



## NOTICE TO CUSTOMERS

### EU Advanced Cargo Declaration Regulation

CMA CGM would like to remind its customers that the European Union regulation of advanced cargo declaration which was adopted in 2005 (Regulation 648/2005 subsequently implemented by Regulation 1875/ 2006 and then amended by Regulation 312/2009) entered in force on January 1<sup>st</sup> 2011. The rules on EU advanced cargo declaration are applied in addition to existing Customs rules laid down in the Community Customs Code.

The EU advanced cargo declaration obligations have to be applied since January 1<sup>st</sup> 2011 to all shipping sectors and to import, transshipment and transit of goods in the EU.

### **RULES COVERING THE IMPORT OF GOODS IN THE EU AND TRANSHIPMENT CARGO**

#### → Submission of Import or Transit cargo information

CMA CGM 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
- 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)

#### → Third Party Filing

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

#### → Cargo information to be submitted

Details of information are laid down in annex 30A to [Regulation1875/2006](#).

Advanced Cargo Declarations must be transmitted electronically and CMA CGM 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:

- Name + full style address of shipper (consignor) and consignee (EORI number if available)
- Name + full style address of “notify party” when goods are carried under a negotiable “TO ORDER” B/L.
- Accurate goods description (general terms are not accepted)
- At least the 1<sup>st</sup> four digits of the commodity Harmonized System (HS) code. (HS code with 6 digits is recommended)
- Place of loading
- Place of unloading
- Type and number of packages
- Cargo gross weight (Kg)
- UN dangerous good code if applicable
- Container number
- Seal number

#### → Deadlines

The required cargo information must be submitted to the Customs Office 24 hours before start of loading operations of the cargo in each foreign POL

- 2 hours prior to vessel’s arrival in the first EU port in case of “Short Sea” cargo.
- 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, CMA CGM or its representatives will require from its customers complete and accurate shipping instructions. The documentation closing time, set-up in CMA CGM procedures, will be adjusted accordingly, following same guidelines as those enforced in other “advance documentation 24-hour rule” countries.

#### → Economic Operator Registration and Identification number (EORI)

Any party, be it CMA CGM (or its subsidiaries) or a third 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 (CMA CGM EORI Number: FR56202442200486).

CMA CGM kindly requests its customers to provide their EORI number in writing to their local CMA CGM Office, enabling CMA CGM to register customers’ details in its system.

#### → Risk Assessment by the Customs Office

The advanced 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 first 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 CMA CGM 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 visit:*

Regulation (EC) No 648/2005 of the Commission of 13 April 2005

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:117:0013:0019:EN:PDF>

Regulation (EC) No 1875/2006 of the Commission of 18 December 2006

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l\\_360/l\\_36020061219en00640125.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_360/l_36020061219en00640125.pdf)

Regulation (EC) No 312/2009 of the Commission of 16 April 2009

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:098:0003:0023:EN:PDF>

The FAQ section of the European Customs information portal:

[http://ec.europa.eu/ecip/help/faq/index\\_en.htm](http://ec.europa.eu/ecip/help/faq/index_en.htm)

The updated list of EU members:

[http://europa.eu/abc/european\\_countries/index\\_en.htm](http://europa.eu/abc/european_countries/index_en.htm)

EORI guidelines:

[http://ec.europa.eu/taxation\\_customs/common/elearning/eori/index\\_en.htm](http://ec.europa.eu/taxation_customs/common/elearning/eori/index_en.htm)

HS Nomenclature 2012:

[http://www.wcoomd.org/en/topics/nomenclature/instrument-and-tools/hs\\_nomenclature\\_2012/hs\\_nomenclature\\_table\\_2012.aspx](http://www.wcoomd.org/en/topics/nomenclature/instrument-and-tools/hs_nomenclature_2012/hs_nomenclature_table_2012.aspx)