



## **FAQ EU 24 Hour Rule -**

### **Entry Summary Declaration (ENS)**

The EU Regulation 1875/2006 requires the lodgment of Entry Summary Declarations (ENS) for inbound cargo effective December 31, 2010. These FAQs will provide information about the basic principles of the rule. Please note that the following FAQs refer to deep sea containerized traffic. Specific information about short sea containerized traffic will follow shortly.

#### **Basic Principles**

##### When is an ENS (Entry Summary Declaration) required?

All goods brought into the customs territory of the EU, regardless of their final destination, shall be covered by an ENS, i.e. all cargo discharged in an EU port ( including transshipment cargo) as well as FROB cargo (Foreign Cargo Remaining on Board).

##### Who must lodge the ENS?

Generally the vessel operator is responsible that an ENS is lodged.

In case of vessel sharing agreements such as the Grand Alliance or other long term contractual agreements, the B/L issuing ocean carrier is responsible for the timely electronic transmission of the ENS.

##### Can another party lodge the ENS instead of the ocean carrier?

Yes, a 3<sup>rd</sup> party, for example a freight forwarder, could file the ENS instead of the carrier, but only with the knowledge and consent of the ocean carrier and with the consequence that the 3<sup>rd</sup> party is liable for the correctness of the filing.

### When must the ENS be lodged?

For deep-sea containerized shipments, i.e. from Americas or Asia to the EU, the ENS must be lodged at least 24 hours prior to commencement of loading in each non- EU load port.

### Which goods related data elements are required in an ENS?

- o Shipper (EORI number whenever this number is available)
- o Consignee (EORI number whenever this number is available)
- o Notify Party, mandatory where goods are carried under a negotiable “to order” B/L (EORI number whenever this number is available)
- o Preferably HS code, at least 4 digits but 6 digits HS Code is recommended or acceptable cargo description
- o Package Type (Code)
- o Number of packages
- o Container number
- o Seal Number
- o Cargo gross weights (in kilograms)
- o UN code for dangerous goods
- o Transport charges method of payment code (e.g. payment in cash, payment by credit card, payment by check, electronic credit transfer, account holder with carrier, not pre-paid).

### Are there any guidelines for acceptable and non-acceptable cargo descriptions?

Yes, they can be found at [Europe Security Information](#). Nevertheless, it is strictly recommended to use HS codes instead of plain language descriptions to avoid translation.

### Are amendments to the ENS allowed after the initial declaration?

In general possible, however, in single cases the amendment request might not be accepted by customs. All ENS are affected after a notification of an International Diversion has been acknowledged by the originally declared custom office, i.e. none of the ENS can be amended thereafter.

### Is the filling of House B/L data with EU customs required?

Unlike USA (AMS), the EU regulation does neither require dual filing nor the submission of ultimate shipper and consignee data. Filing of the master B/L data (ocean carrier's B/L) is sufficient, even if a freight forwarder/ NVOCC are identified as both the shipper and the consignee.

### What if a vessel calls EU ports, then a non- EU port and then again EU ports, eg.

#### Savannah – New York – Tarragona-Malta- Haifa-Piraeus-Livorno- Genoa?

It is necessary to lodge ENS from the US ports with Customs in Tarragona, the first port of entry in the EU. Furthermore a second ENS must be lodge with Customs in Piraeus for cargo previously loaded in the US and for cargo loaded in Tarragona, Malta and Haifa at least 2 hours prior to arrival in Piraeus.

### Where the ENS must be loaded electronically?

At the customs office of the first port of entry (first port of call) in the EU. This office will carry out the risk assessment.

### What is meant by “International Diversion”?

According to the EU regulation an International Diversion is a diversion where the vessel is diverted to a port in another EU Member State which was not included in the original schedule. For example: Antwerp- Hamburg- Southampton changes to Rotterdam- Hamburg- Southampton. The vessel operator must communicate this International Diversion to the customs office of the original first port entry in the EU.

### Which shipments will be the first to be affected by the new rule?

The ENS filing requirement only takes effect for deep-sea containerized shipments for scheduled voyages that begin after midnight December 31, 2010. Detailed information about the specific voyages first to be affected will be provided in due course.

### What about penalties for non- compliance?

Decisions on penalties are taken pursuant to the national customs legislation in the individual Member State. No precise information has been brought forward by the Member States up to now.

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