

Judgment of the Court (Fifth Chamber) of 19 October 2017 (request for a preliminary ruling from the Juzgado de lo Contencioso-Administrativo de Murcia — Spain) — Europamur Alimentación SA v Dirección General de Comercio y Protección del Consumidor de la Comunidad Autónoma de la Región de Murcia,

(Case C-295/16) ⁽¹⁾

(Reference for a preliminary ruling — Consumer protection — Directive 2005/29/EC — Unfair business-to-consumer commercial practices — Scope of that directive — Sale by a wholesaler to retailers — Jurisdiction of the Court — National legislation laying down a general prohibition on selling at a loss — Exceptions based on criteria not provided for by that directive)

(2017/C 424/10)

Language of the case: Spanish

Referring court

Juzgado de lo Contencioso-Administrativo de Murcia

Parties to the main proceedings

Applicant: Europamur Alimentación SA

Defendants: Dirección General de Comercio y Protección del Consumidor de la Comunidad Autónoma de la Región de Murcia

Operative part of the judgment

Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC and Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') must be interpreted as precluding a national provision, such as that at issue in the main proceedings, which contains a general prohibition on offering for sale or selling goods at a loss and which lays down grounds of derogation from that prohibition that are based on criteria not appearing in that directive.

⁽¹⁾ OJ C 305, 22.8.2016.

Judgment of the Court (Fifth Chamber) of 19 October 2017 (request for a preliminary ruling from the Conseil d'État — France) — Solar Electric Martinique v Ministre des Finances et des Comptes publics

(Case C-303/16) ⁽¹⁾

(Reference for a preliminary ruling — Sixth VAT Directive — Directive 2006/112/EC — Works of construction — French overseas departments — Provisions rendered applicable by national law — Transactions consisting in sale and installation on buildings — Classification as a single transaction — Lack of jurisdiction)

(2017/C 424/11)

Language of the case: French

Referring court

Conseil d'État