



FedEx Regulatory Alerts & Updates

Regulatory Alert Update: Expiry of Temporary EU Export and Import Controls on Personal Protective Equipment

May 27, 2020

European Union (EU) Level

From May 26, 2020, temporary EU export authorization requirements put in place for personal protective equipment (PPE), **have been lifted and are no longer in force**. The original requirements, designed to ensure adequacy of supply of PPE during the current Covid-19 crisis, have now expired and the EU has decided that such measures have fulfilled their objectives and are no longer necessary.

The expiry of the measures is in effect immediately.

National Restrictions for Exports and Imports

While the EU regulation has expired, some EU member states and third countries are still implementing additional national restrictions, by means of which:

- Medicines and medical equipment are being made subject to an export ban
- Movements within the EU customs territories are now being restricted too
- Imports of PPE, medicines, medical equipment are now subject to new requirements, applying to different types of imports (commercial imports of masks, diagnostic kits or others, versus private individual imports of masks in small quantities)

CE Marking and Conformity to EU Standards

Please note that the existing requirement on items being imported into the EU conforming to the applicable EU safety, health, and environmental protection requirements remains in place. To avoid delays due to inspections and potential seizure of commodities:

1. Foreign exporters **must check with their importers in the EU** in advance if their products require conformity to EU quality standards and additional documentation demonstrating it.
2. For items subject to CE Marking requirements, **copies of the EU Declaration of Conformity must be scanned and indexed with the other clearance documents** (e.g., the commercial invoice) into Genesis. The declaration must establish a clear indication of the shipment reference (AWB) between the certificate/invoice and packing list. **This document must be available for import clearance pre-flight (for all shipments valued over €22) or the shipment will be blocked on arrival.**
3. For items requiring further import approvals (for example, extraordinary approvals issued by the national health authorities), copies must be scanned and indexed with the other clearance documents (e.g., the commercial invoice) into Genesis.

All EU customs authorities are currently monitoring imports of PPE and medical items, and there is a high likelihood of post-clearance controls in the future.

Note: All documents indicating EU conformity should be in English.

Relief from Import Duties and VAT Exemption on Importation Granted for Goods Needed to Combat the Effects of the COVID-19

On April 3, 2020, the EU issued a **Decision** granting relief from import duties and a VAT exemption on importation for goods needed to combat the effects of the COVID-19 outbreak, subject to conditions.

In order to qualify, the goods must be imported by state organizations or approved charitable or philanthropic organizations. In addition, they must be distributed or made available free of charge to persons affected by or involved in fighting COVID-19. The granting of these exemptions is backdated to January 30, 2020, and valid until July 31, 2020.

Currently, there is no publicly available list of competent authorities. Please reach out to your local customs authority for more information.

Guidance Note published by the European Commission: The EU has also published [Guidelines for border management measures to protect health and ensure the availability of goods and essential services](#). Please review this document for more information on the obligations that EU Member State authorities must observe during the COVID-19 pandemic to ensure the free circulation of goods and maintain the integrity of the EU Single Market.

Additional Info: The World Customs Organization has published a [table with HS classification details for the most common Covid -19 medical supplies](#).

References:

List of Competent Authorities in Member States

https://trade.ec.europa.eu/doclib/docs/2020/march/tradoc_158674.pdf

Guidance Note published by the European Commission

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20200316_covid-19-guidelines-for-border-management.pdf

HS Classification Details for the Most Common Covid-19 Medical Supplies

http://www.wcoomd.org/en/media/newsroom/2020/april/joint-wco-who-hs-classification-list-for-covid_19-medical-supplies-issued.aspx

Commission Implementing Regulation (EU) 2020/402 of March 14, 2020

<https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32020R0402>

Commission Decision of March 4, 2020 on relief duties and VAT exemption on importation granted for goods needed to combat the effects of the COVID-19 outbreak during 2020

https://ec.europa.eu/taxation_customs/sites/taxation/files/03-04-2020-import-duties-vat-exemptions-on-importation-covid-19.pdf

Commission Implementing Regulation (EU) 2020/568 of April 23, 2020

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2020.129.01.0007.01.ENG&toc=OJ:L:2020:129:TOC

European Commission - Coronavirus: Requirement for export authorization for personal protective equipment comes to its end:

<https://trade.ec.europa.eu/doclib/press/index.cfm?id=2147>