



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 10 March 2014**

**7493/14**

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COMER 79**

**INFORMATION NOTE**

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from : the Legal Service  
to : the Permanent Representatives Committee (Part 2)  
Subject : Case before the Court of Justice of the European Union  
- C-687/13 *Fliesen-Zentrum Deutschland GmbH v. Hauptzollamt Regensburg*,  
Reference for a preliminary ruling from the Finanzgericht München (Germany)

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1. By decision of 24 October 2013, notified to the Council on 31 January 2014, the Finanzgericht München (Germany), requested the Court of Justice to give a preliminary ruling pursuant to Article 267 of the TFEU on the validity of Council Implementing Regulation (EU) No 917/2011 of 12 September 2011 (OJ L 238, 15.9.2011, p. 1) concerning the imposition of antidumping duties on imports of ceramic tiles originating in the People's Republic of China.
2. The applicant, Fliesen-Zentrum Deutschland GmbH submits that the Finanzgericht München (Germany) should cancel the anti-dumping duty which the Hauptzollamt Regensburg (Germany) has imposed in respect of Fliesen-Zentrum's Deutschland GmbH import of ceramic tiles from China on the ground that Council Implementing Regulation (EU) No 917/2011 which imposed the anti-dumping duty in question is invalid.

3. The Finanzgericht München (Germany) has put the following question to the Court of Justice:

*" Is Council Implementing Regulation (EU) No 917/2011 of 12 September 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of ceramic tiles originating in the People's Republic of China valid?"*

4. The Council is in accordance with Article 23 of the Statute of the Court of Justice entitled to submit observations within two months of receipt of the notification, in a case governed by Article 267 of the TFEU if the act, the validity or interpretation of which is in dispute, originates from the Council.

5. The Director-General of the Legal service of the Council has appointed Mrs Sonja BOELAERT, member of the Council Legal Service, as the Council's agent in this case. She is assisted by Mr Rainer BIERWAGEN and Mr Christian HIPPE (BEITEN BURKHARDT in Brussels).

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