

Request for a preliminary ruling from the Symvoulío tis Epikrateías (Greece) lodged on 2 December 2022 — Microos Food Safety BV v Eniaios Foreas Elegchou Trofimon (EFET)

(Case C-745/22)

(2023/C 104/17)

Language of the case: Greek

Referring court

Symvoulío tis Epikrateías

Parties to the main proceedings

Applicant: Microos Food Safety BV

Defendant: Eniaios Foreas Elegchou Trofimon (EFET)

Questions referred

1. Must Regulation (EC) No 853/2004 ⁽¹⁾ be interpreted as meaning that a product such as Listex™ P100 manufactured by the applicant, which has the characteristics described in the opinion of 7 July 2016 of the European Food Safety Authority (EFSA) and, moreover, according to the applicant's submissions, is applied outside of slaughterhouses during the final stages of the production process and is intended to prevent rather than to remove surface contamination on products of animal origin, comes within the scope of Article 3(2) of the regulation (and its distribution on the European market is therefore subject to prior approval by the Commission in accordance with Article 11a of the regulation)?

If the answer to Question 1 is in the negative:

2. Must Regulation (EC) No 1333/2008 ⁽²⁾ be interpreted as meaning that the applicant's product referred to above is a food additive or a processing aid (Article 3(2)(a) and (b) of Regulation (EC) No 1333/2008)?

⁽¹⁾ Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ 2004 L 139, p. 55).

⁽²⁾ Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (Text with EEA relevance) (OJ 2008 L 354, p. 16).

Request for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on 12 December 2022 — QY v Federal Republic of Germany

(Case C-753/22)

(2023/C 104/18)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant and appellant: QY

Defendant and respondent: Federal Republic of Germany