

Parties to the main proceedings

Applicant: T.KUP SAS

Defendant: Belgische Staat

Operative part of the judgment

The examination of the questions referred has disclosed nothing capable of affecting the validity of Council Implementing Regulation (EU) No 1294/2009 of 22 December 2009 imposing a definitive anti-dumping duty on imports of certain footwear with uppers of leather originating in Vietnam and originating in the People's Republic of China, as extended to imports of certain footwear with uppers of leather consigned from the Macao SAR, whether declared as originating in the Macao SAR or not, following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 384/96.

⁽¹⁾ OJ C 335, 12.9.2016.

Judgment of the Court (Seventh Chamber) of 14 June 2017 (request for a preliminary ruling from the Landgericht Trier — Germany) — Verband Sozialer Wettbewerb eV v TofuTown.com GmbH

(Case C-422/16) ⁽¹⁾

(Reference for a preliminary ruling — Common organisation of the markets in agricultural products — Regulation (EU) No 1308/2013 — Article 78 and Annex VII, Part III — Decision 2010/791/EU — Definitions, designations and sales descriptions — ‘Milk’ and ‘milk products’ — Designations used for the promotion and marketing of purely plant-based products)

(2017/C 277/24)

Language of the case: German

Referring court

Landgericht Trier

Parties to the main proceedings

Applicant: Verband Sozialer Wettbewerb eV

Defendant: TofuTown.com GmbH

Operative part of the judgment

Article 78(2) and Annex VII, Part III to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 must be interpreted as precluding the term ‘milk’ and the designations reserved by that regulation exclusively for milk products from being used to designate a purely plant based product in marketing or advertising, even if those terms are expanded upon by clarifying or descriptive terms indicating the plant origin of the product at issue, unless that product is listed in Annex I to Commission Decision 2010/791/EU of 20 December 2010 listing the products referred to in the second subparagraph of point III(1) of Annex XII to Council Regulation (EC) No 1234/2007.

⁽¹⁾ OJ C 350, 26.9.2016.