



Marseilles, September 20th, 2010

NOTICE TO CUSTOMERS

EU Advance Cargo Declaration Regulation

ANL would like to remind its customers that the European Union regulation of **advance cargo declaration** which was adopted in 2005 (Regulation [648/2005](#) subsequently implemented by Regulation [1875/2006](#) and then amended by Regulation [312/2009](#)), **will enter into force on January 1st, 2011**. The rules on EU advance cargo declaration will apply in addition to existing Customs rules laid down in the Community Customs Code. The updated list of EU members is accessible on http://europa.eu/abc/european_countries/index_en.htm

The EU advance cargo declaration obligations will apply on January 1st, 2011, to all shipping sectors and will apply to import, transshipment and transit of goods in the EU.

I. RULES COVERING THE IMPORT OF GOODS IN THE EU AND TRANSHIPMENT CARGO

➔ Submission of Import or Transit cargo information

ANL or its representative must declare cargo information in advance to the Customs office of **first entry port** in the European Community in the form of an “**Entry Summary Declaration (ENS)**” when:

- **Importing cargo** in the EU from non-EU origin or,
- When Containers originating from a foreign (non-EU) port are **transhipped in a EU port** no matter what the final destination is.
- When cargo remains on board for carriage to other ports (**FROB**)

➔ 3rd Party Filing

The **Community Customs Code** also foresees the possibility for a 3rd party, typically a Freight Forwarder or an NVOCC, to declare the required cargo information in advance to The Customs Office, instead of the Carrier, ANL. However, since the regulation does not accept dual declarations, ANL will declare all the goods.

➔ Cargo information to be submitted

Details of information are laid down in annex 30 A to [Regulation 1875/2006](#). Advance cargo declarations must be transmitted electronically and ANL is responsible for the timely electronic transmission of this ENS (one ENS per B/L), for the accuracy and completeness of information herein. They include, but are not limited to:

- Full style of shipper (consignor) and consignee (EORI number if available),

- Full name and address of “Notify party” when goods are carried under a negotiable “to order” BL,
- Accurate goods description (general terms are not accepted),
- At least the 1st six digits of the commodity Harmonised System (HS) code of which nomenclature can be accessed:
http://www.wcoomd.org/home_wco_topics_hsoverviewboxes_tools_and_instruments_hsnomenclaturetable2007.htm,
- Place of loading
- Place of unloading code
- Type and number of packages
- Cargo gross weight (kg)
- UN dangerous goods code (where applicable)
- Container number,
- Seal number

The required cargo information must be submitted to the Customs Office **24 hours before commencement of loading of the cargo in each foreign POL on board the ship, 2 hours prior to vessel's arrival in the first EU port in case of “Short Sea”** and 4 hours prior to arrival in the first EU port for Break Bulk and Ro/RO shipments. The declaration is to be triggered by each foreign (non EU) port of loading.

To comply with this Regulation, ANL (or its subsidiaries) will require from its customers **complete and accurate shipping instructions**.

The documentation closing time, set-up in ANL procedures, will be adjusted accordingly, following same guidelines as those enforced in other “advance documentation 24 hour rule” countries such as USA.

➔ Economic Operator Registration and Identification number (EORI)

Any party, be it ANL (or its subsidiaries) or a 3rd party, declaring cargo information in advance to the Customs office **must include in its declaration his EORI number**, similar to an ID number, allowing Customs Office to identify the Company concerned (ANL EORI Number: **GB011312787000**). The use of EORI number has become mandatory in the EU as from July 1st, 2009. For more information, please check on

http://ec.europa.eu/taxation_customs/resources/documents/customs/security_amendment/EORI_guidelines_en.pdf

To ensure smooth implementation of advance cargo information, ANL kindly requests its customers to provide their EORI number in writing to their local ANL Office, enabling ANL to register customers' details in its system.

➔ Risk Assessment by the Customs Office

The advance cargo declaration (ENS) once received electronically by the Customs Office of the first EU port of entry will be submitted to risk assessment with the aim at identifying potential serious safety and security risks.

The Customs Office of 1st EU entry port may identify 3 types of risks:

- **Risk Type A:** the Customs Office having identified a serious safety and security risk with the cargo to be loaded on board a Deep Sea container ship, will issue a “**Do Not Load**” (DNL) message resulting in ANL not being allowed to load the relevant cargo on board the ship.
- **Risk Type B:** refers to cargo posing a serious safety and security risk and which will be handled in the first EU port of entry.
- **Risk Type C:** The Customs Office having identified a safety and security risk, not considered to be serious, the cargo will be handled in the EU port of discharge.

For more information, please check the FAQ section

http://ec.europa.eu/ecip/help/faq/index_en.htm of the European Customs information portal http://ec.europa.eu/ecip/index_en.htm or please contact your local ANL Office