

Belgian Customs Administration
3 March 2021

N.B. The information provided by individual Member States supplements the [information provided by the European Commission](#)

1. Which of the measures outlined in the WCO Resolution on the role of Customs in facilitating the cross-border movement of situationally critical medicines and vaccines has your Customs administration implemented in practice? Please provide details of the implementation.

1.1 Carry out the clearance of situationally critical medicines and vaccines for export, transit and import as a matter of priority in appropriate facilities in order to prevent possible detrimental product temperature variations due to delays.

We provide special procedures when necessary. Green lane - see further questions.

1.2 Provide mechanisms for identifying such medicine and vaccine shipments during import or export, such as on import or export documentation.

- The Belgian administration, in response to an Italian proposal for new TARIC-level codes for protective masks, proposed a number of new codes including codes for both COVID-19 vaccines and diagnostic materials/test kits. Aside from contributing to the discussion at TARIC-level, this resulted in the adoption of:

- CN-code 3002 20 10 00 – Vaccines against SARS-related coronaviruses (SARS-CoV species) (and its counterpart code 3002 90 00 – Other)
- TARIC- code 3002 13 00 10 – Diagnostic reagents of a kind used in the diagnosis of SARS-CoV virus species infections (and its counterpart 3002 13 00 90 – Other)
- TARIC- code 3002 14 00 10 – Diagnostic reagents of a kind used in the diagnosis of SARS-CoV virus species infections (and its counterpart 3002 14 00 90 – Other)
- TARIC-code 3002 15 00 10 – SARS-CoV virus species diagnostic reagents, whether or not put up in the form of kits (and its counterpart 3002 15 00 90 – Other)

- Since there was a perceived need to differentiate, if necessary, between vaccines for COVID-19 in particular and possible later diseases caused by 'SARS-related coronaviruses', existing national codes were used until 31 December 2020 for this purpose:

- 3002 2000 00 – 1065: for Vaccines against COVID-19
- 3002 2000 00 – 1066: for other vaccines against SARS-related coronaviruses

This was communicated to Customs agents in the field by means of an internal service note (see also question 2.)

1.3 Provide for special procedures for authorized/recognized supply chain actors, including producers of COVID-19 vaccines.

We have contacted all large concerned operators (mostly producers). Green lane in place for one supply chain actor (producer). Negotiations ongoing with two other companies. Others are aware they can contact our Marketing Department to negotiate facilitations. General principles about Customs rules are decided on European Union level. A European Commission's Decision IAW EU Regulation provides Member States of the EU possibilities for relief from import of

duties and VAT exemption on importation granted for goods (materials, medicines and goods as listed) needed to combat the effects of the COVID-19 outbreak. Uniform simplified operational procedures have been implemented in accordance with this Commission Decision.

1.4 Apply risk-based control and perform examinations on shipments declared as such medicines and vaccines only in exceptional circumstances, and only at the appropriate moment and place.

There already is a green lane in place (see q.1.3) for a large producer of COVID-19 vaccines (probably more to come). We apply a zero selection procedure, based on the combination of trusted VAT numbers and goods codes for COVID-19 vaccines mentioned in declarations. In order to make sure there is no misuse of our green lane (mostly in the field of identity theft, so the trusted VAT numbers are not used by another party) we have set up a real time datamining procedure which performs checks on certain parameters (like weight) to see whether the shipment fits into the regular flows of the trusted trader. In case of doubt: initiate documentary control.

1.5 When an examination is deemed necessary, perform non-intrusive inspections to the extent possible.

In the unlikely event a verification is deemed necessary within our green lane system (see q. 1.4), it will be a documentary control.

1.6 Ensure that inspections by other government agencies and inspections by Customs are coordinated and, if possible, carried out at the same time.

It is Customs competency to stop the goods when necessary; final decisions need to be taken by the concerned market surveillance authority, in this case the Belgian agency for medicines and health products (FAMHP - FAGG in Dutch). We contact FAMHP and they decide how to proceed.

1.7 Implement measures such as those contained in the Customs Convention on Containers, 1972, with regard to the Customs treatment of containers (including specialized containers) used for the transportation of situationally critical medicines and vaccines.

Temporary Admission of non-Union containers and temporary export/re-importation of Union containers with no other customs formalities than crossing the borders are allowed under rules of European Customs regulations, in respect of some conditions as visible identification on the container. Goods contained must be declared as such to the Customs.

1.8 Implement measures such as those contained in the Recommendation of the Customs Co-operation Council of June 2013 concerning Customs Formalities in Connection with the Temporary Admission of Container Security Devices, with regard to the Customs treatment of devices (data loggers) affixed to containers used for the shipping of vaccines for the purpose of monitoring the status of the vaccines and/or for tracking purposes.

Belgium applies this recommendation according to the conditions applied by the European Union.

1.9 Commit to working together to facilitate international trade and coordinate responses in ways that avoid unnecessary interference with international traffic and trade as it relates to COVID-19 medicines. Emergency measures aimed at protecting health should be targeted, proportionate, transparent, and temporary.

Department responsible for international cooperation is on stand by for any request from its international counterparts to provide a coordinated response. Close collaboration with other EU countries.

1.10 Cooperate and coordinate with relevant government agencies, in particular health authorities, and supply chain stakeholders, so that facilities, security arrangements and border processes are ready for the large-scale and complex task ahead.

Belgian Customs has procedures in place with the Federal Agency for Medicines and Health Products. A taskforce is installed to monitor closely and act accordingly on indicated risks and problems. Furthermore, there is regular contact with the private sector through the private sector consultative body that is called the National Forum.

1.11 Ensure that Customs staff are prepared to handle specialized temperature-sensitive items, including those involving the use of dangerous goods (dry ice) for their transportation.

There is nothing foreseen for this item in the working method because in general Customs officers do not manipulate the goods in the verification procedure. The declarant is asked to do the necessary manipulations under supervision of the Customs officer and in the premises that allow the goods to be verified.

1.12 Take appropriate measures to prevent organized criminal organizations from exploiting the situation, and to address the threat posed by illegal products in the cases of dangerous, sub-standard or counterfeit medicines and vaccines.

As the Central Coordinating Unit for Mutual Assistance in Customs Matters we handle all requests from the European Anti-fraud Office (OLAF), EU Member States and third countries, including requests related to pharmaceutical products/vaccines and personal protective equipment (PPE).

Through our long-standing participation in the multidisciplinary Pharma and Food Crime Platform (PFCP) we exchange information and collaborate with other competent authorities in Belgium, most notably with the Federal Judicial Police/FUPHEC (Federal Unit Public Health and Environmental Crime) and the Federal Agency for Medicines and Health Products.

We were responsible for coordinating Operation STOP (I) in Belgium.

Together with FUPHEC we participated in Europol Operation SHIELD (spring/summer 2020), targeting falsified and misused medicines in general and COVID-19 related crime in particular.

Through Europol SIENA, we exchange information with the EU law enforcement community. We participate in Operation STOP II in order to protect the public against counterfeit/illicit medicines and other medical supplies and equipment linked to COVID-19. This Operation will also take into account vaccines being circulated in connection with the COVID-19 pandemic in order to protect people against fake vaccines. Our services will conduct risk based controls on all borders with third countries with an emphasis on air and sea cargo.

2. Was any relevant information concerning the Customs clearance of COVID-19 vaccines and the goods and devices used for their shipment and transportation, made publicly available, for example on the Customs administration's web-site? If yes, please provide a URL. If not made publicly available, was relevant information provided to the supply chain stakeholders – manufacturers, exporters, importers, logistics providers, etc.?

The need to use the national additional codes for COVID-19 vaccines was communicated externally on the public website of the Belgian Customs and Excise Administration. Additionally, the communication was done at the "National Forum", a platform for discussion between the private sector and the Belgian Customs and Excise Administration. These communications referred to the site "TARBEL", a public site where all information regarding commodity codes (including the national additional codes), tariff- and non-tariff measures, and more can be consulted:

English version:

<https://eservices.minfin.fgov.be/extTariffBrowser/Browser?lang=EN&date=20210126>

As the national codes were no longer necessary with the arrival of the new CN-level codes, these notifications were updated. French:

https://finances.belgium.be/fr/douanes_accises/entreprises/corona-informations-et-mesures/importation/codes-nationaux

3. Was any dedicated guidance made available to the field Customs officers with regard to the Customs clearance of COVID-19 vaccines for export, transit and import, as well as the goods and devices used for the vaccines' shipment and transportation? If yes, please provide details on how the guidance was disseminated.

The working method: "COVID-19: personal protective equipment, test materials, vaccines for influenza and COVID-19" was written and made available to the Customs officers concerned. It aims to clearly define the procedure for importing and exporting these goods and to centralize all information for control.

4. Has any training been provided to the staff of your Customs administration in anticipation of the COVID-19 vaccines distribution effort, for example training for handling of time- and temperature-sensitive items, training for handling of dangerous goods (e.g. dry ice), training for identifying the COVID-19 vaccines on import or export documentation?

Currently, no training has been provided. A detailed and well formulated instruction should be sufficient for staff to deal with this matter.

5. What mode of transport was used for the exportation/importation of COVID-19 vaccines from/into your country?

Mostly air transport via Brussels Airport. For instance, for export: from producer's site to Köln - Amsterdam - Brussels Airport by road in order to be loaded into plane.

6. What are the documents required for the exportation of COVID-19 vaccines from your country? (applies to the Members exporting COVID-19 vaccines)

See the reply of the EU.

7. Which national authorities are responsible for the checking and clearing the COVID-19 vaccines shipments for exportation? How is the cooperation between these authorities arranged? (applies to the Members exporting COVID-19 vaccines)

The Federal Agency for Medicines and Health Products is competent to authorize the trade in COVID-19 vaccines and is in close contact with the producers to know their trade routing. In case of non-authorized shipments procedures are in place to contact the agency in order to investigate and to settle the shipment.

8. Is there any exchange of information/data between the Customs authorities of the exporting country and the Customs authorities of the importing country? What type of information is exchanged? How is the exchange of information arranged/regulated?

There has not been any information/data exchange of this type in the context of COVID-19 vaccines until now. We do receive however input from the European Commission (via CRMS, OLAF, ...).

9. Was the Customs transit procedure used for the COVID-19 vaccines imported into your country? If yes, why/what was the rationale?

Yes, it happened. For instance, Brussels Airport -> T1 -> producers' site or laboratory for research purposes (smaller quantities).

10. Does your administration implement risk management techniques related to the cross-border movement of COVID-19 vaccines?

See question 1.4

11. What are the documents required for the importation of COVID-19 vaccines in your country?

Import Customs declaration along with other documents required by other legislations.

12. Which national authorities are responsible for the checking and clearing the COVID-19 vaccines shipments for importation? How is the cooperation between these authorities arranged?

See question 7

13. If information is available, what was the time required for the release of the COVID-19 vaccines shipments imported into your country?

A total of 48 pertinent import declarations (SAD), regarding COVID-19 vaccines, were identified:

- 35 declarations (73%) were released in under an hour;
- 10 declarations (21%) were released within 1 - 24 hours;
- 3 declarations (6%) were released within 24 - 72 hours.

14. Has your government considered duty and tax waivers for the importation of COVID-19 vaccines?

Duty relief and vat exemption on importation are regulated on a European Union level. No objection to apply duty relief if conditions of relief are fulfilled.

15. Please include any other relevant information you wish to share.

None.