

Question referred

Does Article 49 TFEU preclude legislation of a Member State which requires third-country crew members on a vessel flagged in a Member State and owned by a shipowner who is a national of another EU Member State to have a work permit, unless the vessel enters ports of the Member State on at most 25 occasions calculated continuously over the last year?

**Request for a preliminary ruling from the Lietuvos vyriausiasis administracinis teismas (Lithuania)
lodged on 13 February 2020 — ‘Lifosa’ AB v Muitinės departamentas prie Lietuvos Respublikos
finansų ministerijos**

(Case C-75/20)

(2020/C 137/52)

Language of the case: Lithuanian

Referring court

Lietuvos vyriausiasis administracinis teismas

Parties to the main proceedings

Applicant and appellant: ‘Lifosa’ AB

Defendant and respondent: Muitinės departamentas prie Lietuvos Respublikos finansų ministerijos

Question referred

Are Articles 29(1) and 32(1)(e)(i) of Council Regulation (EEC) No 2913/92⁽¹⁾ of 12 October 1992 establishing the Community Customs Code and Articles 70(1) and 71(1)(e)(i) of Regulation (EU) No 952/2013⁽²⁾ of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code to be interpreted as meaning that the transaction (customs) value must be adjusted to include all the costs actually incurred by the seller (producer) in transporting the goods to the place where they were brought into the customs territory of the European Union (Community) when, as in the present case, (1) under the delivery conditions ‘Incoterms 2000’ — DAF the obligation to cover those costs was borne by the seller (producer) and (2) those costs of transport exceeded the price that was agreed upon and was actually paid (payable) by the buyer (importer), but (3) the price actually paid (payable) by the buyer (importer) corresponded to the real value of the goods, even if that price was insufficient to cover all the costs of transport incurred by the seller (producer)?

⁽¹⁾ OJ 1992 L 302, p. 1.

⁽²⁾ OJ 2013 L 269, p. 1.

**Reference for a preliminary ruling from the Court of Appeal (Ireland) made on 13 February 2020 —
K. M. v Director of Public Prosecutions**

(Case C-77/20)

(2020/C 137/53)

Language of the case: English

Referring court

Court of Appeal

Parties to the main proceedings

Appellant: K. M.

Respondent: Director of Public Prosecutions

Question referred

In the context of the implementation of the Common Fisheries Policy and of the provisions of Article 32 of Council Regulation (EC) No 850/1998 ⁽¹⁾, and in the context of a criminal prosecution taken to enforce the provisions thereof, is a provision of National law which provides on conviction on indictment, in addition to a fine, for the mandatory forfeiture of all fish and all fishing gear found on board the boat to which the offence relates, compatible with the provisions of Council Regulation (EC) 1224/2009 ⁽²⁾, and specifically Articles 89 and 90 thereof, and the principle of proportionality under the treaties of the European Union and Article 49(3) of the Charter of Fundamental Rights?

⁽¹⁾ Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms (OJ 1998, L 125, p. 1).

⁽²⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ 2009, L 343, p. 1).

**Request for a preliminary ruling from the Najvyšší súd Slovenskej republiky (Slovakia) lodged on
14 February 2020 — Criminal proceedings against M.B.**

(Case C-78/20)

(2020/C 137/54)

Language of the case: Slovak

Referring court

Najvyšší súd Slovenskej republiky

Parties to the main proceedings

M.B.

Generálna prokuratúra Slovenskej republiky

Question referred

Must the requirements which an European arrest warrant must satisfy as a judicial decision under Articles 1(1) and 6(1) of Framework Decision 2002/584 ⁽¹⁾ be applied also to supplementary information provided pursuant to Article 15(2) thereof, where, for the purposes of the decision of the executing judicial authority, it substantially supplements or changes the content of the arrest warrant originally issued?

⁽¹⁾ Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, OJ 2002 L 190, p. 1.

**Request for a preliminary ruling from the Krajský soud v Brně (Czech Republic) lodged on
18 February 2020 — Vinařství U Kapličky s.r.o. v Státní zemědělská a potravinářská inspekce**

(Case C-86/20)

(2020/C 137/55)

Language of the case: Czech

Referring court

Krajský soud v Brně