



NEWS

EVENTS

PROFILE

COMPETENCIES

DIGITAL

INFO

CAREER

CONTACT

ENGL



## search

Home » COVID-19: Customs and import sales tax exemptions and other measures in goods traffic

Go

# COVID-19: Customs and import sales tax exemptions as well as other measures in goods traffic

## filter

| View all

| 2020

Customs newsletter 01/2020

The outbreak of SARS-CoV-2 affects the entire economic and private life. Many goods that were previously available in abundance are currently scarce. This includes urgently needed medical equipment. The European Commission has now exempted these goods from customs duties and import sales tax. There are also other measures that are intended to promote the overall movement of goods.

## 1 background

For several months now, the SARS-CoV-2 coronavirus has been spreading all over the world. As a result, some products are currently in particularly high demand. The shelves remain empty in supermarkets. Doctors, hospitals and pharmacies urgently need large amounts of medical protective equipment such as face masks, but there is also a lack of disinfectants and respirators. In addition, the price of the equipment still available is increasing. One reason is the cancellation of numerous passenger flights. Usually, about half of the air freight in the cargo hold is carried by passenger aircraft. Due to the current capacity bottlenecks, freight rates are increasing. The EU has adopted a number of measures to ensure that the urgently needed goods arrive where they are needed quickly and at the lowest possible cost.

## 2 Exemption from customs duties and import sales tax

With the [decision \(EU\) 2020/491](#) The Commission has ordered exemptions from customs duties and import sales tax on items needed to combat the effects of the COVID 19 outbreak. The Member States determine what these items are and in what quantities they can be imported duty-

free. The Commission has therefore interpreted the exception to the basic principles of the customs union, which is regulated in Article 76 Regulation (EC) 1186/2009 (Customs Exemption Regulation), very broadly in favor of the Member States. In this particular situation, this should allow Member States to exempt everything from the taxes they need. According to the Commission, this includes personal protective equipment (PPE; e.g. face protection, protective clothing and gloves), test kits and medical equipment such as respirators.

- | The items are imported by or on behalf of government organizations or government recognized organizations.
- | The items are only intended for a beneficiary purpose: free distribution to people who develop COVID-19, are at risk of illness or are involved in fighting the outbreak. It does not matter whether the objects are transferred to these people or whether the organizations make the objects available but keep them in property.
- | The restrictions of the customs exemptions in favor of disaster victims (Art. 75, 78, 79, 80 VO (EU) 1186/2009 (Customs Exemption Regulation)) must be observed.

The exemption applies retrospectively to all imports from January 30, 2020 that meet the above requirements. It is in effect until July 31, 2020. The organizations concerned can apply for reimbursement for fees already paid within three years.

### **3 Measures related to the cross-border movement of goods**

#### **Export restrictions for personal protective equipment**

In order to counter the lack of PPE, a permit is required for the export of certain PPE ( [Regulation \(EU\) 2020/402](#) ). In Germany, these are issued by the Federal Office of Economics and Export Control (BAFA).

### **Simplifications in air freight**

Any national air traffic restrictions, such as night flight bans, are to be suspended for cargo aircraft. All competent aviation authorities should grant additional traffic rights for freight traffic, even if this is done with passenger aircraft. More information is [here](#) to find.

### **Measures in land transport**

For land transport, so-called "green lanes", also known as "special lanes", must be set up at the borders of the trans-European transport network. Passing internal border crossings with "Green Lanes" should not take more than 15 minutes for freight vehicles. In addition, Member States should temporarily suspend any road access restrictions, such as night and Sunday driving bans. Also, there must be no mandatory quarantine measures, which are linked to the border crossing, for the personnel deployed in freight traffic. Member States should coordinate on health controls so that such controls take place only on one side of the border. More details [here](#) .

### **Strengthening exports**

Due to the general ban on state aid, state insurers are usually not permitted to issue short-term export credit insurance. This applies if the country to which the export is made is one of the countries with marketable risks. The Commission has now declared all countries in which the economic and political risks were previously considered marketable to be countries with non-

marketable risks by the end of 2020 ( [Commission Communication 2020 / C 101 I / 01](#) ). As a result, state insurers are now allowed to provide short-term credit insurance for any export.

It can be expected that both German and European legislators will adapt the regulations to the changing situation. The current development can therefore still be observed in order to react quickly and flexibly.

Contact Person:



Dr. Christian Salder  
Lawyer, tax advisor,  
specialist lawyer for tax law  
Tel .: +49 89 217501285  
[christian.salder@kmlz.de](mailto:christian.salder@kmlz.de)

As of April 7, 2020

 [Customs newsletter 01\\_2020.pdf](#)



KONTAKT



IMPRESSUM



DATENSCHUTZ

