



Mr Heinz Zourek
Director General

DG Taxation and Customs Union
B-1049 Brussels

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Dear Mr. Zourek,

Dear Heinz,

The import and the export economy are the engine of the European Community. It is all the more important in this connection to implement available simplifications which will allow a smooth process. One of the essential simplifications in the field of import is the so-called "local clearance procedure", where goods are released by entering the data in the accounting records of the participant without a specific individual case by case notification to the customs authority.

Without this important form of simplification several processes would not be possible or only with burdensome and unjustifiable economic efforts. Examples are "just-in-time" processes, which are used especially in the automotive, chemical and electronics industries, but also vital to most other sectors.

Besides process-related need, the second condition to secure this simplification is the portfolio. Authorisation can only be given for products which generally do not have to be inspected. We notice with concern that Member States are handling the examination of this second requirement in an ever more restrictive way.

We fully understand that appropriate actions must be taken to control the movement of goods in the context of "risk management". However, these controls must be kept in proportion. The existence within the tariff of a note on "embargos and restrictions" for certain subheadings of the tariff should not be a barrier to authorisation unless there is a reasonable expectation that the embargoes and restrictions will impact the declarant's imported goods. Even then, if the importer is an AEO there should be an expectation that it can successfully manage the complexity introduced by such restrictions.

A company, with wide customs knowledge and a customs department, which is trustworthy, with known products, must generally have the possibility to enjoy the benefit of the highest level of simplifications.

Companies holding the status of Authorised Economic Operator (AEO), which have met demanding requirements and have been approved by customs authorities as exceptionally trustworthy, whose products and processes are known, and which are subject of a monitoring procedure and continuous audits, must be authorised to use the



highest level of simplifications. It should be out of the question that this certificate should enable the AEO to use the described advantages of the customs code in practice without any limitations. Therefore, in case of an AEO, the product-specific requirements should be generally regarded as fulfilled.

From our point of view the current approval practice of the national authorities is becoming very restrictive and will lead to considerable economic disadvantages for European industry.

Since this problem is becoming increasingly acute and trustworthy enterprises are experiencing considerable difficulties, we would like the Commission to tackle this issue as soon as possible.

Yours sincerely,

*best regards,
Philippe*

Philippe de Buck