

## Customs Flash

### News you can count on



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#### **Biodiesel from Argentina and Indonesia imported in the European Union subject to registration**

After a complaint of the European Diesel Board the European Commission initiated in 2012 an anti-dumping and anti-subsidy proceeding concerning imports of bio-diesel from Argentina and Indonesia. Both notices regarding these initiations can be found in the 'Related links' section of this Customs Flash. With Commission Regulation (EU) 79/2013, the European Commission made biodiesel from Argentina and Indonesia subject to registration for anti-dumping purposes. As could be expected, the European Commission recently published a new Regulation for anti-subsidy purposes. Commission Regulation (EU) 330/2013 makes imports of biodiesel, namely fatty-acid mono-alkyl esters and/or paraffinic gasoils obtained from synthesis and/or hydro-treatment, of non-fossil origin, in pure form or as included in a blend, from Argentina and Indonesia subject to registration.

The European Commission is of the opinion that sufficient prima facie evidence from the European Biodiesel Board that biodiesel are being subsidised is received. It is expected that exporting producers will increase their exports of biodiesel prior to the adaption of provisional measures. Therefore, to prevent injury to the European market from massive imports of biodiesel in the European Union, countervailing measures could be applied retroactively on those imports.

#### **What does it mean for you?**

If your company imports into the European Union aforementioned products originating in Argentina or Indonesia, each shipment will need to be registered with your local Customs Authorities. This means you will have to provide additional information on your declarations when importing biodiesel with the following CN codes .

ex 1516 20 98 (TARIC codes 1516 20 98 21, 1516 20 98 29 and 1516 20 98 30), ex 1518 00 91 (TARIC codes 1518 00 91 21, 1518 00 91 29 and 1518 00 91 30), ex 1518 00 95 (TARIC code 1518 00 95 10) ex 1518 00 99 (TARIC codes 1518 00 99 21, 1518 00 99 29 and 1518 00 99 30), ex 2710 19 43 (TARIC codes 2710 19 43 21, 2710 19 43 29 and 2710 19 43 30), ex 2710 19 46 (TARIC codes 2710 19 46 21, 2710 19 46 29 and 2710 19 46 30), ex 2710 19 47 (TARIC codes 2710 19 47 21, 2710 19 47 29 and 2710 19 47 30), 2710 20 11, 2710 20 15, 2710 20 17, ex 3824 90 97 (TARIC codes 3824 90 97 01, 3824 90 97 03 and 3824 90 97 04), 3826 00 10 ex 3826 00 90 (TARIC codes 3826 00 90 11, 3826 00 90 19 and 3826 00 90 30)

Additional duties could be retroactively applied against imports of biodiesel from the date of such registration.

#### **What to do?**

When you submit a customs declaration for biodiesel originating from Argentina or Indonesia, the following information should be included on the declaration: the proportion in the blend, by weight, of the total content of fatty-acid mono-alkyl esters and of paraffinic gasoils obtained from synthesis and/or hydro-treatment, of non-

fossil origin (biodiesel content).

If you have any questions regarding this subject, please don't hesitate to contact us.

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## Related links

### Links

#### Deloitte Customs Publications

[Notice 2012/C 260/04](#)

[Notice 2012/C 342/03](#)

[Commission Regulation \(EU\) No 79/2013](#)

[Commission Regulation \(EU\) No 330/2013](#)

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