

**Judgment of the Court (Fourth Chamber) of 21 October 2021 (request for a preliminary ruling from the Thüringer Finanzgericht — Germany) — Beeren-, Wild-, Feinfrucht GmbH v Hauptzollamt Erfurt**

(Case C-825/19) <sup>(1)</sup>

*(Reference for a preliminary ruling — Customs union — End-use procedure — Authorisation with retroactive effect — Regulation (EU) No 952/2013 — Union Customs Code — Article 211(2) — Scope ratione temporis — Conditions — Regulation (EEC) No 2454/93 — Article 294(2) — Scope)*

(2021/C 502/08)

Language of the case: German

**Referring court**

Thüringer Finanzgericht

**Parties to the main proceedings**

Applicant: Beeren-, Wild-, Feinfrucht GmbH

Defendant: Hauptzollamt Erfurt

**Operative part of the judgment**

1. Article 211(2) of the Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code must be interpreted as not applying to an application for renewal of authorisation with retroactive effect submitted before 1 May 2016, the date on which that article became applicable pursuant to Article 288(2) of that regulation, even if the decision on that application was adopted after that date.
2. Article 294(2) of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/12 establishing the Community Customs Code, as amended by Commission Regulation (EC) No 1602/2000 of 24 July 2000, must be interpreted as meaning that the issue, by the customs authorities, of a new authorisation with retroactive effect for operations and goods of the same type as those covered by the original authorisation is not subject to the conditions laid down in paragraph 3 of that article.

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<sup>(1)</sup> OJ C 77, 9.3.2020.

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**Judgment of the Court (First Chamber) of 14 October 2021 (request for a preliminary ruling from the Oberlandesgericht Köln — Germany) — Biofa AG v Sikma D. Vertriebs GmbH und Co. KG**

(Case C-29/20) <sup>(1)</sup>

*(Reference for a preliminary ruling — Regulation (UE) No 528/2012 — Article 3(1)(a) and (c) — Definitions of ‘biocidal product’ and ‘active substance’ — Conditions — Mode of action other than mere physical or mechanical action — Article 9(1)(a) — Approval of an active substance — Scope of approval)*

(2021/C 502/09)

Language of the case: German

**Referring court**

Oberlandesgericht Köln

**Parties to the main proceedings**

Applicant: Biofa AG

Defendant: Sikma D. Vertriebs GmbH und Co. KG