

Missed opportunity preferential rate versus substantiating for correct use

Preference code

In the customs declaration a code is used to identify if a Preferential rate is used or not. Below an overview of the codes. Basically 100 means the general Tariff is applied.

Codeboek, onderdeel DWU Aangiftebehandeling

603 - PREFERENTIE		
Elementcode	Omschrijving	Verklaring/Wettelijke omschrijving
100	ERGA OMNES	Tariefregeling erga omnes. Invullen als geen van de andere situaties van toepassing zijn.
110 119	TARIEFSCHORSING ERGA OMNES TIJD SCHORSING VOOR PROD MET LUCHTWAARDIGHEIDSCERTIFICAAT	Tariefregeling erga omnes. - Tijdelijke schorsing voor producten die met een luchtwaardigheidscertificaat worden ingevoerd
120	ALG. GELDEND TARIEFCONTINGENT ZONDER BIJZ. VOORWAARDEN	Tariefregeling erga omnes Tariefcontingent
200	TOEPASSING APS ZONDER VOORWAARDEN OF BEPALINGEN	Stelsel van algemene preferenties (APS)
300	TARIEFPREFERENTIELE OVEREENKOMSTEN Z. VOORWAARDEN OF BEPERKI	Tariefpreferenties andere dan die bedoeld onder code 2xx
310	SCHORSING DOU.RECHT BIN. TARIEFPREFERENTIELE OVEREENKOMSTE	Tariefpreferenties andere dan die bedoeld onder code 2xx Schorsing van rechten
320	TARIEFCONTINGENT BINNEN TARIEFPREFERENTIELE OVEREENKOMSTEN	Tariefpreferenties andere dan die bedoeld onder code 2xx Tariefcontingent
400	NI/DR DU	Niet-invordering van douanerechten krachtens door de Gemeenschap gesloten overeenkomsten tot oprichting van een douane-unie
420	TARIEFCONTINGENT DOUANE-UNIE	Tariefcontingent in het kader van een door de Gemeenschap gesloten overeenkomst tot oprichting van een douane-unie.

Example Dutch XML Import declaration

```
<TaxCalculation>
  <DutyRegimeCode>300</DutyRegimeCode>
```

Here the code is 300 showing that a Preferential Tariff is applied. The following elements are relevant in this regard.

1. The Commodity code: i.e. 2710124190 (TSP concatenated with TRC)

```
<Commodity>
  <Description>Eurobob (E10)</Description>
  <Classification>
    <SequenceNumeric>1</SequenceNumeric>
    <ID>27101241</ID>
    <IdentificationTypeCode>TSP</IdentificationTypeCode>
  </Classification>
  <Classification>
    <SequenceNumeric>1</SequenceNumeric>
    <ID>90</ID>
    <IdentificationTypeCode>TRC</IdentificationTypeCode>
```

2. The origin

```
<Origin>
  <SequenceNumeric>1</SequenceNumeric>
  <CountryCode>GB</CountryCode>
  <TypeCode>2</TypeCode>
</Origin>
```

Codeboek, onderdeel DWU Aangiftebehandeling

A01 - TYPE LAND OORSP	
Elementcode	Omschrijving
1	NIET PREFERENTIELE LAND VAN OORSPRONG
2	PREFERENTIELE LAND VAN OORSPRONG

3. The available origin type of document.

```
<SupportingDocument>
  <ID>GBXXX</ID>
  <TypeCode>U116</TypeCode>
  <SequenceNumeric>1</SequenceNumeric>
</SupportingDocument>
```

213 - SUPPORT DOCTYPE		
U116	Attest van oorsprong (art. 56, lid 4, punt a), TCA EU en VK	Attest van oorsprong (artikel 56, lid 4, punt a) van de TCA tussen de EU en UK

Example Belgian XML Import declaration

```
<CalculationOfTaxes>
  <preference>100</preference>
```

Here the code is 100 showing that no Preferential Tariff is applied. The following elements are relevant in this regard.

```
<Commodity>
  <descriptionOfGoods>E-GLASS FIBER CHOPPED STRAND, GLASS FIBRES (INCLUDING GLASS WOOL)
    AND ARTICLES THEREOF (FOR EXAMPLE, YARN, WOVEN FABRICS)– SLIVERS, ROVINGS, YARN
    AND CHOPPED STRANDS-- CHOPPED STRANDS, OF A LENGTH OF NOT MORE THAN 50 MM</
    descriptionOfGoods>
  <CommodityCode>
    <harmonizedSystemSubheadingCode>701911</harmonizedSystemSubheadingCode>
    <combinedNomenclatureCode>00</combinedNomenclatureCode>
    <taricCode>00</taricCode>
  </CommodityCode>
```

Commodity code concatenation of 3 elements 7019110000

```
<Origin>
  <countryOfOrigin>MY</countryOfOrigin>
</Origin>
```

Origin = Malaysia (MY)

The Controls

We have the tariff information available to validate. On the basis of the Commodity code + the Country of Origin we can identify the applicable measures and validate against the declarations. We can use the Taric service data we have at our disposal.

For the Dutch example, the control would be on the availability of the underlying documentation. A preferential rate is claimed on the basis of U116 Statement on Origin. The Control would be to validate the availability and the correctness of the document (output). The automated Control should show the Controls performed and the result, which in this case would be a To do to complete. In this case we would start with creating a Form to check the correctness of the Statement on Origin document.

CountryGB

Search

Commodity code2710 12 41 90

Start date16-9-2023

End date

Goods nomenclature groups

DescriptionSECTION V - Mineral products
CHAPTER 27 - Mineral products
specified or included in the list of
minerals (other than those in
Chapter 28)

FootnotesTN701

Calculate

142: Measure "Tariff preference"

valid from 1-1-2021

Geographical area: GB

02: Presentation of a certificate/licence/document

Code	Type of document	Description	Procedure
U116	Proofs of origin	Statement on Origin (Article 56 (4) point (a) of the EU-UK TCA)	27: Apply the mentioned duty
U117	Proofs of origin	Importer's knowledge (Article 58 of the EU-UK TCA)	27: Apply the mentioned duty
U118	Proofs of origin	Statement on Origin for multiple shipments of identical products (Article 56 (4) point (b) of the EU-UK TCA)	27: Apply the mentioned duty
No document provided			07: Measure not applicable

Close

Result of search: 9 measure(s) found

Origin	Start date	End date	Measure type	Footnotes	Geographical area	Excluded countries	Duty expression	Co
EU	1-1-2012		Third country duty (103)		ERGA OMNES (1011)		4.700%	
EU	1-7-2016		Suspension - goods for certain categories of ships, boats and other vessels and for drilling or production platforms (117)	EU003 TM510	ERGA OMNES (1011)		0.000%	co
EU	1-1-2021		Tariff preference (142)		United Kingdom (GB)		0.000%	co

For the Belgian example Commodity 7019110000 + Origin MY (Malaysia) does not offer a Tariff preference (142) Measure so correct application of Preference code 100. Automated Control should show checks done and result being Green score.

Country

MY

MY - Malaysia

Search

Commodity code

7019 11 00 00

Start date

1-1-1996

End date

Goods nomenclature groups

Description

SECTION XIII - Articles of stone, plaster, cement, asbestos, mica or similar materials; ceramic products; glass and glassware (chapter 68 - 70)
CHAPTER 70 - GLASS AND GLASSWARE; Glass fibres (including glass wool) and articles thereof (for example, yarn, rovings, woven fabrics); Slivers, rovings, yarn and chopped strands and mats thereof; Chopped strands, of a length of not more than 50 mm

Footnotes

TN701

Calculate

View measure footnotes

View conditions

Result of search: 7 measure(s) found

Origin	Start date ↕	End date ↕	Measure type ↕	Footnotes	Geographical area ↕	Excluded countries	Duty expression	Conditions	Additional code ↕	Regulation ↕	Quota order ↕
	1-1-1999		Third country duty (103)		ERGA OMNES (1011)		7.000%			R2261/98	
	1-7-2016		Suspension - goods for certain categories of ships, boats and other vessels and for drilling or production platforms (117)	EU003 TM510	ERGA OMNES (1011)		0.000%	View conditions		R2658/87	
	1-11-2018		Airworthiness tariff suspension (119)	CD333	ERGA OMNES (1011)		0.000%	View conditions		R1517/18	
	17-2-2025		Anti-dumping/countervailing statistic (566)		ERGA OMNES (1011)	BH CN EG TH				R1036/16	
	3-4-2017		Import control (714)	CD989 DU072	ERGA OMNES (1011)	IR		View conditions		R0267/12	
	18-8-2016		Import control - Waste (755)	CD572 CD573 CD574 CD577	ERGA OMNES (1011)			View conditions		R1013/06	

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