

**Parties to the main proceedings**

*Applicant:* LH

*Defendant:* Bevándorlási és Menekültügyi Hivatal

**Questions referred**

1. May the provisions on inadmissible applications in Article 33 of Directive 2013/32/EU, <sup>(1)</sup> on common procedures for granting and withdrawing international protection (recast) ('the Procedures Directive'), be interpreted as not precluding a Member State's legislation pursuant to which an application is inadmissible in the context of the asylum procedure when the applicant has arrived in that Member State, Hungary, via a country where he is not exposed to persecution or a risk of serious harm, or in which a sufficient degree of protection is guaranteed?
2. May Article 47 of the Charter of Fundamental Rights of the European Union and Article 31 of the Procedures Directive — having regard also to the provisions of Articles 6 and 13 of the European Convention on Human Rights — be interpreted as meaning that a Member State's legislation complies with those provisions when it lays down a mandatory time limit of eight days for the administrative-law proceedings before a court in respect of applications declared inadmissible in asylum procedures?

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<sup>(1)</sup> Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ 2013 L 180, p. 60).

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**Request for a preliminary ruling from the Commissione Tributaria Regionale per la Lombardia (Italy)  
lodged on 6 September 2018 — Société Générale S.A. v Agenzia delle Entrate — Direzione Regionale  
Lombardia Ufficio Contenzioso**

(Case C-565/18)

(2018/C 436/33)

*Language of the case: Italian*

**Referring court**

Commissione Tributaria Regionale per la Lombardia

**Parties to the main proceedings**

*Appellant:* Société Générale S.A.

*Respondent:* Agenzia delle Entrate — Direzione Regionale Lombardia Ufficio Contenzioso

**Question referred**

Should Articles 18, 56 and 63 TFEU preclude national legislation from charging a tax on financial transactions — irrespective of the State of residence of the financial market participants and the intermediary — which is payable by the counterparties to the transaction and consists of a fixed amount which rises incrementally in ranges of trading values and which varies according to the type of instrument traded and the value of the contract, and which is due by virtue of the fact that the taxable transactions concern the trading of a derivative based on a security issued by a company resident in the State imposing that tax?

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**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 11 September 2018 —  
Caseificio Cirigliana Srl and Others v Ministero delle Politiche agricole, alimentari e forestali and  
Others**

(Case C-569/18)

(2018/C 436/34)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Applicants at first instance and appellants in the present proceedings:* Caseificio Cirigliana Srl, Mail Srl, Sorì Italia Srl

*Defendants at first instance and respondents in the present proceedings:* Ministero delle Politiche agricole, alimentari e forestali, Presidenza del Consiglio dei Ministri, Ministero della Salute

**Question referred**

Should Articles 3, 26, 32, 40 and 41 of the TFEU and Articles 1, 3, 4, 5 and 7 of Regulation 1151/2012/EU <sup>(1)</sup> on the Protected Designation of Origin, which require Member States to guarantee both free competition in respect of goods within the European Union and protection for quality schemes to support less favoured agricultural areas, be interpreted as precluding a restriction being imposed under national law (Article 4 of Decree Law No 91 of 24 June 2014, as converted into law by Law No 116 of 11 August 2014) on the production of PDO Mozzarella di Bufala Campana, which is to be made in factories dedicated exclusively to such production, in which the holding and storage of milk originating from farms not included in the monitoring system for PDO Mozzarella di Bufala Campana is prohibited?

<sup>(1)</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ 2012 L 343, p. 1).

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**Appeal brought on 13 September 2018 by thyssenkrupp Electrical Steel GmbH, thyssenkrupp Electrical Steel Ugo against the order of the General Court (Sixth Chamber) delivered on 2 July 2018 in Case T-577/17: thyssenkrupp Electrical Steel GmbH, thyssenkrupp Electrical Steel Ugo v European Commission**

**(Case C-572/18 P)**

(2018/C 436/35)

*Language of the case: English*

**Parties**

*Appellants:* thyssenkrupp Electrical Steel GmbH, thyssenkrupp Electrical Steel Ugo (represented by: M. Günes, L. C. Heinisch, Rechtsanwälte)

*Other party to the proceedings:* European Commission

**Form of order sought**

The applicants claim that the Court should:

- set aside the 2 July 2018 order of the General Court in Case T-577/17 — thyssenkrupp Electrical Steel GmbH and thyssenkrupp Electrical Steel Ugo v Commission;
- give a ruling declaring the action for annulment to be admissible;
- refer the case back to the General Court for further proceedings going to the substance of the case;
- order the Commission to bear the costs of the present appeal proceedings.

**Pleas in law and main arguments**

The appellants challenge the contested order upon the grounds that it is based upon significant errors in law. The appellants raise five arguments concerning errors in law:

- First, the General Court erred in holding that the UCC <sup>(1)</sup> and related delegated and implementing regulations do not confer on the Commission the power to adopt decisions that are binding on the national customs authorities in the examination of the economic conditions.