



Customs & Trade Updates

Week 52, 53/2022 & 01/2023

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Topic Coverage	Customs processes & procedures (including AEO) Trade Agreements Biosecurity & Veterinary Border Controls Indirect Taxes (Customs Duty, Excise, Import VAT) Export Controls, Sanctions Green Customs and Global Trade
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Country Coverage	European Union + selected Member States United Kingdom (with an additional focus on Northern Ireland) Switzerland United States of America
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International Institution Coverage	WCO WTO UN (Sanctions, CITES) Other as appropriate

This solution enables customs managers, import and export professionals of small and medium-sized enterprises and their advisers to ensure greater compliance with complicated customs and international trade legislation and access cost-saving options worldwide without paying a hefty fee. But, of course, large and complex business managers can also benefit.

Happy New Year, 2023

I wish you a successful, happy new year 2023 with lots of good health.

I missed you! It's been too long since the last edition came out on 19 December 2022. We have a lot to catch up on. We could talk about X-Mas presents and NewYears' resolutions, but so much has been happening in Customs and Global Trade that we'd better focus on that.

Speaking of Christmas presents, how about one from your friends at Customs Manager? A free-for-all report on the 2nd Brexit anniversary. If you want to know how Brexit is going, [our 6+ page report is just what you need](#). So, download it right now and be amazed (*rolls eyes*).

Then, we must apologize. There were reports that some of you could not participate in our successful webcast on the EU Single Window for Customs last week. This is because we were at maximum capacity! But worry not: Catch the encore live on YouTube today at noon (UK time) or 1 p.m. (CET) for a rebroadcast of the entire webinar: <https://www.youtube.com/c/CustomsManagerLtd>. This is where you also get participants' slides, Q&A and comments. It's a live viewing, so let's all meet there!

Turning to 2023, I have written a [blog](#) on what's coming up in customs and global trade. [Please read it here](#).

As regards the legislative changes in this report, much deals with the crossover 2022-2023: For example, the EU, UK and US have changed Trade Tariffs, so we need to look at that. Other changes address 2023 EU duty suspensions and GSP changes. Customs in Germany, France and Ireland are changing, too, and there are plenty of new laws; we zoom in on these countries specifically.

Over in the UK, besides looking at the three biggest Brexit lies in Customs, our focus turns to (1) UK export controls, where lots of updates are reported and (2) Northern Ireland, where the conciliatory tone of the newish Irish PM as regards the IE-NI Protocol has gone down well with DUP hardliners. Don't forget that we are running a 4-hour live UK Customs Update on 26 January 2023. Register here: <https://www.customsmanager.org/event-details/training-uk-customs-update-2023>

The US continues to splash out one OFAC listing and sanctioning after another, with no end in sight. But the recent case about a 4 million USD payment to OFAC of a Danish company operating in Jebel Ali Free Zone, without ever touching US goods or soil, caught my attention – and it should catch yours too. This a perfect example of the extraterritorial nature of US law.

There are many supportive documents, reports and new laws for you to review, so I recommend you take your time with this update. Again, all the best for the new year!

Best wishes



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2023

What's ahead for Customs & Global Trade in 2023?

As 2022 draws to a close, we caught up with the CEO of Customs Manager, Mr Arne Mielken, to review the most significant customs & global issues on the horizon for 2023.

<https://www.customsmanager.org/post/what-s-ahead-for-customs-global-trade-in-2023>

Webinar EU Single Window Environment for Customs

The EU will expedite customs processes and alleviate economic costs on businesses by improving digital communication among EU border personnel and other agencies unrelated to customs over the next 24 months. Furthermore, with the EU Single Window for Customs, known short as EU CSW-CERTEX, the EU will implement a connected customs-clearing system for European Union. More than 100 import, export, and transit professionals from all corners of the world, including Bulgaria, Hungary, Albania, USA, Canada, Zimbabwe, Azerbaijan, UK, Ireland, and Germany, joined the CEO of Customs Manager Ltd, Arne Mielken, at the start of the new year, on 5 January 2023 to get a walk through the new REGULATION (EU) 2022/2399 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013. The event took the form of a webinar and was free for all.

Did you miss it? Watch the Encore Live on Monday, 9 January 2023, at noon (UK) or 1 pm (CET) over on our YouTube Channel: <https://www.youtube.com/c/CustomsManagerLtd>

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

- ➔ **Slide deck available after the event with clickable links and copyable content**
- ➔ **Q&A Document on the EU Single Window Concept**
- ➔ **Factsheet on Single Window**
- ➔ **A briefing on the EU Single Customs Window Environment of 8 pages.**

European Union

We looked through the following updates of the European Union as published in the Official Journal of the EU. In addition, we also subscribe to news updates from DG TAXUD (Customs matters), DG SANTE (Biosecurity and veterinary matters) and DG TRADE (EU trade matters, ADD-CVD and export controls), as well as receiving other newsletters and subscriptions to get a comprehensive picture.

OJ legislation we analysed for you:

06/01/2023	L005	C004 C005
05/01/2023	L003 L004	C003
04/01/2023	L002	C002
03/01/2023	L001	C001
30/12/2022	L338 L339 L340	C497 C498
29/12/2022	L335 L336 L337	C495 C496
28/12/2022	L334	C494
27/12/2022	L331 L332 L333	C492 C493
23/12/2022	L330	C491
22/12/2022	L328 L329	C487 C488 C489 C490
21/12/2022	L326 L327	C485 C486
20/12/2022	L325	C484
19/12/2022	L323 L324	C481 C481I C482 C483

Achievements of the Czech EU Presidency

December was the last month of the Czech Presidency. All the work that the Presidency commenced on 1 July was completed. Czech negotiators and diplomats reached an agreement on most of the legislative proposals. At the same time, for the remainder, progress was made in negotiations which will be built upon by the Swedes, who will take over the Presidency in January 2023. Among the crucial achievements in December were the approval of €18 billion in financial aid for Ukraine and the adoption of a ninth package of sanctions against Russia, the gas price cap and the agreement on the most critical proposals from the Fit for 55 climate packages. [Read more.](#)

Priorities for Customs & Global Trade of the Swedish EU Presidency

Security, competitiveness, green and energy transitions, democratic values and the rule of law. These are the priorities of the Swedish Presidency of the Council of the European Union in the first half of 2023. Some highlights from an economic, customs & global trade perspective:

- Because it is outdated and inconsistent with other EU policies, the Energy Taxation Directive is being reconsidered.
- Sweden will also work on a digital-age VAT proposal.
- Direct taxation will prioritise tax evasion, avoidance, aggressive tax planning, and detrimental tax competition. In addition, EU non-cooperative jurisdictions will be updated.
- Sweden will strengthen EU tax administrative cooperation.
- Sweden will make money laundering and terrorism financing simpler to combat in the financial sector. This requires agreements on a new EU body and the "rulebook."
- The Swedish Presidency will advance customs union reform. The customs union is crucial for equitable international trade.
- The Presidency will also negotiate to modify the Regulation on illegal firearm production and trading.
- In addition, the Swedish Presidency will actively promote the EU's work to achieve climate neutrality by 2050, in parallel with an increase in competitiveness, employment, food production, and health and welfare.
- The implementation of the European Green Deal will be high on the agenda in the first half of 2023. The green and blue industries' contribution to achieving the climate targets and their adaptation is essential in this context.

[Access the programme](#)

EU Customs

2023 EU Customs Tariff in force: What changes?

A tariff classification code is a six to ten-digit designation used on customs declarations to describe a product. The code calculates the tariffs and taxes that must be paid during import/export. A tariff code guarantees that product categorisation is consistent across the globe.

The Harmonised System (HS) of the World Customs Organization (WCO) assigns 6-digit categorization numbers. The EU has expanded the Combined Nomenclature (CN) to an 8-digit level for exports and a 10-digit TARIC level for imports. As a result, some CN numbers have altered beginning January 1, 2023. Each product has a particular eight-digit classification code in the [2023 combined nomenclature](#). This also sets out the general rules for classifying goods to an eight-digit level. These codes apply from 1 January 2023. Please note that the number of code changes in 2023 is much smaller than in 2022 since the 2022 revisions included modifications recommended as a result of the five-yearly review of the Harmonised System Nomenclature (HS Code). The first six digits of commodity codes will not change in 2023. Any changes to the eight-digit CN will be made to clarify the description and will not affect the Customs duty rates. The combined nomenclature is updated annually. The [combined nomenclature explanatory notes](#) contain helpful information for understanding the various tariff headings but are not legally binding. The [correlation tables](#) allow you to see if your classification codes have changed. Traders need to check the codes they use to establish if there is any change. The declarant must guarantee that the product code entered on customs declarations is accurate.

Want to get a quick overview of what changed? [Watch the Video over on our YouTube Channel here](#)

[Additional Documentation, Guidance and Support Materials](#)

Please find in the attachment for download the following:

➔ **10-digit “TARIC” the 2022-2023 correlation table in Excel format**

EU GSP 2023: Sections excluded by country

As of January 1, 2023, a new list of sections excluded by country from the GSP system is established. Accordingly, the tariff preferences contemplated in the GSP are suspended for the products included in these sections from January 1, 2023, to December 31, 2023. Furthermore, these sections are excluded from the system following the provisions of Regulation (EU) 2022/1039, as the average value of imports of these products into the Union has been higher for three consecutive years than the maximum limits set in Annex VI of the Regulation (EU) 978/2012. The changes related to the sections excluded from the GSP are the following:

New sections excluded from the GSP

Indian Origin:

S-6a | Organic and inorganic chemicals

S-7a | Plastic and its articles

S-8b | Articles of leather; fur and fur clothing

S-11a | textile materials

S-13 | Articles of stone, plaster, cement, asbestos (asbestos), mica or similar materials; ceramic products; glass and glassware

S-14 | pearls and precious metals

S-15a | Iron, steel and articles of cast iron or steel

S-15b | Base metals (except Iron and steel), articles of base metals (except Iron and steel)

S-16 | Machines, devices and mechanical artefacts; electrical machines, apparatus and material, and their parts

S-17a | Vehicles and material for railways or similar

Indonesian Origin:

S-1a | Live animals and products of animal origin, except fish

S-3 | Oils, fats and waxes of animal or vegetable origin

S-5 | mineral products

S-9a | Wood and articles of wood; charcoal

Origin Kenya:

S-2a | Live plants and floricultural products

The chapters of the EU Common Customs Tariff covered in the above sections can be consulted in our GSP 2023 guide.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

➔ **Your 2023 Guide to the EU'S generalised system of preferences (GSP)**

Vietnam's exit from the EU GSP

As of January 1, 2023, Vietnam will cease to be part of the GSP following the provisions of Regulation (EU) 2021/114 because this country has signed a preferential access agreement to the broader EU market. Effective from August 1, 2020. In this way, in 2023, goods originating in Vietnam will not be able to continue benefiting from the tariff preferences contemplated in the generalised system of preferences (GSP) at the time of their importation into the EU.

More information

- [Commission Implementing Regulation \(EU\) 2022/1039 of 29 June 2022 lays down rules as regards the suspension for the year 2023 of specific tariff preferences granted to certain GSP beneficiary countries.](#)
- [Commission Delegated Regulation \(EU\) 2021/114 of 25 September 2020 amending Annexes II and III to Regulation \(EU\) No 978/2012 of the European Parliament and the Council as regards Armenia and Vietnam](#)

Change the Explanatory Notes to the Combined Nomenclature of the European Union

On page 123, after the Explanatory note to CN subheading '2621 10 00 Ash and residues from the incineration of municipal waste, the following text is inserted:

'2621 90 00	Other This subheading does not include cenospheres, hollow spheres mainly consisting of aluminosilicate, a specific lightweight component isolated from fly ash obtained (generally) by burning coal in thermal power plants (heading 6806). '
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On page 283, in the Explanatory note to CN subheading '6806 20 90 Other', the following new item 4. is inserted:

6806 20 90	4.Cenospheres, hollow spheres mainly consisting of aluminosilicate, are a specific lightweight component isolated from fly ash obtained (generally) by burning coal in thermal power plants.'
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[Link](#)

EU Duty Suspensions 2023

Some non-EU agricultural and industrial items no longer pay Common Customs Tariff (CCT tariff) charges. This ensures a steady supply and stable markets for these commodities. Thus, commodities on the Annex to Regulation (EU) 2021/2278 can be imported into the EU duty-free. However, where the EU's production falls short of Union industries' requests for integrated battery manufacture, CCT tariffs should be partially waived. Therefore, on December 31, 2023, evaluate these suspensions to account for the Union's short-term battery production improvements. In addition, product technology and market conditions require reclassifying some CCT duty suspensions.

Moreover, some products no longer require CCT tariff suspension. To simplify paperwork for national authorities, CCT duty suspensions should not be considered if uncollected CCT duty is less than EUR 15,000 per year. The recommended review should allow CCT taxes on products below that threshold. The EU can rely on WTO exceptions to treat imports from Russia differently, despite Russia's participation in the WTO (most-favoured-nation treatment). Therefore, products from there should not be duty-free. The same applies to Belarus. But to ensure enough supply and keep some EU markets from being seriously disrupted, CCT duties must be waived for some Belarusian and Russian products with TARIC codes 2926907024, 7608208930, and 8401300020. Also, products with the TARIC code 8401300020 must have a steady and fair supply of nuclear fuel. From 2019 to 2021, Belarusian and Russian goods made up more than half of EU imports because there were few alternatives from other countries. Based on the value of these imports, it seems likely that EU businesses depend on them a lot and that removing the CCT duty suspension for these products would cause much trouble.

[Additional Documentation, Guidance and Support Materials](#)

Please find in the attachment for download the following:

➔ **The list of all products for which customs duty has been suspended.**

Duty-free from Norway

The EU granted unlimited duty-free access to the Union for 2023 to 5 goods originating in Norway resulting from the processing of agricultural products.

1. 2202 10 00 glasses of water, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured
2. ex 2202 91 00 Non-alcoholic beer containing sugar
3. ex 2202 99 11 Soya-based beverages with a protein content of 2,8 % or more by weight containing sugar (sucrose or inverted sugar)

4. Ex 2202 99 15 Soya-based beverages with a protein content of less than 2,8 % by weight; beverages based on nuts of Chapter 8 of the Union Customs Code, cereals of Chapter 10 of the Union Customs Code or seeds of Chapter 12 of the Union Customs Code containing sugar (sucrose or invert sugar)
5. Ex 2202 99 19 Other non-alcoholic beverages not containing products of headings 0401 to 0404 or fat obtained from products of headings 0401 to 0404, containing sugar (sucrose or inverted sugar)

[Link](#)

Singapore: Introduction of REX and new preference document

Concerning trade in goods with Singapore, the “registered exporter” system has been applied to EU exporters since 1 January 2023 instead of the “approved exporter” system. Since 1 January 2023, importers in Singapore have had to apply for preferential tariffs using statements on origin made out by EU-registered exporters, quoting their REX number. Singapore will use a new document to recognise its origin from January 1, 2023. The TARIC document code “U101” must be registered as proof of origin to grant a tariff preference for goods originating in Singapore.

[Link to information.](#)

[Letter by German Customs](#)

EU Switzerland Tariff Concessions

On June 1, 2002, “the Agreement” between the European Community and the Swiss Confederation about trading agricultural products went into effect. In the Agreement, Annexes 1 and 2 lists the tariff concessions that the Swiss Confederation and the European Union (collectively called “the Parties”) have given. The Parties have agreed to change Annexes 1 and 2 of the Agreement because of the most recent review of the Harmonized System and a mistake in the most recent change to Annex 1 about the tariff exemption for boneless hams. It has also been decided to add to the Agreement's Annex 1 the tariff exemptions that Switzerland gave for dog and cat food meant for sale in 1996. [Link](#)

EU Customs Value

EU Binding Value Information is coming

The European Commission wants to add binding valuation decisions (BVI decisions) and an electronic system for binding origin and valuation information to the Union Customs Code. The EU plans to amend both the Delegated and the Implementing Acts, so it is easier to put BVI decisions into customs law. Judgements regarding binding information, dubbed “advance rulings” internationally, allow exporters and importers to seek customs officials in advance for binding decisions about how items will be processed. In the EU, a member state's decision regarding binding information is valid in all member states and binds both the recipient and the customs authorities. The fundamental advantage of these judgements is legal clarity that customs officials would process imports and exports similarly. Customs officials may negotiate with lawful dealers beforehand to handle these activities. This helps minimise risk and ensures uniform EU customs procedures. The BVI legal and operational structure is based on comparable BTI and BOI rulings. The time restriction for making a BVI decision, its validity and end of validity, or its cancellation or revocation will be the same as or very near to BTI and BOI decisions. BVI judgements won't be made if the customs value can't be correctly determined, just as BTI and BOI choices won't be made if the tariff classification or origin can't be correctly determined.

BVI rulings will promote openness, legal clarity, compliance, and standardisation in customs value, helping economic operators, customs agencies, and the Union's financial interests. They'll fulfil international criteria for customs advance rulings two and a proposal from the European Court of Auditors' 2017 Special Report on Import Procedures 3. Only BTI decisions are administered through the European Binding Tariff Information system (EBTI). BVI and BOI decisions would be controlled by an IT system based on EBTI. Delegated Regulation (EU) 2015/2446 and Implementing Regulation (EU) 2015/2447 Annexes A and B will be modified to specify uniform data requirements for applications and decisions concerning critical valuation information. Legal actions will be used.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

- [Draft UCC Delegated Act on BVI](#)
- [Draft UCC Implementing Act on BVI](#)

EU Customs Classification

After WCO, the EU changes its opinion on the classification of 2-4-1 washing gel

By Commission Implementing Regulation (EU) No. 761/2014, a surface-active preparation for washing the skin and hair that comes in the form of a gel and has identical amounts of ingredients for washing the skin and hair and is sold in a 300-ml plastic bottle was given the code 3401 30 00 which describes it as "a surface-active preparation for washing the product is a hair-and-skin-washing combination (CN 3305) (CN heading 3401). It wasn't feasible to tell from the product's objective attributes what gives it its essential character. So, general rule 3(c) for interpreting the CN declared the product belonged under heading 3401. In March 2022, the WCO's Harmonized System Committee (HSC) adopted classification opinion 3305.10/5. This opinion discusses how to define a shampoo gel that comprises water, organic surface-active ingredients, glycerine, plant extracts, magnesium sulphate, zinc gluconate, butylene glycol, sodium chloride, citric acid, alcohol, fragrance, aromatic compounds, and excipients. Note 1(c) to Chapter 34 of the HS states that shampoos, dentifrices, shaving creams and foams, or bath preparations containing soap or other organic surface-active ingredients are not authorised in that Chapter and should be included in headings 3305, 3306, or 3307. HS subheading 3305 10 is the same as CN code 3305 10 00. This was done following HS rules 1 and 6 and Chapter 34 note 1(c). Given that the product and preparation stated in Implementing Regulation (EU) No 761/2014 have comparable features, the preparation categorisation in its Annexe does not conform with Classification Opinion 3305.10/5. Classification opinion 3305.10/5 conforms with note 1(c) to Chapter 34 of the CN and HS subheading 3305 10; thus, Implementing Regulation (EU) No 761/2014 must be cancelled. [Link](#)

Biosecurity / Veterinary Controls

EU corrects import control rules for live bivalve molluscs, fishery products, or related to UV-radiation

The EU sets practical rules for official restrictions on food items made from animals. It sets rules for animal products that people eat. Regulation (EU) 2017/625 sets the rules for official checks to ensure that food is safe at all production, processing, and distribution stages. Implementing Regulation (EU) 2019/627 establishes uniform practical arrangements for official checks on products of animal origin meant for human consumption, as regards official controls on products of animal origin meant for human consumption. It has been amended. [Link to law](#)

EU amends rules on special control measures for African swine fever

Polish and Italian wild pigs have contracted African swine fever. In December 2022, a wild porcine animal in Italy's Piedmont Region contracted African swine disease in a restricted zone II location. Therefore, Polish areas Podkarpackie, Dolnośląskie, Warmińsko – Mazurskie, and Wielkopolskie should be categorised as restricted zones II in that Annex. Poland's Wielkopolskie region's restricted zones III in Annex I to Implementing Regulation (EU) 2021/605 should become restricted zones II. While wild porcine still have African swine fever, domesticated porcine animals in those limited zones have not had an outbreak in three months. Due to a 12-month absence of African swine fever outbreaks in confined and wild porcine animals in Poland's Podlaskie area, Annex I to Implementing Regulation (EU) 2021/605 shall delist certain prohibited zones II. These places should be categorised as restricted zone I because African swine fever disease management efforts for wild porcine animals in specific restricted zones and their bordering restricted zones are effective. Due to 12 months without outbreaks, African swine fever for maintained porcine animals in Sardinia, Italy, should be included as restricted zones II in Annex I to Implementing Regulation (EU) 2021/605. this adjustment. African swine fever epidemiology necessitates redrawing restricted zones III. Due to the lack of outbreaks in confined and wild porcine animals in restricted zones III in the Sardinia Region of Italy over the last year, such zones should be delisted from Annex I to Implementing Regulation (EU) 2021/605. [Link to law](#)

EU VAT

VAT implications to customs agents on import

In the instances C-226/14 and C-228/14, if it is determined that customs duties are owed because the goods in issue were unlawfully carried from customs storage to external transit, no import VAT is paid since the goods were not used in the EU's Customs Union. Article 201 of the EU VAT Directive 2006/112/EC stipulates that the importer is liable for paying VAT. The applicant must be established in the EU to declare imports. However, importation for VAT purposes and importation for customs reasons do not always coincide, and VAT on imports is not always due when customs duties become payable. The rulings may have implications for customs agents. This implies that their risks will be decreased, reducing the cost of indirect representation, particularly for non-EU importers. Since importers do not employ imported goods for taxable output transactions, the CJEU's ruling is favourable for importers since forwarders cannot deduct the appropriate import VAT. [Link to the ruling](#)

EU Excise

EU Excise changes are coming in 2023

EU Regulation 2022/2573 was published. This alters the notification concerning suspended excise products. This regulation is based on Council Directive 2008/118/EC, which defines how to transfer suspended excise products in the computerized system. Directive (EU) 2020/262 from the Council will replace on February 13, 2023. From then on, the computerized system will monitor the movement of excise products under a duty suspension agreement and excise goods released for use in one Member State and transported to another to be sold. Excise products released for use in one member state and delivered to another for commercial delivery must have an electronically simplified administrative record by February 13, 2023. Commission Regulation (EEC) No. 3649/92 ends on Feb. 13, 2023. These modifications occur outside the digital system and behind a paper document. Member states may communicate information regarding tax-exempt products under Commission Implementing Regulation (EU) 2016/323. Directive (EU) 2020/262 requires Implementing Regulation (EU) 2016/323 to cover excise products released for consumption in one member state and transported to another for commercial delivery. (EU) 2016/323 should be changed. Bring this Regulation's commencement date in line with Directive (EU) 2020/262.

[Download the legislation with the detailed table of information.](#)

EU Sanctions

Russia Sanctions FAQ updated

The Frequently Asked Questions (FAQs) page for the European Commission's Russia sanctions has been updated to include new information on the import, acquisition, and transfer of listed commodities; the provision of services; insurance and reinsurance; and the transit of listed items via Russia. The most recent version can be found in the advice and Russia parts of the EU's website([here](#)).

- [Transit of listed goods via Russia](#);
- [Import, purchase and transfer of listed goods](#); [provision of services](#),
- [Insurance and reinsurance](#).

New EU Sanctions Type “Corruption” coming

In 2023, the European Commission is expected to implement anti-corruption measures. According to the European Commission's 2023 work programme, the EU would "improve our sanctions toolset to include corruption" and build a sanctions framework targeting corruption in the second quarter of 2023. The EU will continue to "operate, including with our allies, to ensure the effective implementation of sanctions to maintain considerable economic pressure on Russia and hinder its ability to wage war against Ukraine." Together with Member States and international partners, the EU will strengthen its "strategic export controls" and determine if further measures are necessary to govern outbound strategic investments. [EU Work Programme](#)

Updated EU Financial Sanctions List

The consolidated EU Financial Sanctions list of 4.01.2023 can be downloaded [here](#).

Germany

Lieferkettensorgfaltspflichtengesetz - Supply Chain Due Diligence

The Supply Chain Due Diligence Act (Lieferkettensorgfaltspflichtengesetz - LkSG) went into effect on January 1, 2023. The legislation guarantees that current human rights breaches (forced labour, child labour, protection against exploitation, etc.) and environmental requirements in German firms' supply chains are halted and that human rights and environmental hazards are avoided or reduced from the start. To that purpose, it establishes a set of due diligence duties businesses must follow when choosing and supervising subcontractors and suppliers. The rule now applies to all enterprises, regardless of legal status, that have their headquarters, major branch, or administrative headquarters in Germany and employ more than 3,000 people in Germany. Companies with more than 1,000 workers will also be subject to the rule from January 1, 2024. The reporting duty from Section 10 (2) LkSG is one of the newly appearing responsibilities. As a result, each reporting organisation must provide an annual report on completing its due diligence duties on its website. BAFA will offer an internet platform for reporting beginning in January 2023. The Supply Chain Due Diligence Act imposes additional duties on businesses, including Various offices and duties that must be established structurally. Furthermore, your employees must be adequately taught and directed. Please get in touch with the Customs Manager's team if you'd like to get detailed information and training about this law.

The digitalisation of the ATLAS system – 2023 will be crucial

As with every year, significant modifications and upgrades will define the ATLAS process workflow in 2023. ATLAS-Release 9.1/AES-Release 3.0 will bring significant technical and professional improvements. The migration will cease on July 16, 2023. Germany customs notified the conclusion of the transitional arrangement for using the single administrative document for imports at the beginning of 2022. Standard and simplified customs declarations must be filed electronically from January 1, 2023. This also applies to the delivery of simplified customs declaration textual data as part of the declarant's accounting. For the future processing of summary exit declarations (ASumA), the new required ATLAS specialised application WKS (re-export control system) will be utilised.

German Customs Updates Instruction Manual for Customs Declarations

German Customs released an information sheet about customs declarations, summary declarations, and re-export notices available for download (edition 2023). The paper has the information and explanations that Germany needs for customs declarations, summary entrance and departure declarations (including diversion applications and arrival notices), re-export notifications, and temporary storage notifications. The ATLAS special applications for export and shipping were changed to UCC status on March 6, 2021. They are now listed in Annex B of UCC-DA and UCC-IA. The updated requirements for Annexes B, UCC-DA, and UCC-IA were published in the Official Journal of the EU on February 23, 2021. (See Title I Para. 21 No. 1). The requirements of UCC-DA/UCC-IA Annexes B are always being looked at. Title II's Sections I and II have been changed in the version for 2021. Title II Section III has now been changed to the structure of Appendix B UCC-DA/IA, which will be used on January 1, 2023, for the release for free circulation and the transfer to inbound processing, end-use, temporary admission, and customs storage. There is also a separate chapter for goods with a low value that must be declared to customs. Title IV considered that ICS 2 Release 2 was put in place. Annex B of the UCC-DA explains the information needed for summary arrival declarations in air traffic (including express goods and mail) and arrival notifications. If the registration in ATLAS-SumA only shows the notice of presentation and not the request for temporary possession, there is a reference to the goods in Title V.

[Download the Document here.](#)

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

➔ **Merkblatt zu Zollanmeldungen, summarischen Anmeldungen und Wiederausfuhrmitteilungen - Ausgabe 2023**

ATLAS – Export; New mandatory data fields in the export declaration with AES 3.0

According to Article 263 (3) (a) and (4) UCC, export declarations in Germany must also include the security data of the earlier notice. As a result, submitting an export declaration without security data is only permissible in the instances specified by law. ATLAS export (AES 3.0) adheres to the EU Commission's technical standards for the trans-European export system AES and the binding pre-from Appendix B UCC-DA/-IA. Some of the new data requirements cause difficulties in the export process because this data at the time of submission of the export declaration due to the partial long period between the transfer (at the export customs office) and the actual exit (at the customs office of exit) are not always known. Generally, the export declaration should be submitted shortly before the final packing/loading for export. The technical details of the mandatory can be downloaded in a letter to German operators. [Download by Customs Letter.](#)

ATLAS - Import Incorrect system behaviour when calculating taxes for countries participating in the Generalized System of Preferences (GSP)

Between 01/01/2023, 00:00 a.m., and 01/02/2023, at about noon, the ATLAS IT system for discharging products from GSP-beneficiary nations assesses and collects any excessive amounts of duty under customs rules for free circulation. If an advantage starts with the request for free circulation with "2" (preferential treatment for GSP nations), the IT method www.itzbund.de is approved. ATLAS gave preferential treatment beginning with "1" (third-country customs rate) throughout the time above and applied the third-country customs rate if required. This system behaviour was later addressed. In the instances above, I would request that you abstain from seeking import duty waivers or refunds, as well as opposing tax assessment letters, for the time being. The tax assessments are reviewed and, if required, amended ex officio. [Download the letter from German customs](#)

ATLAS - Export prohibition on arms due to the situation in Haiti

The European Union Council, via resolution (CFSP) 2022/2319 of November 25th, 2022, agreed on restrictive measures in light of the situation in Haiti. Given Haiti's dire security situation, the nineteenth Ordinance modifying the Foreign Trade Ordinance of December 21, 2022, placed the weapons embargo against specified persons into national law. The following code is now available for ATLAS export logging: 3LNA/HT - "Declaration by the applicant that the commodities are not subject to the weapons embargo imposed by Section 74 Paragraph 2 No. 7 AWV (Haiti)". [Letter from German Customs](#)

ATLAS Ausfuhr Codes for Sanctions Against Russia

Regulation (EU) No. 833/2014 on restrictive measures because of Russia's actions destabilizing the situation in Ukraine. In the context of the expansion of the sanctions against Russia, the General Directorate of the EU Commission (TAXUD) is publishing new codes for the registration of export licenses and the declaration that an old contract regulation is being used. Therefore, from January 3rd, 2023, the following codes will be available for registration in ATLAS export:

- X831/RU: "Export license from the Federal Office of Economics and Export Control (BAFA) by Article 3c Paragraph 6c of Regulation (EU) No. 833/2014 for goods of CN codes 8517 71 00, 8517 79 00 or 9026 00 00"
- X831/EU: "Export license from licensing authorities of other member states according to article 3c paragraph 6c VO (EU) No. 833/2014 for goods of the CN codes 8517 71 00, 8517 79 00 or 9026 00 00"
- X835/RU: "Export license from the Federal Office of Economics and Export Control (BAFA) by Article 3k Paragraph 5a of Regulation (EU) No. 833/2014 for goods of CN codes 8417 20.8419 81 80 or 8438 10 10"
- X835/EU: "Export license from licensing authorities of other member states by Article 3k Paragraph 5a of Regulation (EU) No. 833/2014 for goods of CN codes 8417 20, 8419 81 80 or 8438 10 10"
- Y860: "Old contract regulation (approval-free exception according to Article 3c Para. 5b VO (EU) No. 833/2014)"
- Y862: "Old contract regulation (exception subject to approval under Article 3k Para. 3b VO (EU) No. 833/2014)"

[Link to Letter from German Customs](#)

France

The form of the customs declaration changes

After more than 35 years of usage by all international trade operators, the single administrative document (SAD) will progressively vanish with the introduction of DELTA Import-Export in 2023.

A new consolidated administrative document (SAD)

After more than 35 years of usage by all international trade operators, the single administrative document (SAD) will progressively vanish with the introduction of DELTA Import-Export in 2023. Nevertheless, it was used as the foundation for customs procedures across the European Union and in Switzerland, Norway, Liechtenstein, and Iceland. Moreover, it was a required document for every import or export activity.

The format changes

The customs declaration is still needed. An operator must continue assigning a customs procedure to imported or exported products. Only its format is changing to conform to the Union Customs Code's "dematerialization" requirements for customs operations. The 56 boxes of the SAD will be replaced with an electronic data collection that will form the new customs declaration.

Prepare NOW!

French Customs, DGDDI, advises operators to train on the revised customs declaration. Customs Manager Ltd, with our experience in implementing CDS, is the ideal place to carry out training in French, English, German and Spanish on the new system, and we encourage you to get in touch.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

➔ **Customs Manager's Guide to French Customs Declaration Changes. A four-page report answering questions like:**

- **What are the top 3 points?**
- **Why is a new customs declaration needed?**
- **What are the primary modifications?**
- **The new customs declaration will be printable?**

➔ **PROJECT SHEET CUSTOMS CLEARANCE - DELTA I/E (IMPORT / EXPORT)**

France updates Delta T to account for NCTS changes

The European Commission created NCTS in 2003. It uses electronic messaging between customs authorities and business operators. Since 2021, all French operators have employed DELTA T, the European NCTS-connected transit management system. NCTS stages 5 and 6 aim to complete transit by harmonizing it with Union Customs Code criteria (UCC). NCTS phases 5 and 6 apply to all economic operators employing DELTA T, in EDI or DTI, to move goods in transit throughout the EU and common transit nations, as well as customs agents and associated service providers.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

➔ **PROJECT SHEET Delta T – NCTS changes 5 and 6**

PNTS?

The acronym PNTS refers to two customs import formalities: Presentation Notification (PN) and Temporary Storage (TS). PNTS also refers to the online service offered by French Customs to digitalise the formalities related to the presentation of goods and the management of temporary storage. It simplifies the administrative procedures for operators to make them more fluid and efficient. It also makes it possible to trace and secure the end-to-end import process better. The PNTS online service encompasses four modules covering the various pre-clearance formalities, namely:

- a module for processing presentation notifications (PN)
- a module for processing temporary storage declarations (TSD)
- a module for monitoring goods placed in temporary storage (GA - goods accounting), and
- a module for re-export notification (REN).

The deployment of PNTS will start on 30 June 2023 with air transport in conjunction with the deployment of ICS 2. PNTS will be extended to the other means of transport (maritime, road, inland waterway and rail) on 1 June 2024

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

➔ PROJECT SHEET PNTS

Ireland

AIS functionality update for live release in January 2023

Revenue is making some minor system changes to our import declaration system Automated Import System (AIS). The changes will be implemented in a release which will go live during the week commencing today. The functionality will be available to you to test in our test environment (PIT) from 20th December 2022. [Download notification](#)

Irish Customs Single Window (SW)/CERTEX

The Customs Single Window/CERTEX is a collaborative EU Commission/Member States effort to automate the processing and administration of CHEDs and COIs. It supports electronic communication between the Customs Import Declaration system and TRACES. Under the next phase, the AIS system will validate all CHEDs and COIs in different phases. First, the declaration's cert reference number is validated. The second validation is done upon presentation of the products by cross-referencing the CN code and quantity between the import declaration and the cert.

Irish revenue opted to conduct the project in phases to promote commerce and minimise the effect on the flow of products into Ireland. Phase 1 of our Import Declaration System implementation went live on 19 October (AIS). Declarants must disclose CHED or COI certs at the shipping item level. After Phase 1, Irish Revenue analysed import declarations. Analysis shows considerable data inconsistencies between import declarations and CHED or COI. In Phase 2, they will validate CHED and COI certificate numbers during declaration submission. This phase begins on January 11, 2023. From this date, declarations with incorrect cert reference numbers will be denied. At the time of declaration submission, we'll verify all CHEDs and COIs against the cert reference number. In Phase 3, they will introduce the CN code check and the quantity management check, based on the results of this engagement and facilitate trade in implementing any required changes to procedures/systems to complete their customs declarations correctly. Our go-live date will be before 1 March 2023, the legal requirement.

United Kingdom

We looked through the updates on www.legislation.co.uk and the updates to the GOV.uk website and drew information from various websites and subscriptions. This brings all the critical updates for customs declarations, duties and tariffs (import and export), Office of Financial Sanctions Implementation, Export health certificates, Biosecurity, the Border and Trade, UK Cabinet Office Information, JCCC and DEFRA updates (as far as public), HM Revenue & Customs, Trade and investment updates published on gov.UK. and the updates from the UK Mission to the WTO. Are we missing something? Let us know.

Brexit

Brexit Anniversary SPECIAL REPORT: How is it going

On the second anniversary of Brexit, we have pulled together a range of articles, opinions, reports and more on how Brexit is going two years in. This is free of charge to all readers as a thank you for subscribing to this update service.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

→ Customs Manager's Free-For-All Special Report on the Brexit Anniversary. We cover:

- **CNN reports that Brexit has weakened Britain's economic roots.**
- **BBC: Post-Brexit trade red tape frustrates firms.**
- **Watch "Firms 'banging their heads against a brick wall' over Brexit" on YouTube**
- **UK merchants on Brexit: 'It's increased paperwork, worry, everything.'**
- **Video: How Brexit has wrecked the UK**

The top 3 customs and global trade lie about Brexit

The EU-UK Trade and Cooperation Agreement will have been in force for two years in 2023, a landmark that has prompted numerous assertions. We look back at three empty promises made about the Brexit trade deal. Former UK Prime Minister Boris Johnson has made several claims about Brexit in the past that have earned him a reputation for being inaccurate. For example, during the 2016 referendum campaign, he famously (and incorrectly) claimed that the UK paid £350 million (€390 million) to the European Union weekly. He made dubious claims about the EU-UK Christmas trade agreement in 2020. As we "celebrate" two years of EU-UK TCA, let us shine a light on a few of them that are important for customs and global trade professionals.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

→ Report on the Top 3 customs and global trade lies about Brexit

British Chamber of Commerce issues Report on Brexit failings and recommendations

The British Chamber of Commerce has issued a report on Brexit's failure and recommended repairing the stained EU-UK trade relationship.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

→ **British Chamber of Commerce Brexit Report**

UK Customs

Q&A of stakeholder call on TOM

On Tuesday, December 13, 2022, the Cabinet Office held a border All Stakeholder Call. On the call, the Cabinet Office shared our intentions for moving forward with the border Target Operating Model and coordinating with other agencies (TOM). Several comments and questions were submitted during the call. They have compiled our answers here, organized by the primary policy topics covered by the questions.

1. TOM Publication & Engagement
2. Sanitary and Phytosanitary (SPS) Regime
3. Border Control Posts (BCPs)
4. Single Trade Window (STW)
5. Safety & Security (S&S)
6. Ecosystem of Trust (EoT)
7. Miscellaneous

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

→ **Q&A on TOM**

2023 UK commodity codes

The 2023 commodity code hierarchy is being prepared. Download the most up-to-date 2023 data set in Excel format. [Link](#)

8-digit commodity code correlation table 2022 / 2023

The 8-digit commodity code correlation table for 2022 / 2023 has been published. [Link](#)

Updates to rules of origin on the Trade Tariff

The Trade Tariff has been updated to include a richer interface to help traders to determine the originating status of their products for import or export. [Link](#)

Amending your export declaration

Use the online service (form C81) to amend export declarations for statistical purposes only. Guidance has been updated to explain that you must also complete form C1700 if you're amending an export licence declaration. [Link](#)

Amend import or export licence declarations

Use form C1700 to amend your import or export licence declarations. Information has been added to explain that you must complete an online C81 amendment if you're amending an export licence declaration. [Link](#)

UK Cabinet Border Bulletin 22 December 2022 & 6 January 2023

This bulletin provides the latest news from the Government relating to UK borders.

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

→ **2x UK Cabinet Border Bulletin**

Using outward processing to process or repair your goods

The guidance to find out what you can do with your goods when they are being processed or repaired using outward processing has changed. There is now a clarification on when you do not need to pay the duty added to the duty on goods you export for the repair section. Contact us if you need help with your outward processing procedure. We will be delighted to assist you. [Link](#)

DCTS to become the new UK GST

In 2023, the United Kingdom (UK) is expected to establish a new import trade policy for developing countries. It will apply zero or reduced taxes on hundreds more imported products from 65 developing countries. The Developing Nations Trading System (DCTS) lowers origin requirements and enhances access to the system for DCTS nations. The UK Department of International Trade has stated that the new Developing Countries Trading Scheme will begin on 15 August 2022, extending tariff reductions to hundreds of more commodities supplied to the UK from developing countries. Through the simplicity and liberalization of product-specific rules of origin, the initiative aims to benefit the economies of developing countries and the businesses and consumers of the United Kingdom by lowering the cost of imported goods and promoting international trade (PSRs). Several Tariff chapters, for instance, accept 75% non-originating content in PSRs, and almost all PSRs provide alternatives "or" criteria. The DCTS will replace the UK's Generalised Scheme of Preferences beginning in early 2023. (GSP). It will comprise 65 countries from Africa, Asia, Oceania, and the Americas. Under the initiative, a wide variety of commodities not typically produced in the United Kingdom would get reduced or zero tariffs. The listed products range from apparel and footwear to olive oil and tomatoes, amongst others.

Moreover, the DCTS will abolish some seasonal tariffs and simplify complex trade restrictions, such as rules of origin. The DCTS applies to countries that currently get GSP advantages from the United Kingdom. The GSP includes 47 countries in the GSP Least Developed Country (LDC) Framework and 18 additional countries or territories that the World Bank classifies as low-income countries (LIC) and lower-middle-income countries (LMIC). However, it does not apply to countries classified as upper-middle income for three consecutive years by the World Bank or to LICs and LMICs with a free trade agreement with the United Kingdom.

Businesses already using the GSP tariffs of the United Kingdom should analyze any changes that may apply under the new system and consider whether the new regulations may offer further benefits. In addition, to prepare for adopting the new regulations in 2023, businesses that do not now employ the UK's GSP tariffs should assess whether they may benefit from the DCTS in the future.

The UK Government's Developing Nations Trading Plan (DCTS): new policy document provides further information on the new program and includes a list of the countries.

Request Customs Declaration Service data on imports

Find out how to request and buy Customs Declaration Service data from HMRC if you're a company that imports goods. The earliest period that HMRC can provide a report for historical data before the date of sign-up has been changed from June 2022 to January 2022. [Link](#)

Transporting goods between Great Britain and the EU by RoRo freight: guidance for hauliers

The guidance for haulage companies and commercial drivers moving accompanied (self-drive) RoRo freight and unaccompanied RoRo freight between Great Britain and the European Union has changed. It has been updated to include little changes about how EU hauliers undertake commercial journeys between the UK and other non-EU countries and some minor aspects of EU hauliers' rights to operate road legs within the UK. [Link](#) to Guidance

UK Armed Forces Customs update

The Notices made under the Customs (Export) (EU Exit) Regulations 2019 have been updated with information about the UK armed forces. [Link](#). The update also occurred in the Notices under the Taxation (Cross-border Trade) Act 2018. [Link](#)

Northern Ireland

New PM Leo Varadkar: "We've all made mistakes handling Brexit."

Post-Brexit trade arrangements in Northern Ireland should include "flexibility and adaptations". The Northern Ireland trade protocol, a component of the UK's 2019 Withdrawal Agreement with the EU, maintains Northern Ireland subject to EU sanitary and regulatory regulations. This method permits goods to cross the Irish land border in both directions but restricts British imports, angering British unionists in Northern Ireland. Varadkar said he understands the angst and wants a reworked accord to reassure unionists. He said that Brexit might make the Irish border an economic and security risk. However, the same trading method worked. "We've all made Brexit mistakes," he said. We all tried our best without a map or manual. Varadkar said the UK's unilateral decision not to execute full-fledged inspections at Northern Ireland ports, as the EU demanded, had not led to the free movement of goods into EU member Ireland. Varadkar: "We've learned that the method works without being strictly enforced; there's room for flexibility. Varadkar's latest comments appear designed to defuse tensions with the north's unionist leaders, who have demonised him for convincing then-UK Prime Minister Boris Johnson to accept a protocol-style compromise to keep Ireland's land border barrier-free after post-Brexit trade rules went live in 2021.

Yet, at the beginning of January, Leo Varadkar retracted his statements on the Northern Ireland Protocol. However, Irish government spokesperson Nick Miller told the Irish Examiner yesterday (4 January) that these statements do not mean the protocol will be revised or the agreement's wording will be renegotiated.

DUP and Downing Street welcome Leo Varadkar's vow to be 'flexible and reasonable' over protocol

As the Independent. I.e., reports, Downing Street and the DUP have welcomed comments from Taoiseach Leo Varadkar in which he vowed to be "flexible and reasonable" when attempting to resolve issues over the Northern Ireland Protocol. Mr Varadkar, who was made Taoiseach for the second time in December, said he believes "mistakes were made on all sides" in how the UK's decision to leave the European Union was negotiated. "I'm sure we've all made mistakes in handling Brexit. There was no road map, no manual; it wasn't something we expected to happen, and we've all done our best to deal with it," he said. Reacting to Mr Varadkar's comments, the Prime Minister's spokesman said: "Certainly, we have said for some time now that we've always felt it was possible to enact the protocol flexibly, and so obviously those comments are welcome. "But clearly, we were still discussing at the official level ways we could resolve. That continues, and obviously, we would update if there are any significant changes." [Link](#)

New port facilities for NI Protocol cargo inspections

[According to the BBC](#), the UK's aim to replace the Northern Ireland Protocol would need the construction of extra port infrastructure: Proposals include a "green lane" for British goods staying in Northern Ireland, while goods bound for Ireland and the EU will be scrutinised in a "red lane." According to the UK government, red lanes need "improved" access facilities. Details are included in a letter from Biosecurity Minister Lord Benyon to the Northern Ireland Protocol sub-committee of the House of Lords. All commercial agri-food commodities entering Northern Ireland from the United Kingdom must pass via makeshift port infrastructure. The central Belfast facility, for example, is solely made up of temporary buildings and marquees. Permanent facility sites were identified, planning clearance was acquired, and contractors were contracted in anticipation of Brexit, but nothing was built. "The government has long understood that red lane arrangements need updating SPS facilities at Northern Ireland entry crossings," Lord Benyon concluded. Lord Benyon remarked that although the facilities are a devolved responsibility, the federal government would step in if the Northern Ireland Executive is not reconstituted. Early in 2023, Defra will produce the necessary legal instrument and associated guidance. This will be done with full knowledge of DAERA's ongoing responsibilities in this area, such as maintaining enough employee numbers for SPS facilities and other administrative issues." Declan Kearney, Sinn Féin's Brexit spokesperson, termed the measures "long overdue but crucial." The Northern Ireland Protocol (NI Protocol) is the UK and EU's post-Brexit framework for Northern Ireland. Northern Ireland remains in the EU's single market for goods, avoiding border checks between Northern Ireland and the Republic of Ireland. Importers face additional costs and complications due to checks and restrictions on British items entering Northern Ireland. Unionists believe it diminishes their position in the United Kingdom. Because of this, the DUP has boycotted devolved governance. If the EU refuses to discuss changes, the UK will disregard most of the agreement. The June 2022 ideas from the United Kingdom featured a "trusted trader" red lane and green lane scheme. The EU-UK protocol talks should pick up steam in 2023.

[Read the article.](#)

3-year extension for vet medicines

European Commission announces three-year extension to the grace period for veterinary medicines Details of an extension to the grace period for veterinary medicines until 31/12/2025.

The EU has agreed on a three-year extension to the grace period for veterinary medicines until 31/12/2025. These arrangements will mean that the current processes for moving veterinary medicines between Great Britain and Northern Ireland will continue to be administered as they have been up to this point. [Read statement](#)

New EU packaging proposal to apply in Northern Ireland, too!?!

The EU regulation limits the size and number of packages that can be made. Critical information must be stored in a QR code or some other way on reusable packaging. The Northern Ireland Protocol lets Northern Ireland in the UK use some EU laws. This EU Regulation is based on the European Parliament's Directive 94/62/EC. So far as the EU Regulation changes or replaces the Directive, any new requirements, like enforcement, would have to be put into place through Northern Ireland's laws. The idea behind this law goes further than what Directive 94/62/EC says about waste and packaging. So, it is up to the UK Government to decide if Article 13(3) of the NI Protocol automatically applies in Northern Ireland. Several EU proposals set up new packaging rules for entering the EU market. A company must pass the new conformity evaluation methods to sell packaged goods in the EU. Exporters from the UK to the EU and NI are included. A company must meet the new EU conformity assessment standards if it wants to sell packaging in the EU. The same might happen in the UK. It's essential to look at how this EU Regulation is used in Northern Ireland and where UK laws differ. The UK Government and Devolved Administrations looked at the rules for packaging waste in the UK and will implement new rules for waste and packaging in the UK in 2023. The EU's 1994 Directive was put into law all over the UK by the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (as changed), the Producer Responsibility Obligations (Northern Ireland) Regulations 2007, and the Packaging (Essential Requirements) Regulations 2015. (As amended). The UK published an explanatory memorandum on European Commission's proposal for regulating the EP and Council on packaging and packaging waste, amending regulation 2019/1020 and Directive 2019/904 and repealing Directive 94/62.

UK Trade Agreements

What does this section address?

The United Kingdom has trade agreements with several countries and regions. Typically, these agreements contain rules regarding the trade of goods, including preferential tariffs, tariff rate quotas, rules of origin, sanitary and phytosanitary measures, customs and trade facilitation, technical barriers to trade, and trade remedies, among others. The agreement also stipulated that the United Kingdom and other nations may trade at advantageous tariff rates. To qualify for preferential tariffs, products must adhere to the FTA's preferred rules of origin. To qualify for these favourable prices, exporters must demonstrate the origin of their products. Where there have been modifications to the agreements, we have noted them here.

UK-India FTA update

The Secretary of State for International Trade, Rt. Hon. Kemi Badenoch MP initiated the sixth round of UK-India Free Trade Agreement (FTA) discussions in India on 12-13 December. She met with India's Minister of Commerce and Industry, Piyush Goyal, where they welcomed the latest. The United Kingdom and the Republic of India concluded the sixth round of negotiations for a UK-India FTA on 16 December 2022. In 28 distinct sessions, eleven policy issues were the subject of technical debate. In addition, they comprised thorough discussions on draft treaty language in several policy areas. Beginning in 2023, the seventh round of official-level discussions will occur.

Read more: [World-class UK cricket exporters eye big India win](#) (Trade deal with India offers a massive opportunity for UK cricket, which currently faces tariffs of 20% on bats and pads and 10% on English willow)

UK-Japan CEPA documents

Decisions, documents and meeting minutes from the UK-Japan Comprehensive Economic Partnership Agreement (CEPA). Addition of attachments for the first meeting of the Committee on Technical Barriers to Trade (TBT), joint minutes of the first meeting of the Committee on Regulatory Cooperation, and the first meeting of the Committee on Sanitary and Phytosanitary Measures.

[Link](#)

UK-GCCC FTA Update

The UK and GCC had their second free trade agreement discussions from December 5-9. (FTA). Thirty-six meetings and technical presentations covered 29 policy concerns. This round of discussions included around 100 UK government representatives. The UK presented its proposal during the round after exchanging draft chapter wording with the GCC on most topics. At this point, understanding the GCC strategy was crucial. Before entering round three, both sides tried to grasp each other's positions and establish common ground. Both sides want a comprehensive, cutting-edge pact that will last in the 21st century. The UK-GCC FTA will transform their economies and relations. According to official estimates, a GCC trade deal would increase UK exports by 16%, GDP by £1.6 billion, and employee wages by £600 million.

UK-South Korea FTA: British pigs in blankets are on the menu in South Korea this Christmas, thanks to a trade win

UK government has secured the removal of rules banning importing certain pork products to South Korea. After removing a trade restriction, UK companies can export bacon, ham, and pig sausages to South Korea. After government intervention, South Korea's Food and Drug Safety Ministry lifted UK export restrictions before Christmas. UK exporters might earn £1 million in five years from the Korean market. From Samgyeopsal ('Korean BBQ') to Budae Jjigae ('Army Stew'), Korea loves pork. South Koreans consumed 27.6 kg of pork per person in 2021, rising over time. In 2021, the UK exported £339 million of pork, with almost two-thirds going to non-EU countries, showing the value of global markets. [Link to Press Release](#)

UK Australia FTA: Aussies to toast tariff-free British G&Ts in 2023.

British gin and tonic producers see success exporting their products to Australia thanks to the UK-Australia trade deal. [Read Press Release.](#)

*Our **Origin & Preferential Trade Support Services** include advice and interpretation of cumulation and application of all Rules of Origin, advice and interpretation of all Free Trade Agreements worldwide, and setting up an effective origin management service that allows you to save the maximum amount of customs duty. In addition, we offer support in obtaining certificates of origin, statements on origin, REX and verifying importers' knowledge for your business/customers.*

UK CDS

Consolidated list of CDS changes

- In Data Element 2/3 Documents and Other Reference Codes (National) of the Customs Declaration Service (CDS), you can find codes for the relevant document codes, document status codes, and details to be declared (for example, licences and certificates).
 - In Appendix 5A,
 - **Document code 9023** has been updated to show that it is not currently used. We are currently building functionality to enable document code 9023 to be used as an electronic licence. Once this functionality is available, the new document code will be activated. In the meantime, continue to use document code 9100 instead.
 - Union Document codes Y997 and Y998 were added.

Y997	B	Goods not originating from or destined to Crimea or Sevastopol (Articles 2(a) and 2b(1) of Council Regulation (EU) No 692/2014)	<p>Complete statement -</p> <p>For imports "Not from Crimea or Sevastopol" Use of this code on import constitutes a legal declaration that the goods do not originate in Crimea or Sevastopol and are therefore not subject to prohibition under Article 2(a) Council Regulation (EU) No 692/2014 as amended</p> <p>For exports "Export not to Crimea or Sevastopol" Use of this code on export constitutes a legal declaration that the goods are not being exported to Crimea or Sevastopol and are therefore not subject to the prohibition under Article 2b(1) Council Regulation (EU) No 692/2014 as amended</p> <p>Sufficient evidence must be held in records to demonstrate eligibility for this exemption which must be produced on demand.</p>	No status code is required
Y998	E	There are no reasonable grounds to determine that the goods are to be used in Crimea or Sevastopol (Article 2b(3) of Council Regulation (EU) No 692/2014)	<p>Complete statement "Not for use in Crimea or Sevastopol" Use of this code constitutes a legal declaration that there are no reasonable grounds to determine that the goods are to be used in Crimea or Sevastopol and are therefore entitled to benefit from the exemption under Article 2b(3) Council Regulation (EU) No 692/2014 as amended</p> <p>Sufficient evidence must be held in records to demonstrate eligibility for this exemption which must be produced on demand.</p>	No status code is required

- Document codes Y854 and Y855 have been added.

Y854	I	The declared goods are not concerned by Commission Implementing Regulation (EU) 2020/1158. Note - This document code is only applicable for Northern Ireland declarations. Controls under Commission Implementing Regulation (EU) 2020/1158 are applicable to goods moving from GB to NI, unless otherwise excluded or exempted	<p>Complete statement "Reg 2020/1158 Not Applicable". Use of this code constitutes a legal declaration that the goods are not subject to control under Commission Implementing Regulation (EU) 2020/1158. Refer to the legislation for details of the coverage. Sufficient evidence must be held in records to demonstrate that the goods are not subject to control and this must be produced on demand.</p>	No status code is required
Y855	I	Exemption from import restrictions by virtue of Article 1(2) of Commission Implementing Regulation (EU) 2020/1158 (Chernobyl accident). Note - This document code is only applicable for Northern Ireland declarations. Controls under Commission Implementing Regulation (EU) 2020/1158 are applicable to goods moving from GB to NI, unless otherwise excluded or exempted	<p>Complete statement "Reg 2020/1158 Exempt". Use of this code constitutes a legal declaration that the goods qualify for exemption from control under Article 1(2) of Commission Implementing Regulation (EU) 2020/1158. Refer to the legislation for details of the applicable exemptions. Sufficient evidence must be held in records to demonstrate eligibility for this exemption, which must be produced on demand.</p>	No status code is required

- In the CDS Declaration Completion Instructions for Final Supplementary Declarations, clarification has been added to confirm that **the Previous Document Code FSD must be declared in DE 2/1 at the header level.**

- In the CDS Declaration Completion Instructions for Imports, the details for '**All Declaration Categories**' in **DE 7/5 have been clarified in 'Group 7: Transport Information (Modes, Means and Equipment)'**.

DE 7/5 Inland Mode of Transport (Box 26: Inland Mode of Transport)

Declaration Categories	Field format	No. of occurrences at header level	No. of occurrences at item level
H1, H3, H4 & H5	n1	1x	NA

All Declaration Categories:

Using the code list from DE 7/4 (Mode of Transport at the Border), enter the inland mode of transport.

Note - Mode of Transport code 6 Roll-on/Roll-off (RoRo) must not be declared as the inland mode of transport.

Completion of this data element is mandatory when import formalities are carried out away from the point of entry into the Customs Union.

Completion is not required for entry into a customs warehouse or removals from a free zone.

- **Maritime ports and wharves location codes** for Data Element 5/23 of the Customs Declaration Service. Find the codes used in Data Element 5/23 to identify where the goods may be examined for maritime ports and wharves (Appendix 16C). In addition, details at Aberdeen, Northfleet, Pembroke, Skewen, Southampton and Teignmouth have been added.
- **Authorised Consignee Temporary Storage (ACTS) location codes** for Data Element 5/23 of the Customs Declaration Service. Find a list of the codes used in Data Element 5/23 to identify where the goods may be examined for Authorised Consignee Temporary Storage (Appendix 16N). In addition, details have been added for Aramex UK Ltd in Wednesbury and Slough, BMW (UK) Holdings Ltd in Coleshill, Oxford, Chichester, Bognor Regis, Kidlington and Swindon, Constantine Ltd in Iver, London and Coatbridge, Imperial Tobacco Ltd in Nottingham, Jeavons Eurotir Ltd in Birmingham, Momart in London and Pentago Transport Ltd in North Shields, Newcastle.
- **External temporary storage facilities codes** for Data Element, 5/23 of the Customs Declaration Service, Find the codes which can be used in Data Element 5/23 to identify the location where the goods may be examined for an external temporary storage facility (ETSF) (Appendix 16F). This page has been updated with additions or amendments for Charles Kendall Freight Ltd, Compania Auxiliar Al Cargo Express, LV Shipping Ltd, Nagel Langdons, Peters and May, Port Clearance Solutions Ltd, White and Company, White and Company PLC, White and Company PLC (Winchester) and Twinwheel Logistics Ltd.

CDS Support Services: Customs Manager Ltd. offers CDS Customs Declaration Training and files customs declarations using CDS to all ports in the UK with our cooperation partners. Please get in touch if you require support with CDS

We also provide a **free knowledge base resource** to help you start using CDS: CDS YouTube explainer videos, FAQ on CDS, Official CDS Guidance from HMRC, CDS Sample Declarations and know error walk around CDS Error Codes Guide. <https://www.customsmanager.org/cds-uk-customs-declaration-service>

Top-up your Customs Declaration Service duty deferment account

If you're close to exceeding your monthly duty deferment limit, you can make an early payment to increase your available balance. Change made: If you regularly exceed your monthly limit, you should ask your guarantor to send an amendment to the existing guarantee or increase your waiver limits. When approving a payment through your online bank account, you must check that your account balances have been updated before making declarations. [Link](#)

Transit Manual Supplement

This guidance gives information for UK Transit Procedures, covering transit in the UK and simplified procedures. Clarification of data is needed in box 44 (section 4.3.13).

44	Field is mandatory for <u>GB domestic</u> goods going to NI. May also be required by other Government Departments and CTC contracting parties	Current documents and current procedures the goods are in. Documents produced / certificates and authorisations & any additional references, for example certificates of origin, AEO certificate number, phytosanitary certificates, EU CHED documents Other - "TGB" for GB domestic goods moving between GB and NI should also be entered into this box	"Other - TGB" for GB domestic goods moving between GB and NI Check for any customs approvals or previous documents. (Sometimes put here instead of box 40)
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[Download the UK transit manual supplement](#)

UK Quotas**UK 2023 quotas for agri-food products**

The next set of food quotas for the period beginning on 1 February 2023 and ending on 31 December 2023 has been issued. Typically, to submit a successful application for the quota year, businesses must provide proof that they imported a minimum quantity of product during a specified period, such as the 12 months ending two months before the first application can be submitted for the quota year and the 12 months immediately preceding it. Typically, businesses must also be incorporated and registered for VAT in the United Kingdom. Typically, businesses submit their license applications within the first week of January. At the time of submission, the company must ensure that the application and all supporting papers are complete and accurate. Any applications, securities, or evidence of transactions received after the deadline may be rejected by the authorities. A license guarantee may also be required. In the United Kingdom, license applications must be submitted using an AGRIM import license application form. In addition, it is often necessary to get a customs declaration stamped by HMRC or Border Force confirmed as a "true duplicate" of the original.

- [Imports of Sugar](#)
- [Imports of Cereals](#)
- [Imports of Rice](#)
- [Milk Products Import Quota](#)
- [Poultry meat Import Quota](#)
- [Pigmeat Import Quota](#)

- [Import of Frozen Beef and Veal Quota \(GATT\)](#)
- [Imports of Garlic from Countries other than China and EU Member States](#)
- [Imports of Olive Oil from Tunisia](#)

UK ADD/CVD

What is this section all about?

The UK's Trade Remedies Authority investigates whether unfair import practices and rapid import surges need other trade remedy laws. "Dumping" occurs when items are imported and sold at a lower price than in their originating nation.

UK proposes measures for stainless steel from India to be removed

The UK TRA has proposed revoking countervailing measures on Stainless Steel bars and rods from India. Based on its first findings, the UK's Trade Remedies Authority (TRA) has proposed that a countervailing measure on imports of Stainless Steel bars and rods from India be taken away. Countervailing measures are put in place to make up for the fact that some imports are sold at unfair prices in their home country because the Government there is giving them money. However, the TRA found that getting rid of the measure probably wouldn't hurt the UK industry. The measure applies to bars and rods made of stainless steel used in many industries, such as automotive, aerospace, and food processing. They can be used as a specific part of a larger product, like a propeller shaft, or they can be worked into other stainless steel products, like precision components. [Link to information](#)

UK Biosecurity / Veterinary Controls

Petfood, blood products, equines & HRFNAO: model health certificates

Competent authorities of exporting countries should use the relevant model health certificate as a template to create a version exporters can apply for to export pet food or blood products to Great Britain. They updated the GBHC132X certificate to version 3.2. The previous version, 3.1, will be accepted until 9 July 2023. For blood products, it's GBHC096X in the 2023 version. The previous version of the certificate will be accepted until 9 July 2023. For equines, updated certificate GBHC044X (version 3.2) – II.3.6: end of sentence amended to read: ...within a period of 30 days before the date of dispatch, and the equine animal described in Part I has not been used for breeding during the 30 days before and after the date the sample was taken. Version 3.1 will be accepted until 9 July 2023. For HRFNAO, updated certificate GBHC176. The previous version of this certificate is accepted until 1 August 2023.

Businesses approved to export to the EU

Updated three lists. These lists can be used to check if your business in Great Britain is approved to export to the EU and determine the TRACES number. The Government updated

1. businesses in England and Wales and the Crown Dependencies approved to export POAO to the EU,
2. businesses in Scotland approved to export POAO to the EU, and businesses in England,
3. Businesses in Scotland and Wales and the Crown Dependencies approved to export animal by-products to the EU.

[Link](#)

Bans on F gas in new products and equipment: current and future

Uses of fluorinated gases (F gases) that are banned or will be banned in the future. Updated date of ban 'from 2023' to 'banned now' in the 'Insulating foam: F gases banned in the new products table.

[Link](#)

Export of Shelf Stable Composite Products through Border Control Points in France: Requirement for Private Attestations to be provided in French from 1 January 2023

Defra has been advised that from 1 January 2023, Border Control Posts in France will only accept private attestations that have been translated into French. Whilst we seek further clarification from the French authorities, please use this [translated version](#) of the form, which can be found on [GOV.UK](#). EU or Northern Ireland importers or agents must complete a private attestation for composite food products if both apply: the products are shelf-stable (not stored chilled or frozen), and the products do not contain processed meat. A private attestation can be used for shelf-stable products transported at a temperature of 0°C or above. Exporters should check if the [border control post \(BCP\)](#) where the goods arrive accepts a private attestation. Exporters need to give their EU or Northern Ireland import agent information about the products they are exporting so they can [complete and sign the attestation](#). Translated versions of the form can be found on [GOV.UK](#). Please get in touch with us for the latest version. Note: a certifying officer does not need to sign the attestation. Further communications will be issued as soon as more information is available. For further information - please get in touch with info@customsmanager.org

French authorities introduce Phase 2 sampling for GB to EU POAO exports destined for human consumption

French authorities have introduced the second phase of sampling consignments at Border Control Posts (BCPs) of Products of Animal Origin (POAO) exported from Great Britain to the EU and destined for human consumption. Phase 2 of their phased approach to the introduction of sampling started on 1 January 2023 and is an additional element of the existing physical checks undertaken at French BCPs. For Phase 2, the following indicative sampling percentages apply to French BCP sampling of each commodity type. In addition, phase 1 indicative sampling percentages are also given.

Phase 1 started 01/09/2022	Phase 1 Percentage of consignments subject to sampling	Phase 2 started 01/01/23	Phase 2 Percentage of consignments subject to sampling	Phase 3 from 15/06/2023
Fish and corresponding products (except canned) from aquaculture, destined for human consumption	5%	All other fishery products, destined for human consumption	wild - 2% aquaculture - 7%	All other POAO commodities including mixed products and composites
Bovine and equine meat and corresponding offal and products, destined for human consumption	3%	All other meat, meat preparations and products, destined for human consumption	cattle products 7% pig products 3% to 10% sheep/goat products 3% poultry products 7% rabbit products 12% horse products 3%	
Fresh chicken meat, destined for human consumption	3%	Cheese, destined for human consumption	7%	
Fresh turkey meat, destined for human consumption	15%			
Poultry meat (other than fresh chicken and turkey) corresponding products, destined for human consumption	5%			

Phasing and indicative sampling rates provided by the Government of France.

The above percentages represent an indicative volume of sampling on consignments subject to physical checks at Border Control Posts.

As stated in our previous communication in December 2022, Defra has obtained confirmation of the following from the French authorities:

- Cost: There will be no additional cost to exporters for the sampling checks. This follows EU law which states that the cost of official controls at BCPs includes the costs for sampling.
- Delay or detention of consignments: The process of physical checks and sampling will be undertaken following EU legislation, with no consignments detained under customs control whilst awaiting sampling results.

- Process: The process of physical checks and sampling will be undertaken following article 6 of Commission Implementing Regulation (EU) 2019/1014 such that goods will be maintained at the appropriate temperature category - ambient, chilled or frozen pending results of laboratory analysis, test or diagnosis or pending the outcome of the Competent Authority's controls.

This introduction does not represent a change to EU law but the implementation of existing requirements governed for 2023 by European regulations (EU)2022/1646 and (EU)2022/1644 (veterinary medicinal products and prohibited substances), (EU)2022/932 and (EU)2022/931 (contaminants); as well as by a "technical instruction" (national standards operation procedure) currently being revised, which will follow on from IT 2021-986. For further information, please get in touch with info@customsmanager.org

UK Sanctions

Further sanctions against Russia, introduced in December 2022

New measures include an expansion of the current prohibitions on:

- export
- supply and delivery
- making available additional products
- related technical assistance
- financial services and funds
- brokering services

All these will be added to the critical-industry goods and technology list and the defence and security goods and technology list.

There will be prohibitions on the following:

- direct and indirect provision of auditing services to a person connected with Russia
- direct and indirect provision of advertising services to a person connected with Russia
- direct and indirect provision of architectural and engineering services to a person connected with Russia
- direct or indirect provision of information technology consultancy and design services to a person connected with Russia

Appropriate licences can be sought for prohibited activity.

Exceptions

Some exceptions to the prohibitions are detailed in the legislation, and licences can be granted in minimal circumstances.

Related measures

The current prohibitions within Part 3 (Finance) of the 2019 regulations will be expanded. These concern amendments to existing restrictions on dealing with securities, money market instructions, loans and credit arrangements to persons connected with Russia. Part 3 (Finance) has also been expanded to suspend the Bank of England's duty to decide in respect of notification of third-country resolution action and to include a prohibition on providing services related to trusts or similar arrangements to, or for the benefit, of persons designated, and, on providing new services related to trusts or similar arrangements to, or for the benefit of, persons connected with Russia.

Further guidance and support

Guidance on the scope of sanctions against Russia, including the circumstances in which licences can be granted, will shortly be updated and found on the guidance page for Russia sanctions.

Full details of the new measures, which augment the sanctions measures introduced in 2014, can be found in Russia (Sanctions) (EU Exit) (Amendment) (No. 17) Regulations 2022.

Haiti Sanctions

OFSI designated one person on 28 December under the revised [Haiti \(Sanctions\) Regulations 2022](#), which went into effect on the same day (previous post). The OFSI notice portrays Jimmy CHERIZIER

as one of Haiti's most powerful gang leaders and the head of the "G9 Family and Allies" network of Haitian gangs. [Link to Notice](#)

Modification to Russian Sanction's

OFSI also modified and revised two Russian regime entries.

Amended entry: OJE PARVAZ MADO NAFAR COMPANY (Group ID: 15703)

Corrected entry: Said Mikhailovich GUTSERIEV (Group ID: 15418)

[Notice](#)

Russia sanctions: Guidance

Guidance on Russia (Sanctions) (EU Exit) Regulations 2019. A new licensing ground related to medical goods has been added to the licensing grounds for exporting Russia's vulnerable goods. [Link](#)

Russian Oil Services ban

Guidance, General Licences and reporting forms to the Russian Oil Services ban and price cap. HM Treasury Publication Notices for INT/2022/2469656, INT/2022/2470256, INT/2022/2470056 and INT/2022/2470156 added Russian Oil Services Ban – HMT Industry Guidance updated reporting forms for General Licence INT/2022/2469656, INT/2022/2470256 and breaches updated. [Link](#)

OFSI General Licences

Details of General Licences issued by OFSI. HM Treasury publication notices for INT/2022/2469656, INT/2022/2470256, INT/2022/2470056 and INT/2022/2470156 were added. [Link](#)

UK Sanctions Support Services: *We can provide you with the highest support services for your sanction compliance. Our senior team is experienced in advising and interpreting UK sanctions, licence applications, due diligence, and public sanctions compliance reviews.*

UK Export Controls

Statutory guidance - Russia sanctions

The United Kingdom has amended its Russia sanctions statutory guidelines to clarify the applicability of bans on providing technical assistance for aviation and space products and technologies and critical-industry commodities. The advice may be found in the advice area of this website.

[Link](#)

UK Government updates 4 General Licences

HM Treasury has added publication notices to 4 General licences:

- General Licence INT/2022/2469656 (the 'Oil Price Cap' General Licence),
- General Licence INT/2022/2470256 (the 'Winddown' General Licence),
- General Licence INT/2022/2470056 (the 'Correspondent banking and payment processing' General Licence)
- General Licence INT/2022/2470156 (the 'Oil Price Cap: Exempt Projects and Countries' General Licence)

[Publication Notice](#) and has amended General Licence [INT/2022/2470156](#).

New Guidance: UK strategic export controls

This new guidance describes what export restrictions are and who is subject to them so that exporters may comply with the law. The United Kingdom maintains a consolidated collection of globally agreed-upon listings of sensitive goods. The exporter must determine whether goods on the control lists need an export license. Even if an item is not on the consolidated control list, the United Kingdom government can need an export license. These are often known as "catch-all" or "end-use" controls. When there is a possibility that an item may be intended or diverted for purposes associated with weapons of mass destruction, the regulations apply (WMD). Through export restrictions, the British Government supervises the exchange or transit of certain sensitive products, software, and technology. [Link to guidance](#)

New Guidance on End-use controls applying to WMD-related items, including technical help

The UK has issued new end-use controls guidance concerning weapons of mass destruction (WMD) related goods, software, technology and technical assistance. Read the guidance to find out how to comply with the law if you know, suspect, or have been advised by the UK government that your products may be used in a project involving weapons of mass destruction (WMD). Exports and transfers for "WMD purposes" are subject to end-use restrictions. This may include any action possibly associated with any part of a WMD program, such as the supply of technical help. When applying for a license to export, transfer, or supply WMD-related products or technical assistance, you must submit the information, like the nature of the transfer in terms of technology, goods, or software; the end-users or consignees; and the intended purpose of the transfer. These include inquiries from buyers unwilling to disclose the eventual destination of the products they want to sell or who demand extreme secrecy about their final destinations. Export regulations apply to items, software, and technologies used to produce chemical, biological, or nuclear weapons (WMD). Without the proper license, exporting or transferring materials connected to WMD or giving technical support is illegal. The police are responsible for crimes involving technology transfer inside the United

Kingdom. Access new guidance on [end-use controls applying to WMD-related items, including technical help](#).

Apply to ECJU for a licence to provide technical assistance

Businesses require a license to provide specific locations with things that may be used for several purposes. Businesses must provide a concise summary of the relevant items and technology, the activities they intend to conduct and how they will do them. After submitting information about the organisation, the applicant must briefly describe the purpose of the technical assistance. They must estimate the cost of the job and include the client or end user's name and address, as well as the names and roles of any other parties. Businesses must document anything that requires technical assistance. If known, include the relevant control item or reference, such as the CN code. Indicate if the products are restricted under the Military List, the Dual-Use List, or the list of technologies in Annex II of Regulation (EU) No. 831/2014 of the Council. For example, suppose a company wants a license for technical support following Russian sanctions. In this scenario, they must provide details regarding the locations or installations where the work will be performed. Finally, the form requests a synopsis of the work to be performed (this information will be copied and pasted into the license. Thus, it is essential that this list precisely defines the work to be performed). [Link to the application form](#).

New OIEL Guidance

An open individual export licence (OIEL) permits an identified exporter to export regulated products to specified locations. An OIEL is adapted to the exporter's particular requirements. They are offered to exporters with a history of export license applications. Even if your products are not restricted, you may require a license under end-use restrictions or if your export is subject to trade sanctions or embargoes. Seven OIELs are covering military equipment, offshore sites, and the media. To apply for an OIEL, you must be able to demonstrate a business need, describe the commodities to be exported, their amount, and their destination, and provide proof of business need (consignee or end-user). In addition, a regular individual export license must be applied if the objects are part of a permanent display. Processing delays may occur if an exporter fails to supply the needed information or submits inaccurate information. [Link to guidance](#)

Global project licence

The guidance that describes how to use a global project licence to simplify the export of military goods and technology classed as collaborative defence projects have changed. The guide is refreshed with new sections on when to use a GPL. It covers framework agreement partner states; using a GPL to export to countries outside a framework agreement; applying for a GPL; how licences are assessed; licence processing time; terms and conditions; customs declarations when exporting outside the UK; compliance; penalties, and fines. [Link to guidance](#)

26 open general licences listed below have been revoked

These licences were initially created to be used parallel with licences locked against further registration. These parallel licences maintained the ability to use open licences but with fewer permitted destinations. On 30 September 2022, the original licences were unlocked and available for registration, making the parallel licences below redundant. As a result, the following 26 open general licences have been revoked:

1. [Export for repair/replacement under warranty: dual-use items – from December 2019](#)

2. [Information security items – from December 2019](#)
3. [Low-value shipments – from December 2019](#)
4. [Military and dual-use goods: UK forces deployed in non-embargoed destinations – from December 2019](#)
5. [Oil and gas exploration: dual-use items – from December 2019](#)
6. [Technology for dual-use items – from June 2019](#)
7. [PCBs and components for dual-use items – from June 2019](#)
8. [X – from December 2019](#)
9. [Chemicals – from December 2019](#)
10. [Cryptographic development – from December 2019](#)
11. [Export after repair/replacement under warranty: dual-use items – from June 2019](#)
12. [Access overseas to software and technology for military goods: individual use only – from December 2019](#)
13. [Export after repair/replacement under warranty: military goods – from June 2019](#)
14. [Export for the exhibition: military goods – from December 2019](#)
15. [Exports for repair/replacement under warranty: military goods – from December 2019](#)
16. [Exports or transfers in support of UK government defence contracts – from June 2019](#)
17. [Historic military goods – from December 2019](#)
18. [Military goods: collaborative project typhoon – from June 2019](#)
19. [Military goods: for demonstration – from December 2019](#)
20. [Military goods: A400M collaborative programme – from February 2020](#)
21. [Military surplus vehicles – from December 2019](#)
22. [PCBs and components for military goods – from June 2019](#)
23. [Software and source code for military goods – from June 2019](#)
24. [Technology for military goods from June 2019](#)
25. [Category C goods – from November 2019](#)
26. [Trade and transportation: small arms and light weapons – from December 2019](#)

Existing registrations

If you had registered for an open general licence in column A, which has now been revoked, you should now register for the equivalent open general licence in column B. You do not need to re-register if you have an existing registration for an open general licence in column B.

Column A - Existing registration for **Column B - Exporters should now register for**

Export for repair/replacement under warranty: dual-use items – from December 2019	Export for repair/replacement under warranty: dual-use items
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Information security items – from December 2019	Information security items
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Low-value shipments – from December 2019	Low-value shipments
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Column A - Existing registration for	Column B - Exporters should now register for
Military and dual-use goods: UK forces deployed in non-embargoed destinations – from December 2019	Military and dual-use goods: UK forces deployed in non-embargoed destinations
Oil and gas exploration: dual-use items – from December 2019	Oil and gas exploration: dual-use items
Technology for dual-use items – from June 2019	Technology for dual-use items
PCBs and components for dual-use items – from June 2019	PCBs and components for dual-use items
X – from December 2019	X
Chemicals – from December 2019	Chemicals
Cryptographic development – from December 2019	Cryptographic development
Export after repair/replacement under warranty: dual-use items – from June 2019	Export after repair/replacement under warranty: dual-use items
Access overseas to software and technology for military goods: individual use only – from December 2019	Access overseas to software and technology for military goods: individual use only
Export after repair/replacement under warranty: military goods – from June 2019	Export after repair/replacement under warranty: military goods
Export for the exhibition: military goods – from December 2019	Export for the exhibition: military goods
Exports for repair/replacement under warranty: military goods – from December 2019	Exports for repair/replacement under warranty: military goods

Column A - Existing registration for	Column B - Exporters should now register for
Exports or transfers in support of UK government defence contracts – from June 2019	Exports or transfers in support of UK government defence contracts
Historic military goods – from December 2019	Historic military goods
Military goods: collaborative project typhoon – from June 2019	Military goods: collaborative project typhoon
Military goods: for demonstration – from December 2019	Military goods: for demonstration
Military goods: A400M collaborative programme – from February 2020	Military goods: A400M collaborative programme
Military surplus vehicles – from December 2019	Military surplus vehicles
PCBs and components for military goods – from June 2019	PCBs and components for military goods
Software and source code for military goods – from June 2019	Software and source code for military goods
Technology for military goods from June 2019	Technology for military goods
Category C goods – from December 2019	Category C goods
Trade and transportation: small arms and light weapons – from December 2019	Trade and transportation: small arms and light weapons

United States

US Customs

Harmonized System Updates (HSU) 2023

Harmonized System Update (HSU) 2230 was made on December 29, 2022, and it has 11465 ABI records and 1654 Harmonized Tariff Records. In addition, changes to 484(f), Annual Stage Rates, Craft Beverage Modernization Act (CBMA) High Rates, and End of Year HTSUS 2023 Changes are all part of HSU 2230. The new HTS can be found [here](#). The 2023 change record is [here](#).

- FRN 87 FR 80442 has more information about the CBMA rules that go into effect on January 1, 2023.
- FR 87 79977 has more information about the changes to HTSUS 2023 and the latest steps taken under the African Growth and Opportunity Act.
- Notice 87 FR 78187 in the Federal Register has more information about the Section 301 Product Exclusion Extension.

Also, HSU 2230 includes changes to the way HTS flagging works. The FDA flagging indicator FD1 was added to 8807.90.3000 and 8517.62.0090 to support the PGA Message Set, Participating Government Agency (PGA).

Additional Documentation, Guidance and Support Materials

Please find in the attachment for download the following:

→ **2023 HTS Change Record**

Retirement of the BOL Data Universe in ACE Reports

CBP retired the BOL data universe in ACE Reports on Thursday, January 5, 2023. Depending on the data in a report currently using the BOL universe, it can be repointed to the In-Bond New, Multi-Modal Manifest, or Truck Manifest data universe. To determine which data universe a saved report is currently using, open it, switch from “Reading” to “Design” mode, and then click on the “Edit Data Provider” button to open the query panel. On the left side of the query panel, the universe’s name is listed above the folders containing that universe’s data elements.

AGORA Textile and apparel Quota visa number

Textile and apparel articles exported from designated sub-Saharan African countries that have satisfied the requirements under the Act, for which preferential tariff treatment under the AGOA is claimed, require that the AGOA visa number be transmitted and submitted upon request via the Document Imaging System (DIS). [Link](#)

US Trade Agreements

EAC Customs Union Violation: Court says FTA between Kenya and the US Null and Void!?!

The First Instance Division of the East African Court of Justice (EACJ) took a strong stand against Partner States negotiating and signing bilateral trade agreements and arrangements with foreign countries that don't follow the EAC Treaty and Protocols. The case "Christopher Aiyeku & Others v. Attorney General of the Republic of Kenya & Others, Reference No. 5/2019," which was decided on December 2, 2022, came to this conclusion.

Can Kenya itself negotiate and sign a Free Trade Agreement with the United States, where it is part of the EAC? It also had to do with a phytosanitary protocol and a memorandum of understanding on the Certification of Wheat being negotiated with the US. Article 37 of the EAC Customs Union Protocol says that the proposed agreements have to be sent to the Secretary General of the Community. However, neither the trade agreement nor the wheat grain arrangements were sent to the Secretary General of the Community. Also, the reference brought into question that the Secretary-General didn't warn Kenya that the trade arrangements were against Community law. During its regular meeting in Kampala, Uganda, the regional Court made a decision that messed up trade between Kenya and the US. The Court decided that when looking at the trade agreement and arrangements between Kenya and the US that were being questioned, the Court thought about essential parts of Article 37 of the Customs Union Protocol:

The Court explained what a proposed agreement is under Article 37(4)(a) of the Protocol so that the other Partner States have to be notified. It said that a proposed agreement is the "intention" to sign an agreement (as opposed to an actual agreement being in place). To do this, the Court decided that negotiations between Kenya and the US showed that both countries wanted to sign a trade agreement.

The Court disagreed with Kenya's sovereignty claims and its right to deal with other countries. However, it said such deals shouldn't go against the EAC Treaty and the Customs Union Protocol. Kenya said the Wheat Certification Memorandum was not a trade agreement, but the Court said, "Article 37 of the Customs Union Protocol properly characterises it as a trade agreement." Therefore, the Court decided that Kenya, as a Partner State, can't make a separate trade deal with the United States, a foreign country, on its own. It found that this is what Article 37(4) of the Customs Union Protocol meant when it said that the other Partner States had to be told about and given a chance to weigh in on negotiating a trade agreement. The Court said that when Kenya started trade talks with the US, it didn't follow its treaty obligations as an EAC Partner State, especially regarding the other Partner States. As a result, Kenya's actions shine harder for the Community institutions to coordinate the economic policies of Partner States. Article 37 of the Customs Union Protocol says that this would hurt the hopes of Partner States to agree on common negotiating positions and encourage participation. This would, in turn, hurt the goals of the Community and the essential working principles of the Community. It also harms the power of the Community's organs, institutions, and laws when putting the Treaty into action. In the end, the Court said that Kenya's trade agreement and arrangements with the US broke Articles 5, 6(d) and (f), 7(2), 8(1)(c), (3), and 4 of the EAC Treaty and Article 37 of the Customs Union Protocol (and Article 37 of the Common Market Protocol). So,

the Court ruled that the Free Trade Agreement and the Certification of Wheat memorandum of understanding were both illegal and should be thrown out.

US Export Controls

New ITAR Guidance Document

The Directorate of Defense Trade Controls (DDTC) has updated the guidance for U.S. persons abroad (USPAB) applications. A new guidance document, a submission letter template and a sample §126.13 certification letter for USPAB authorization requests are located on the "Guidelines & Instructions" page of the DDTC website: [here](#). Additionally, the USB FAQs have been revised and updated. You can view the FAQs individually by visiting the FAQ section of the DDTC website or downloading a pdf copy of the FAQs [here](#).

Submission letter template and sample §126.13 certification letter:

* PDF [12/09/2022: USPAB - Guidance for USPAB Authorization Requests](#)

* PDF [12/09/2022: USPAB submission letter template](#)

* PDF [12/09/2022: USPAB - Sample §126.13 Certification Letter for USPAB Authorization Requests](#)

USPAB FAQs have been revised and updated. You can view the FAQs individually by visiting the FAQ section of the DDTC website or downloading a pdf copy of the FAQs [here](#).

DTC Webinar: U.S. Export Control Seminar for Australian, Canadian, and UK Government, Industry, and University Communities

Please join the U.S. Departments of State, Commerce, and Defense for a free virtual seminar on U.S. export controls. The seminar will cover topics related to the International Traffic in Arms Regulations (ITAR), Export Administration Regulations (EAR), and Foreign Military Sales (FMS) tailored explicitly to Australian, Canadian, and UK government, industry, and university communities. All members of the public are welcome to join. Due to time zone differences, there will be two sessions. The Canada and UK session runs January 23 – 26, 2023. The Australia session runs February 6 – 9, 2023 (D.C. time) / February 7 – 10, 2023 (Canberra time). Click here for tentative agendas: [Canada & UK seminar](#), [Australia seminar](#). To register for this event, please email the following information to the U.S. Department of State at DDTCRSVP@state.gov: (1) name; (2) email address that will be used for all webinar communications; (3) organization; (4) location (country); and (5) the seminar session you would like to attend. The registration deadline for the Canada and UK seminar is January 17, 2023. The registration deadline for the Australia seminar is January 30, 2023. Each seminar session is limited to the first 900 registrants. Once an RSVP has been submitted, a confirmation email will be sent. The event access link will be provided to all registrants in a separate email one week before the seminar.

DDTC US want to broaden ITAR's definition of "actions that are not exported, reexports, retransfers, or temporary imports".

The US Defense Trade Control Directorate (DDTC) wants to expand the scope of the International Traffic in Arms Regulations (ITAR) to include "actions that are not exported, reexports, retransfers, or temporary imports." The DDTC proposed adding two activities to the ITAR definition of "actions that are not exported, reexports, retransfers, or temporary imports" on December 16. The first action concerns the movement of military products by foreign armed forces or United Nations personnel on

a deployment or training exercise outside a previously recognized nation. It does not constitute an export, reexport, transfer, or temporary import. The second activity is exempt from the ITAR's reexport and retransfer requirements if the foreign defence article has not been modified, enhanced, upgraded, or otherwise altered or improved or if it has not been integrated with a U.S.-origin defence article. [Link to Notice in Federal Register](#)

Publication of Illicit Drug Trade Sanctions Regulations

The Department of the Treasury's Office of Foreign Assets Control (OFAC) is adding [regulations to implement Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade"](#). These regulations are currently available for public inspection with the Federal Register and will take effect upon publication in the Federal Register on Tuesday, December 20, 2022. In addition, OFAC intends to supplement these regulations with a more comprehensive set of regulations, which may include additional interpretive guidance and definitions, general licenses, and other regulatory provisions.

Treasury Makes Historic Exceptions to Sanctions for Humanitarian Needs

The United States and Ireland co-led the formulation of UNSCR 2664, which introduced an exception from the UN sanctions regimes' asset freeze requirements. The Office of Foreign Assets Control of the US Department of the Treasury granted or changed general licenses (GLs) to facilitate the delivery of humanitarian assistance. OFAC: "The provision of humanitarian assistance to relieve the suffering of vulnerable communities is fundamental to our nation's principles." OFAC distributes GLs to assist humanitarian actors working in places deemed high-risk for money laundering, terrorist funding, or subject to US sanctions in overcoming obstacles. The GLs also support Treasury's continuing efforts to minimise non-profit de-risking in the banking industry. OFAC amended multiple regulations to add or revise specific general licenses (GLs) across several OFAC sanctions programs to ease the delivery of humanitarian aid. Specifically, OFAC issued or amended four GLs across some OFAC sanctions programs authorising the following four categories of activities: [the official business of the US government](#); [the official business of specific international organisations and entities](#); [transactions in support of specific nongovernmental organisations' activities](#); and [the provision of agricultural commodities, medicine, medical devices, replacement parts and components, or software updates for medical devices for personal, non-commercial use](#).

OFAC is separately updating a [regulatory interpretation in several sanctions programs' regulations to explain that the property and interests of property of an entity are blocked if one or more blocked persons own, whether individually or in the aggregate, directly or indirectly, a 50 percent or greater interest in the entity](#). OFAC also published [four new Frequently Asked Questions \(FAQs 1105, 1106, 1107 and 1108\)](#) to accompany this action. [Press release](#)

Designations Iran following protests

Iranian Officials Responsible for Protester Violence. Iranian security forces have escalated their reaction to widespread rallies. Two demonstrators were publicly killed, and numerous more were condemned to death in the preceding two weeks. This follows a succession of designations of Iranian government officials accountable for the crackdown on peaceful protesters. Iran's Prosecutor General, Mohammad Jafar Montazeri, ordered courts to "decisively" condemn several protesters to heavy penalties. The Revolutionary Court executed at least 12 demonstrators in mock trials. Dozens more protesters, including minors, are anticipated to face capital penalties. Iranian officials often torture suspects to get confessions. Iran's Law Enforcement Forces use several products from Imen Sanat Zaman Fara (LEF). Video and photos show Iranian security forces employing armoured

vehicles to quell widespread rallies. Two prominent Basij Resistance Forces officers are designated by OFAC (IRGC). As Basij Cyberspace Headquarters head, Moslem Moein monitors Iranian internet censorship. Maroufi helped the Basij violently respond to demonstrations. EO 13553 designates Hossein Moein (Moein) for directly or indirectly representing the IRGC. Hassanzadeh, the Tehran IRGC commander, and Hosseini. These and others were added to OFAC's Specially Designated Nationals and Blocked Persons (SDN) List. [Press release Names of sanctions persons](#)

US sanctions 10 Russian naval organisations

The Department of State has designated 10 Russian naval entities. Specifically, the Department of State has designated the following six entities under section 1(a)(i) of Executive Order (EO) 14024 for operating or having operated in both the defence and related materiel sector and the marine sector of the Russian Federation economy. [Get a list of the ships listed](#)

Commerce Imposes Additional Restrictions on Exports to Wagner Group

Since 2017, the Wagner Group has faced US sanctions for participating in Russia's 2014 invasion of Ukraine. In 2017, the Department of Commerce listed the Kremlin-funded mercenary group. EU, UK, Canada, Australia, and Japan have sanctioned it. Wagner Group is on the US government's list of groups that pose a substantial danger to national security or foreign policy. Exporters must apply for a license from the Bureau of Industry and Security for any transaction the business is a party to or knows Wagner Group may buy. BIS modified the Entity List restrictions for Russia-based Private Military Company Wagner ("Wagner Group"), imposing additional severe restrictions on the Wagner Group's ability to acquire items globally to support the Russian Government's unprovoked war in Ukraine and ensuring that the license requirements apply to Wagner Group wherever located. [Link to a Press release](#)

BIS Keeps Nordwind Airlines from Being Able to Export

In Federal Register, 87 FR 79275, December 27, 2022, Following Section 766.24 of the Export Administration Regulations, 15 CFR parts 730-774 (2021), the Office of Export Enforcement ("OEE") to renew the temporary denial order ("TDO") issued in this case on June 24, 2022, on Nordwind Airlines. [Link](#)

Putting a price cap on crude oil from the Russian Federation

OFAC published a rule on a price cap determination issued according to an April 6, 2022, Executive order about the Russian Harmful Foreign Activities Sanctions Regulations Determination. The determination took effect at 12:01 a.m. eastern standard time on December 5, 2022. According to Executive Order (E.O.) 14071 of April 6, 2022 ("Prohibiting New Investment in and Certain Services to the Russian Federation in Response to Continued Russian Federation Aggression"), and the determination on November 21, 2022, made according to E.O. 14071 ("Prohibitions on Certain Services as They Relate to the Maritime Transport of Crude Oil of Russian Federation Origin"), the US has determined that the price cap on crude oil of Russian Federation origin shall be \$60 per barrel. [Link to Federal Register](#)

"A single Iranian Attack Drone Contains Parts from More Than a Dozen US Companies."

[CNN reports](#) that components from over a dozen US and Western corporations were discovered in an Iranian drone shot down in Ukraine last October. CNN reported last month that the White House launched an administration-wide task group to explore how US and Western-made electronics got up in Iranian drones 40 of the 52 components taken from the Iranian Shahed-136 drone were made in the U.S. The other 12 components were made in Canada, Switzerland, Japan, Taiwan, and China.

US export controls and sanctions have prevented Iran from accessing high-end materials for years. Now US authorities are considering enhancing the implementation of these penalties, pushing corporations to monitor their supply chains better, and identifying third-party distributors that resell these items to illegal actors. No evidence suggests these businesses are violating US restrictions by exporting drone technology. However, even with enhanced surveillance, manufacturers have difficulty regulating where these omnipresent components wind up on the worldwide market, CNN experts say. Companies may not know what they're searching for if the US government hasn't sanctioned the criminal buyers and sellers.

UK-based Conflict Armament Research showed that US corporations made 82% of Iranian drones destroyed in Ukraine. According to the Ukrainian sources, the drones had over two dozen Texas Instruments microcontrollers, voltage regulators, digital signal controllers, a Hemisphere GNSS GPS module, an NXP USA Inc. microprocessor, and Analog Devices and Onsemi circuit board components. International Rectifier, now acquired by Infineon, and U-Blox also made components.

[Read the full CNN Report](#)

China disputes US chip export restrictions at WTO

China has started a trade lawsuit at the World Trade Organization (WTO) against the U.S. for imposing wide-ranging semiconductor export curbs on China, capping a year of escalating friction between Washington and Beijing. The US BIS imposed export restrictions on American-made chips and AI-designed semiconductors on October 7. Export limits have crippled China's semiconductor sector, leading Beijing to file a WTO challenge on December 12. China's Commerce Ministry said the action is required to preserve the country's lawful rights and interests. Beijing said U.S. curbs "threatened global industrial supply chain stability." The BBC reported that the US argued that the WTO was "not the right platform" to discuss national security. "U.S. national security objectives compel us to prohibit access to sophisticated technology," [Read an Article in New Delhi Times](#)

*Our **US Export Control Support Service** advises on all EAR and ITAR compliance matters. We carry out the supply chain and third-party risk assessments, examinations of licence applications and assistance with licence management, analysis of de minimis thresholds, audits of presumed export restrictions, and crisis management services about compliance. In addition, we support non-U.S. businesses trading U.S.-origin-controlled goods across all industries and locations. A variety of courses on US export controls are also available from us. We also design [ECP-compliant training programmes for companies and businesses](#).*

US Sanctions

OFAC settlements with Danfoss A/S for sanctions breaches against Iran, Syria, and Sudan

Danfoss' entirely owned UAE subsidiary, Danfoss FZCO, channelled money from customers in Iran, Syria, and Sudan through UAE bank accounts, including one US bank branch, from 2013 to 2017. Danfoss FZCO also used third-party payers to complete five transactions from its US branch bank to Syrian and Iranian clients. According to OFAC, these apparent violations were triggered primarily by flaws in Danfoss' global sanctions compliance systems. [Read the announcement.](#)

4,4 million USD in fines

An end-of-year enforcement action demonstrates the vulnerability of businesses operating in the Freezone. The year concluded with an OFAC enforcement action against the Danish refrigeration and cooling goods firm Danfoss A/S, a Danish multinational firm. They reached a civil settlement with OFAC and agreed to pay USD 4,379,810 for 225 alleged violations of several OFAC sanctions programs, including those targeting Iran, Syria, and Sudan.

This is significant because the company is not a US company and does not operate outside the US. All is revealed in the name: The "FZ" in Danfoss FZCO stands for "free zone" in the subsidiary's name.

Established outside the US in Jebel Ali but using a US Bank: OFAC zooms in

They are established in Jebel Ali Free Zone in Dubai, one of the world's most extensive free zones, home to hundreds of businesses, manufacturers, merchants, and exporters, including the subsidiary. I had the pleasure of visiting Jebel Ali Free Zone recently. Their illegal action took place from 2013–2017. Even though no items supplied were subject to sanctions or export rules, the Dubai subsidiary accepted payments made to a US bank account in the UAE from and to clients in sanctioned countries: Iran, Syria, and Sudan. In addition, a US banking institution's UAE branch was used, which automatically provides OFAC with authority.

Freezones can cause trouble

This case matters greatly because free zones are places where customs duties do not apply in the same manner as the rest of a nation's territory. Due to the absence of expected norms, oversight, and enforcement, banks, traders, and logistical firms operating inside FTZs are vulnerable to financial criminal behaviour, such as sanctions evasion. However, OFAC did note that it found no indication that Danfoss intentionally used third-party payers to circumvent sanctions.

Attention when sending money

Employees at the subsidiary's Dubai location advised consumers to make payments via money exchanges rather than directly. Consequently, the bank's screening filters did not prevent the payments from being processed. In addition, the OFAC issued recommendations in 2013 indicating that third-party payers might conceal the source or beneficiary of transactions, especially those involving Iran.

Considerate OFAC

Despite no voluntary self-disclosure by Danfoss, the basic penalty was cut by 80%.

US Terrorism Update

OFAC added four individuals and two entities linked to the Islamic State of Iraq and the Levant to the SDN list. [Link](#)

Iraq Sanctions Deletions

On 28 December 2022, OFAC removed a company from Iraq sanctions that ran under three names: MIDCO FINANCE S.A. or MIDCO FINANCIAL S.A., MONTANA MANAGEMENT INC. AL-DULAIMI, Khalaf (a.k.a. AL-DULAYMI, Khalaf M.M.); DOB 25 Jan 1932; Passport #H0044232 (Iraq) (individual) [IRAQ2]. The removal also concerns AL-DULAYMI, Khalaf M.M. (a.k.a. AL-DULAIMI, Khalaf); DOB 25 Jan 1932; Passport #H0044232 (Iraq) (individual) [IRAQ2].

Our sanctions support service provides timely, comprehensive, and sector- and country-specific sanctions guidance. We perform impact assessments of OFAC regulator laws, audits of supply chains and third-party risk trade controls, and aid in administering sanctions licenses. In addition, we provide low-priced ongoing sanctions screening services to ensure you never break the rules, aid in closing down operations in countries subject to sanctions, and provide crisis management services associated with staying in compliance.

UAE

The benefits of hosting the 13th WTO Ministerial

Abdulla Bin Touq, Minister of Economy, said the WTO's 13th Ministerial Conference would strengthen the UAE's role in revitalising international commerce, which is fundamental to long-term global prosperity. "Our Comprehensive Economic Partnership Agreements (CEPAs) with India, Israel, and Indonesia, and those that will be concluded with other dynamic economies around the world in the coming months, reflect our belief in multilateralism and our commitment to creating new opportunities for our exporters, industrialists, manufacturers, and investors," he said. Sultan Al Jaber, Minister of Industry and Advanced Technology said hosting WTO's 13th Ministerial Conference shows the UAE's expanding impact on global commerce. "The UAE is modernising its economy, boosting industrial production, integrating sophisticated technologies to support future industries, and establishing new capacities in renewable energy and space research. "We need an efficient, regulated, and digitally connected global trading system to capitalise on these prospects effectively, and we are delighted to lead the conversations that will determine the future of trade," said Al Jaber. Mohamed bin Hadi Al Hussaini, Minister of State for Financial Affairs, noted that the UAE's new foreign trade strategy assures the country's active international participation in the free movement of products and services and the establishment of new investment possibilities and frameworks.

Dubai: New customs duty now applicable on international shopping exceeding Dh300

According to the Unified Customs Tariff for the GCC States of 2022, the customs duty rate has been set at 5% of products if their value exceeds Dh300. People who buy more than Dh300 abroad must pay 5% import customs and 5% VAT (VAT). Dubai Customs - Notice No.5 of 2022 - announced the new customs tariff and clearance regulation on January 1, 2023. Imported goods under Dh300 are tax-free. Tobacco, tobacco products, e-cigarettes, nicotine liquid, alcoholic beverages, and alcoholic snacks are taxed. Tobacco products, e-cigarettes, and vaping liquids are subject to a 200 per cent customs levy. Carbonated beverages, energy drinks, cigarettes, and tobacco products are taxed in the UAE. Later, e-cigarettes, accessories, liquids, and sweetened drinks were added to the excise charge. [Link](#)

India

India: Customs seize gold worth around 50K from a man at Kochi airport

The Customs Air Intelligence Unit (AIU) at Cochin International Airport stopped a male traveller. It recovered gold worth over Rs4,400,000 (about €50K, or 45 GBP) hidden on his body, according to the customs agency. "During the investigation of this passenger," according to authorities, "four capsules of gold weighing about 1068 kilos in compound form and valued at Rs 44.14 lakhs were found and confiscated," the customs agency claimed. In early October, the Customs Air Intelligence Unit detained a traveller at Cochin International Airport and recovered nearly 1 kilogram of gold disguised under a pair of sandals. The gold was in the shape of a paste stitched into two sandals. Kumar, a resident of Kerala's Kollam district, was arrested by customs officers after strolling suspiciously; upon interception, it was discovered that he had secreted 1,032 grams of gold worth Rs 49 lakh in a pair of shoes, according to officials. [Link](#)

WTO

UAE to host WTO Ministerial in 2024

In the first quarter of 2024, the UAE will host the World Trade Organization (WTO) ministerial meeting, which will expedite progress on global trade concerns and WTO reforms. One hundred sixty-four members of the global trade group gather every two years to debate global trade concerns. The WTO's 13th Ministerial Conference (MC13) in Abu Dhabi will launch a new wave of change and maintain the body's credibility as a guardian of the international trading system. Dr Thani bin Ahmed Al Zeyoudi, Minister of State for Foreign Commerce, tweeted, "In 2024, the UAE will host the WTO's 13th Ministerial Conference and lead talks on multilateralism, digital trade and inclusive development - and cement our place as a global trading centre. At its Geneva headquarters, the WTO's 12th Ministerial Conference (MC12) took place June 12-17, 2022. Ministers from across the globe reviewed the multilateral trading system, made broad declarations, and decided the global trade body's future. In "The Geneva Package," the 12th edition obtained historic worldwide agreements on pandemic preparation, intellectual property rights, food export bans, and fisheries subsidies. Cameroon will host the 14th Ministerial Conference. WTO policies streamline cross-border payments, decrease risk, and assure inclusiveness.

WTO rules in the case of frozen fries

In the first WTO appeal heard under the "multi-party interim appeal arbitration procedure," arbitrators have essentially ruled in favour of the European Union. The final and definitive judgement affirms Colombia's anti-dumping duties on Belgian, German, and Dutch frozen fries violate World Trade Organization (WTO) standards. In addition, the Appeal Arbitrators' final and definitive ruling affirms that Colombia's anti-dumping inquiry was defective in several ways, including the dumping margin calculation and the injury analysis. Colombia must comply with the judgement immediately or within a timeframe agreed upon with the European Union or determined by a WTO arbitrator. If Colombia does not comply, the EU might request permission from the WTO to take countermeasures.

[Press release of EU](#)

[Complete case details and WTO documents](#)

[EU submissions and other documents of the case](#)

[Dispute Settlement in a Nutshell](#)

COP15

New deal to protect nature agreed at COP15



Almost 200 countries have agreed on a new deal to protect nature at the UN biodiversity summit, COP15. The agreement – finalised in the early hours of Monday, 19th December, in Montreal, Canada – includes a global commitment to halt and reverse biodiversity loss by 2030 and protect 30% of land and oceans by the same date.

The framework also commits to ending human-induced extinctions of known threatened species, such as rhinos and gorillas.

The "Kunming-Montreal Global Biodiversity Framework" was approved during the 15th UN Convention on Biological Diversity Conference of Parties (GBF). The GBF supports ecologically-representative, well-connected, and equitably governed protected areas and successful area-based conservation. As a result, 17% of land and 10% of the sea are protected. The Kunming-Montreal Global Biodiversity Framework (GBF) intends to address the \$700 billion annual biodiversity funding gap and align financial flows with the 2050 global biodiversity agenda. By 2050, the framework intends to expand natural habitats and decrease species extinction rates tenfold.

COP15 delegates accepted the Global Biodiversity Framework (GBF), which will be completed at COP16 in Turkey in 2024. Countries must also report on a comprehensive collection of "headlines" and other indicators relevant to GBF objectives and targets every five years. By 2030, protect and manage at least 30% of terrestrial, inland water, coastal, and marine habitats. Respect indigenous and local community rights, especially over their native territory. Eliminate, eliminate, decrease, or attenuate alien species' effects on biodiversity and ecological services.

The 2015 UNEP Biodiversity Report strives to sustainably manage wild species for social, economic, and environmental benefits. The study also seeks to mitigate and adapt biodiversity to climate change and ocean acidification. For all people to live healthily in harmony with Mother Earth by 2030, minimise the global footprint of consumption in an equitable way, halve global food waste, drastically reduce overconsumption, and reduce waste output. By 2025, abolish, phase out, or modify incentives, including biodiversity-harmful subsidies, in a proportional, reasonable, fair, effective, and equitable manner while considerably and gradually decreasing them by at least 500 billion. By 2030, developing nations and small island developing States need to raise at least 200 billion US dollars to execute national biodiversity policies and action plans.

Developed and transitioning nations should mobilise at least US\$20 billion annually by 2025 and up to US\$30 billion by 2030 and increase domestic resource mobilisation. Indigenous and local communities should be thoroughly, reasonably, inclusive, effective, and gender-responsively represented in decision-making. Respect their rights over lands, territories, resources, and traditional

knowledge and safeguard environmental human rights advocates. At the 1992 Earth Summit in Rio de Janeiro, the CBD was opened for signing and came into effect in December 1993. The Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-Sharing safeguard biodiversity against biotechnology-derived living modified organisms.

Professional & Management Competencies Development For Customs & Global Trade Specialists

We believe that the operational competencies developed in this update alone are insufficient to fulfil the responsibilities of a customs & global trade professional. They should almost always be complemented with additional talents (professional or managerial competencies) to support the success of the Customs professional in their work. We cover this in this section and hope this is useful for your work.

The Ultimate Guide to Working from Home: 26 Tips for Maximum Productivity

Learn how to increase focus, eliminate distractions, and maintain motivation while working remotely. Since working from home is here to stay, having a guide would help you stay focused and productive... This is why Dean Bokhari put this resource together for you. It's filled with tips and strategies for boosting work-from-home motivation and productivity. You can use these tips to boost your focus and productivity if you're an employee or an entrepreneur. If you're a leader or manager of teams, you can use this guide for yourself and your team.

This Week's Supportive Documents

Subscribers to the FULL Version will also get additional materials and instructions to help them with their job and update. In addition, you may learn more about the issues addressed in this week's update by consulting the accompanying factsheets, Q&As, PowerPoint presentations, Excel spreadsheets, reports, and notes. These are conveniently available for download from the email attachment and our encrypted website. This week, you will receive the following:

1. Slide deck with clickable links and copyable content
2. Q&A Document on the EU Single Window Concept
3. Factsheet on Single Window
4. A briefing on the EU Single Customs Window Environment of 8 pages.
5. 10-digit "TARIC" the 2022-2023 correlation table in Excel format
6. Your 2023 Guide to the EU'S generalised system of preferences (GSP)
7. Merkblatt zu Zollanmeldungen, s. und Wiederausfuhrmitteilungen
8. Draft UCC Delegated Act on BVI + Draft UCC Implementing Act on BVI
9. Customs Manager's Free-For-All Special Report on the Brexit Anniversary.
10. Report on the Top 3 customs and global trade lies about Brexit
11. British Chamber of Commerce Brexit Report
12. Customs Manager's Free-For-All Special Report on the Brexit Anniversary
13. The Ultimate Guide to Working from Home: 26 Tips for Maximum Productivity

Our service offering in other languages

- Serviceangebot auf Deutsch: <https://www.customsmanager.org/zollexpertise>
- Informations sur l'offre de services : <https://www.customsmanager.org/expertiseendouane>

Employment & Internships in Customs & Global Trade

Both current and aspiring customs professionals have our full support regarding their next professional step. Please get in touch with us if you are looking to change careers or if you have any openings. We will do everything in our power to connect you to the vast network of contacts to assist you in finding the next job or filling your open positions.

Email info@customsmanager.org with your CV or advertise a job. If you

Business Owner To Embark On A Career in Customs

This exceptional candidate gets excited about international trade, customs, and the prospect of growth and change. Their experience as a business owner has taught them the value of cultivating strong, mutually beneficial connections with my clientele and vendors. They prepared bids with costs and schedule constraints and oversaw the project life cycle from inception to closeout. Every aspect of office management is within their purview, from monthly accounting and invoicing to filing VAT forms. I have a good understanding of computers and utilize Office 365, especially Outlook, Excel, and Word, to keep my company going well. If you'd like to talk to them, get in touch.

→ Global Trade Content Leader Ready for the Next Challenge

This overqualified candidate would have more than five years of experience in global trade content and eight years of work experience overall. Additionally, they would be interested in finding a position in which they can continue to hone their skills while also making a positive contribution to the success of their employer and themselves. They have a wealth of expertise in Global Commerce Content research and HTS categorisation projects, both of which facilitate cross-border trade. You are an expert student in various subject areas, including those content data, de minimis information, import/export compliance requirements, VAT, GST, Excise, and other types of tax information. They were looking for someone who specialises in international trade. Then you should seek the services of this internationally renowned content superstar. Email info@customsmanager.org

→ Experienced Customs Professional Wants to Make a Contribution in Europe or the UK

A seasoned Customs expert is looking for a position in the European Union or the United Kingdom in import, export, international commerce, and freight forwarding. They have worked as a Customs Specialist for the African Customs Service before. For more than a decade, they oversaw the import/export procedures. They have a Bachelor of Commerce with Highest Honours in Economics, a Master of Commerce in Economics, and an Advanced Certificate in Taxes and Customs Procedures from a 2-year programme. Please contact info@customsmanager.org for the resume and more information if you are interested in this outstanding candidate.

→ Experienced Customs Lawyer is seeking Full Time UK employment

A Customs Lawyer with a wealth of expertise is looking for their next challenging position in the UK. After receiving their law degree from a prestigious institution, they worked for an established consultancy for over seven years as a member of the International Trade and Customs team. Their clients come from South Asia, Europe, the United States, and South America. They are qualified to guide the following topics: import and export customs duties; investigations and customs classification; origin rules and duty benefits in FTAs; customs

valuation and transfer pricing; controlling exports; import and export compliance; customs duties and contracts; warehouses and free trade zones; anti-dumping and countervailing duties; and anti-dumping and countervailing duties. Don't hesitate to contact us if you have a position open and would like more information or a CV. Email info@customsmanager.org

➔ Internships – Need a trainee in international trade?

Students nearing the end of their studies on international trade are looking for an internship to help them start their careers in the global trade industry. We work with younger students to get them interested in and motivated by customs and international trade. Helping them find employment in a company that has an international focus and operates on a global scale is one of the most straightforward ways to achieve this goal. Will you join us? We assist students studying international trade and customs from Europe and other parts of the world in finding internship opportunities. Having completed coursework in global business, international trade, and marketing, they have a solid work ethic and would be an asset to any organisation. Please get in touch with us if you are open to the idea of hosting a student for a period of a few months. Email info@customsmanager.org

Events

2023 UK Customs Update – 26 January 2023

Register on www.customsmanager.org



Learn about the latest customs and global trade changes in a four-hour online training. Topics to discuss include

- UK Trade Tariff Changes 2023
- UK Customs & Trade Legislation after Brexit: Acts, Statutory Instruments, Notice etc.
- Navigating Gov.UK to find your way around customs laws and legislation
- CDS - How to lodge customs declarations in the UK + workarounds
- The New Border Operating Model
- Single Trade Window and Ecosystem of Trust
- Update on UK Free Trade Agreements
- Trade with Northern Ireland and the Northern Ireland Protocol

This event is suitable for anyone importing into or exporting out of the UK, particularly customs managers, trade professionals, logistics and warehouse managers, freight forwarders, agents, consultants, advisors and lawyers who wish to understand UK customs law and legislation impact daily operations. Please note that this is a chargeable event.

How to Empower Yourself and Your Team

Part of our suite of solutions to empower customs managers, our Trade Intelligence update allows global trade professionals to save time and free up skilled staff to carry out more strategic tasks. Subscribers or current clients receive a professionally curated compilation of legislative changes that occurred in the prior week, created by experienced trade specialists and quality assessed before release.

Readers can rest assured that they have not missed any updates. In addition, subscribers can save time by forgiving to scan through floods of marketing emails and blog entries and instead focusing on operational performance and long-term profitability.

Step 1: Trail the Free Version + Share it with You Team and Collect Feedback

Following or visiting our Linked in Page means you get to download the accessible version of this update every week –to say thank you for following us. However, this version does not include live links or supportive documents. Please review <https://www.customsmanager.org/trade-intelligence> for details

Step 2: Upgrade to the Full Version for You and Your Team

To empower yourself, get the FULL version to receive this update with live links and additional supporting documentation. Get all your team members on their FULL plan, too, so all can benefit from live links and additional documentation. Please visit <https://www.customsmanager.org/trade-intelligence-upgrade> for details and get in touch for a bespoke quote.

Step 3: Add Helpline for You and Your Team

A phone call or chat is a helping hand to support you with any question. Add “Helpline\$” to your entire subscription and allow your customs and global team to tap into expert knowledge whenever you need. Please email info@customsmanager.org for details.

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For online support, join our educational live webinars, subscribe to insightful short Twitter updates and informative YouTube videos, and stop by our expert blog page, updated weekly, join us on LinkedIn: www.linkedin.com/company/customs-manager-ltd

If you know of a business that would also find e-mails or customs and global trade blog entries helpful, please forward it on, or suggest they register to receive them directly to their inbox register to get these updates to their inbox.

Provide Feedback and WIN!

Please provide feedback on these updates by commenting on the relevant social media post and emailing info@customsmanager.org. Every week, we give out free training courses, free upgrades to the subscription to this service, and amazon gift vouchers to say thank you. In addition, any feedback to improve the service or express your view is valued and automatically entered into the prize draw every Friday afternoon. Winners will be notified.

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