

**Request for a preliminary ruling from the Bundesgerichtshof (Germany) lodged on 5 May 2020 —  
DocMorris NV v Apothekerkammer Nordrhein**

**(Case C-190/20)**

(2020/C 279/36)

*Language of the case: German*

**Referring court**

Bundesgerichtshof

**Parties to the main proceedings**

*Appellant:* DocMorris NV

*Respondent:* Apothekerkammer Nordrhein

**Question referred**

Is it compatible with the provisions of Title VIII and, in particular, with Article 87(3) of Directive 2001/83/EC <sup>(1)</sup> if a national provision (in this case the first sentence of Paragraph 7(1) of the Gesetz über die Werbung auf dem Gebiete des Heilwesens (Law on Advertising in the Field of Medicine)) is interpreted as prohibiting a mail-order pharmacy established in another Member State from using a prize competition to attract customers if participation in the prize competition is linked to the submission of a prescription for a medicinal product for human use subject to a medical prescription, the prize offered is not a medicinal product but another object (in this case an electric bike worth EUR 2 500 and electric toothbrushes), and there is no risk that irrational and excessive use of that medicinal product is encouraged?

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<sup>(1)</sup> Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ 2001 L 311, p. 67).

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**Request for a preliminary ruling from the Finanzgericht Hamburg (Germany) lodged on 7 May  
2020 — KAHL GmbH & Co. KG v Hauptzollamt Hannover**

**(Case C-197/20)**

(2020/C 279/37)

*Language of the case: German*

**Referring court**

Finanzgericht Hamburg

**Parties to the main proceedings**

*Applicant:* KAHL GmbH & Co. KG

*Defendant:* Hauptzollamt Hannover

**Questions referred**

1. Are the Explanatory Notes to subheading 1521 9099 <sup>(1)</sup> of the Combined Nomenclature <sup>(2)</sup> applicable in so far as the word 'geschmolzen' [melted] is used?
2. If the first question referred is answered in the negative, is the term 'raw' within the meaning of subheading 1521 9091 of the Combined Nomenclature to be interpreted as meaning that beeswax which has been melted down in the exporting country and from which foreign bodies have been mechanically separated during the process of melting it down, whereby some foreign bodies still remain in beeswax, must be classified under that subheading?

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<sup>(1)</sup> Explanatory notes to the Combined Nomenclature of the European Union (OJ 2019 C 119, p. 1).

<sup>(2)</sup> Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ 1987 L 256, p. 1), as amended by Commission Implementing Regulation (EU) 2019/1776 of 9 October 2019 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ 2019 L 280, p. 1).