

Form of order sought

The applicant claims that the Court should:

- declare that the Hellenic Republic, by levying the whole amount of the registration tax payable on the registration of a vehicle which is rented or leased by a customer who is a Greek national from a supplier established in another Member State, without taking into consideration the duration of the rental contract or lease contract and the duration of use of the vehicle concerned in the national territory of Greece, has failed to fulfil its obligations under Articles 56 to 62 TFEU in relation to the freedom to provide services;
- order the Hellenic Republic to pay the costs.

Pleas in law and main arguments

The Hellenic Republic, by imposing the whole of the registration tax payable on the registration by a supplier established in another Member State of vehicles which are leased or used on a hire-purchase agreement by nationals of Greece, without taking into consideration the duration of the lease (rental) contract and of use in the national territory of Greece, failed to fulfil its obligations under Articles 56-62 TFEU.

The imposition of the whole registration tax is disproportionate and hinders the free movement of services (see the case-law of the Court in *Cura Anglagen*, C-451/99, *Coevering*, C-242/05, *Ilhan*, C-42/08, and *VAV Autovermietung GmbH*, C-91/10).

**Request for a preliminary ruling from the Fővárosi Közigazgatási és Munkaügyi Bíróság (Hungary)
lodged on 16 February 2015 — Nutrivet D.O.O.E.L. v Országos Környezetvédelmi és
Természetvédelmi Főfelügyelőség**

(Case C-69/15)

(2015/C 138/53)

Language of the case: Hungarian

Referring court

Fővárosi Közigazgatási és Munkaügyi Bíróság

Parties to the main proceedings

Applicant: Nutrivet D.O.O.E.L.

Defendant: Országos Környezetvédelmi és Természetvédelmi Főfelügyelőség

Questions referred

- 1) Must a shipment of waste be considered to be effected 'in a way which is not specified materially in the document set out in Annex VII', within the meaning of Article 2(35)(g)(iii) of Regulation (EC) No 1013/2006 ⁽¹⁾, when the person who arranges the shipment completes the boxes corresponding to the importer/consignee, the recovery facility and the countries/States concerned — in entries 2, 7 and 11 respectively of the document set out in Annex VII to that regulation — in a manner whereby those entries conflict with one another, even though the information relating to those entries is clearly apparent from the international consignment note and other documents available?
- 2) If the first question is answered in the affirmative, can a fine imposed on that ground, equal in amount to that imposed on a person infringing the obligation to complete the document set out in Annex VII to Regulation (EC) No 1013/2006, be considered proportionate?
- 3) In order for a shipment of waste to be declared illegal, within the meaning of Article 2(35)(g)(iii) of Regulation (EC) No 1013/2006, must the person completing the document set out in Annex VII to that regulation deliberately mislead the authorities?

- 4) Is the fact that the information or data not actually specified is significant as regards environmental protection a relevant factor in order to declare that a shipment of waste, effected 'in a way which is not specified materially in the document set out in Annex VII', within the meaning of Article 2(35)(g)(iii) of Regulation (EC) No 1013/2006, is illegal? If the answer is in the affirmative, what information or data of the document set out in Annex VII to that regulation must be considered significant as regards environmental protection?
- 5) Can a transfer of waste be found to be effected 'in a way which is not specified materially in the document set out in Annex VII', within the meaning of Article 2(35)(g)(iii) of Regulation (EC) No 1013/2006, where the authority does not carry out the procedure laid down in Article 24 of that regulation, does not inform the authorities concerned and does not order the illegally shipped waste to be taken back?
- 6) How must jurisdiction within the meaning of Article 18(1)(a) of Regulation (EC) No 1013/2006 be understood and examined?
- 7) How must the expression in paragraph 15 of Part IV of Annex IC to Regulation (EC) No 1013/2006, which states that in order for dealers or brokers to be consignees they must be under the jurisdiction of the country of destination, be interpreted?

⁽¹⁾ Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ 2006 L 190, p. 1).

**Request for a preliminary ruling from the Markkinaoikeus (Finland) lodged on 19 February 2015 —
Viiniverla Oy v Sosiaali- ja terveystalouden lupa- ja valvontavirasto**

(Case C-75/15)

(2015/C 138/54)

Language of the case: Finnish

Referring court

Markkinaoikeus

Parties to the main proceedings

Applicant: Viiniverla Oy

Defendant: Sosiaali- ja terveystalouden lupa- ja valvontavirasto

Questions referred

1. When assessing where there has been an 'evocation', within the meaning of Article 16(b) of Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ 2008 L 39, p. 16) ⁽¹⁾, should reference be made to an average consumer who is reasonably well informed and reasonably observant and circumspect?
2. When assessing whether to prohibit the use of the name Verlados used to market nationally a spirit drink distilled from apples in order to protect the geographical indication Calvados, what importance should be given to the following facts in the interpretation of the concept of 'evocation' in Article 16(b) of Regulation No 110/2008 and the application of that regulation:
 - a) the first part of the name Verlados, Verla, is a village in Finland whose name may be recognised by Finnish consumers;
 - b) the first part of the name Verlados, Verla, refers to the producer of Verlados Viiniverla Oy;