

Question referred

Is Article 2 together with Article 1 and Article 6 of Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products ⁽¹⁾ to be interpreted as meaning that a physical copy of a daily newspaper containing a technically inaccurate health tip which, when followed, causes damage to health can also be regarded as a (defective) product?

⁽¹⁾ OJ 1985 L 210, p. 29.

**Request for a preliminary ruling from the Procura della Repubblica di Trento (Italy) lodged on
24 January 2020 — Criminal proceedings against XK**

(Case C-66/20)

(2020/C 209/08)

Language of the case: Italian

Referring court

Procura della Repubblica di Trento

Party to the main proceedings

XK

Other Party

Finanzamt Münster

Question referred

In so far as it provides that ‘any other competent authority as defined by the issuing State which, in the specific case, is acting in its capacity as an investigating authority in criminal proceedings with competence to order the gathering of evidence in accordance with national law’, may also be regarded as an issuing authority, but also provides that, in that case, ‘before it is transmitted to the executing authority the EIO shall be validated, after examination of its conformity with the conditions for issuing an EIO under this Directive, in particular the conditions set out in Article 6.1, by a judge, court, investigating judge or a public prosecutor in the issuing State’, is Article 2(1)(c)(ii) of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters ⁽¹⁾ to be interpreted as allowing a Member State to exempt an administrative authority from the obligation to have the EIO validated by defining it as a “judicial authority for the purposes of Article 2 of the Directive?”

⁽¹⁾ OJ 2014 L 130, p. 1.

**Request for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on
24 February 2020 — LW v Bundesrepublik Deutschland**

(Case C-91/20)

(2020/C 209/09)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: LW

Defendant: Bundesrepublik Deutschland

Questions referred

1. Is Article 3 of Directive 2011/95/EU⁽¹⁾ to be interpreted as meaning that it precludes a provision enacted by a Member State to the effect that the unmarried minor child of a person who has been granted refugee status must be granted refugee status derived from that person (that is to say, protection as a family member of a refugee) even in the case where that child — by virtue of the other parent — is, in any event, also a national of another country which is not the same as the refugee's country of origin and the protection of which that child is able to avail itself of?
2. Is Article 23(2) of that directive to be interpreted as meaning that, in the circumstances set out in question 1, the restriction whereby the entitlement of family members to claim the benefits referred to in Articles 24 to 35 of that directive is to be granted only as far as is compatible with the personal legal status of the family member prohibits the minor child from being granted refugee status derived from the person recognised as a refugee?
3. In providing an answer to questions 1 and 2, is it material whether or not it is possible and reasonable for the child and its parents to take up residence in the country of which the child and the mother are nationals, the protection of which they are able to avail themselves of and which is not the same as the refugee's (father's) country of origin, or is it sufficient that family unity in Germany can be maintained on the basis of the rules governing the right of residence?

⁽¹⁾ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ 2011 L 337, p. 9).

Request for a preliminary ruling from the Corte suprema di cassazione (Italy) lodged on 24 February 2020 — Ordine Nazionale dei Biologi, MX, NY, OZ v Presidenza del Consiglio dei Ministri

(Case C-96/20)

(2020/C 209/10)

Language of the case: Italian

Referring court

Corte suprema di cassazione

Parties to the main proceedings

Applicants: Ordine Nazionale dei Biologi, MX, NY, OZ

Defendant: Presidenza del Consiglio dei Ministri

Questions referred

1. Is Article 9(2) of Directive 2002/98/EC setting standards of quality and safety for the collection, testing, processing, storage and distribution of human blood and blood components⁽¹⁾ to be interpreted as meaning that, by identifying as minimum conditions of qualification for appointment to the position of responsible person of a blood establishment the possession of an academic qualification 'in the field of medical or biological sciences', it confers directly on individuals having a degree in either discipline the right to carry out the duties of responsible person within a blood establishment?
2. Does European Union law accordingly permit national law to exclude individuals having a degree in biological sciences from carrying out the duties of responsible person within a blood establishment or preclude it from doing so?

⁽¹⁾ Directive 2002/98/EC of the European Parliament and of the Council of 27 January 2003 setting standards of quality and safety for the collection, testing, processing, storage and distribution of human blood and blood components and amending Directive 2001/83/EC (OJ 2003 L 33, p. 30).