

TRADE OBSERVER

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New year,
new rules

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YOUR CUSTOMS MONITORING

CHANGES FOR CONSUMERS : NEW RULES AND TRANSPARENCY

In 2024, consumers will face significant changes in their shopping experience and protection, as measures are implemented to enhance information, security, and sustainability.

Enhanced Protection on Online Marketplaces:



Starting from February 17, 2024, **new standards will require online marketplaces to strengthen their transparency.** Under the European Digital Services Act (DSA), these changes aim to identify sellers, provide comprehensive product information, and ensure swift action in the case of recalls of hazardous products. The DGCCRF will lead in ensuring compliance and consumer protection.

Transition from Repairability Index to Sustainability Index:

It is undeniable that a sustainable, repairable, high-performance, scalable, and reliable product poses fewer risks of waste than its counterpart lacking these characteristics. However, for consumers to make informed choices during their purchases, adequate product information is crucial. This is precisely one of the goals set by the Anti-Waste for a Circular Economy (Agec) law adopted in 2020. This legislation planned several stages to achieve this goal.

The first phase, gradually initiated since 2021, imposed a repairability index for various product categories such as washing machines, smartphones, laptops, televisions, etc. In the form of a score from 0 to 10 and an assigned color, this index allows consumers, both in-store and online, to quickly understand the product's repairability.

In 2024, a new stage is planned: the transformation of the repairability index into a sustainability index. This new indicator will add two additional criteria, product reliability and scalability, to repairability. The goal is twofold: to encourage manufacturers to prioritize product longevity and to encourage consumers to choose durable items while promoting repairability in case of malfunctions.

Food and Cosmetic Safety

Since January 1, **food safety is now the exclusive responsibility of the DGAI** (Ministry of Agriculture), ending the shared responsibility with the DGCCRF (Ministry of Economy). The DGCCRF retains its role in loyalty and combating fraud. The sanitary quality of water intended for human consumption remains under the responsibility of the Directorate General of Health (Ministry of Health).



EXPORTERS ON THE ALERT TO GLOBAL POLITICS

In this new year, exporters find themselves facing a global situation that demands increased vigilance. Recent studies all point to the same reality: the slowdown in growth persists. Unfortunately, geopolitical tensions are escalating, with conflicts such as the one between Israel and Hamas adding to existing crises like the Russia-Ukraine war and tensions in the South China Sea.

According to a recent analysis by Allianz Trade, a major concern in 2024 is **that 60% of the global GDP will be impacted by elections**. No region will be spared, with elections scheduled in the European Parliament and several European countries such as Finland, Croatia, Portugal, Belgium, and Austria. Additionally, legislative elections are planned in the United Kingdom, presidential elections in the United States, and elections in Asia (Taiwan, Indonesia, India, South Korea) and Latin America (Mexico, Uruguay).



This political uncertainty is likely to create a period of wait-and-see among households, businesses, and investors. Consequently, it could delay potential decision-making by these economic actors, making a strong rebound in international economic activity less likely.

Faced with this complex context, participants in international trade, especially import-export professionals, must exercise increased vigilance. **Political fluctuations can directly impact global markets, trade regulations, and export conditions.** It is therefore essential to adopt flexible and responsive strategies to anticipate and mitigate risks associated with this period of political uncertainty.

By staying informed about political, economic, and geopolitical developments, professionals can better position their activities to navigate successfully in this complex export landscape.

A NEW DEAL FOR E-COMMERCE IN SWITZERLAND : ABOLITION OF CUSTOMS DUTIES ON INDUSTRIAL PRODUCTS

Starting from January 1, 2024, e-commerce in Switzerland will undergo a profound transformation with the elimination of customs duties on most industrial products. This decision is part of a broader initiative aimed at increasing Swiss competitiveness by removing obstacles to international trade.

The abolition of customs duties, currently imposed on industrial products, **will be extended from 2024**, excluding agricultural and fisheries products. Motivated by the desire to improve competitiveness and combat high costs in Switzerland, this measure promises to boost international trade by reducing importation costs.

This represents a significant advancement for Swiss online commerce, where imported goods were previously subject to varying customs duties based on various factors. **From 2024, these import duties will be eliminated for industrial products**, removing the need to provide proof of origin (although it is still advisable to include them). However, it is important to note that products re-exported from Switzerland remain subject to these duties, requiring appropriate documentation.

The elimination of customs duties is also accompanied by a **simplification of the customs tariff structure for industrial products**. Although this elimination does not immediately simplify customs clearance processes as of January 1, 2024, potential changes are contemplated within the framework of the new customs legislation.



For Swiss traders, the abolition of customs duties represents a **major opportunity to reduce importation costs and remain competitive on the international stage**. Sectors such as textiles, which were particularly affected by high entry duties, can anticipate significant benefits. However, this development requires adaptation. Swiss online commerce professionals must prepare for potential changes in customs clearance processes, despite the immediate absence of simplification at this level.

Concurrently, the increase in VAT rates on January 1, 2024, introduces an additional dimension. Traders must **adjust their processes to reflect the new rates**, requiring careful planning to avoid any confusion or errors.

In summary, the elimination of customs duties on industrial products in 2024 represents a major transformation for Swiss e-commerce. Opportunities abound, but success will depend on preparation, adaptability, and a thorough understanding of the upcoming changes.

YOUR CUSTOMS MONITORING

GRANTING OF CUSTOMS DUTY IN GUADELOUPE - TARIFF 2024

The General Directorate of Customs and Indirect Taxes has published the deliberation of the plenary assembly of the Regional Council of Guadeloupe dated 20/12/2023 regarding the customs duty tariff in Guadeloupe applicable from 01/01/2024. In the regions of Guadeloupe, Guyana, Martinique, Mayotte, and La Réunion, a tax called "octroi de mer" is applicable. Operations subject to "octroi de mer" include:

- Importation of goods;
- Deliveries of goods, for consideration, by individuals engaged in production activities (the "taxpayers"). "Octroi de mer" is divided into two taxes: the "octroi de mer" tax and the regional "octroi de mer" tax. The rates of these taxes are set by deliberation of the Regional Council, the sole authority to decide on the level of taxation.

BREXIT - EXTENSION OF RULES OF ORIGIN FOR ELECTRIC VEHICLES

Extension of current rules of origin for electric vehicles and batteries until the end of 2026. This extension has been approved by the council.

The extension of the application of current rules was proposed by the Commission on December 6, 2023, and is expected to be decided by the end of the year by the EU-UK Partnership Council established by the Trade and Cooperation Agreement between the EU and the UK. As a result, the application of a 10% customs duty on goods traded between the EU and the UK will not come into effect.

Only electric vehicles that comply with the rules of origin, which define the required local content for electric vehicles and their batteries, can benefit from duty-free trade. The agreement provides for a phased introduction of local content requirements, with the second phase beginning on January 1, 2024, and the full regime on January 1, 2027.

EXTENSION OF TRADE POLICY SUSPENSION FOR US PRODUCTS

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Starting from January 1, 2024, until March 31, 2025, the suspension of the trade policy for certain products originating from the US has been extended.

By implementing Regulation (EU) 2023/2882 dated December 18, 2023, importers are notified of the suspension, effective from 01/01/2024 to 31/03/2025, which includes:

- Additional ad valorem duties at rates of 10%, 25%, 35%, and 50% on imports of products listed in Annexes I and II of Implementing Regulation (EU) 2018/886,
- Additional ad valorem duties at rates of 20%, 7%, and 4.4% on imports of products listed in Article 1, paragraph 2, points a) and b), of Implementing Regulation (EU) 2020/502.



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EU COUNCIL/EUROPEAN PARLIAMENT AGREEMENT

New rules mandate companies to incorporate human rights and environmental impact into their management systems. The agreement applies to European and non-European companies with a turnover exceeding 150 million euros, as well as small businesses in the textile manufacturing, agriculture, mineral resources, and construction sectors.

Sanctions and fines of up to 5% of the turnover may be imposed. This initiative will come into effect following formal approval by the Committee on Legal Affairs and the Parliament.

NEW MODERNIZED RULES FOR THE PAN-EURO-MEDITERRANEAN (PEM)

New modernized rules of origin have just been adopted for the Pan-Euro-Mediterranean region (PEM), which includes the EU and neighboring countries in the Pan-Euro-Mediterranean area.

A regional convention had been established regarding Pan-Euro-Mediterranean preferential rules of origin. The PEM Committee has now adopted the modifications to be made to the convention and will ensure its proper implementation.

These rules will be implemented starting from January 1, 2025.

The 24 PEM trading partner countries will benefit from new, simpler, and more flexible rules. This includes new dual transformations for textiles, increased tolerance thresholds for non-originating materials, the possibility of a duty drawback, the introduction of full cumulation, and more.

PNTS / ANTES

In France, PNTS has become ANTES, designating the future online service offered by the DGDDI to dematerialize formalities prior to customs clearance. It will apply to services in charge of presenting goods, when France is the country of unloading. The aim is to simplify administrative formalities for operators, to make them more fluid and efficient, and to improve traceability and security of the end-to-end import process.

It should also be noted that the ANTES online service offers the possibility of reusing data from the pre-arrival summary declaration (ENS) for the filing of the DDT (anticipated or combined) by indicating the MRN number of the pre-arrival ENS.

Antes is being rolled out in several stages:

Step 1 scheduled for March 6, 2024, with the airborne vector.

ANTES will be available for other transport vectors (road, rail, river, sea) in line with the ICS2 schedule.

Step 2 is scheduled for the last quarter of 2024.



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NEW ICS2 SCHEDULE

ICS2 is designed to gradually replace the ICS1 system regarding safety and security formalities prior to the introduction of goods into the customs territory of the European Union (CTEU), through the submission of a complete Entry Summary Declaration.

With Phase 2 now complete, the new schedule for the third phase of ICS 2 has been unveiled. This phase is set to commence on June 3, 2024 (originally scheduled for March 1, 2024) and will focus on the maritime vector.

The railway and road vectors, crucial in the context of the Brexit border, will, in turn, be covered starting from April 1, 2025. Meanwhile, the rules of ICS 1 still apply to these vectors during the interim period.

EXTENSION OF THE GSP SUSPENSION

As indicated in our previous updates, the application period of the Generalized System of Preferences (GSP) has been extended until 2027. A new regulation also extends the suspension of certain tariff preferences for specific GSP beneficiary countries.

Indeed, under Regulation No. 2022/1039, certain countries/products no longer benefited from preferences for a period of three years. Following this extension, the suspension of removal is also prolonged for an additional three years. This measure is applicable from January 1, 2024.

[Refer to Annex I of Regulation 1039/2022 for further details.](#)

