters such as those in the present case are to be classified under subheading 8504 4030 only if they are used principally with telecommunication apparatus, automatic data-processing machines and units thereof, or is it sufficient, for the purpose of satisfying the characteristic 'of a kind used', if the converters can also, in view of their objective characteristics, be used with telecommunication apparatus, automatic data-processing machines and units thereof, in addition to other applications?

⁽¹⁾ OJ 1987 L 256, p. 1.

⁽²⁾ OJ 2012 L 351, p. 36.

Request for a preliminary ruling from the Fővárosi Közigazgatási és Munkaügyi Bíróság (Hungary) lodged on 7 September 2018 — LH v Bevándorlási és Menekültügyi Hivatal

(Case C-564/18)

(2018/C 436/32)

Language of the case: Hungarian

Referring court

Fővárosi Közigazgatási és Munkaügyi Bíróság