



Thinking of importing regulated industrial products from outside the EU? Let French Customs help you plan ahead!

Are you planning to import items such as toys, childcare articles, electrical equipment, bicycles, protective equipment, microwave ovens, etc? Like many industrial products, they are subject to often complex regulations and your goods may be blocked at clearance if they are non-compliant. This fact-sheet will help you understand your mandatory compliance obligations with technical standards. It also lists some useful sources of information.

Background information

In recent years, several industrial product safety crises have occurred, with sometimes serious consequences for consumer protection. They have underscored the need **to guarantee a high level of product safety**, ensured by effective inspections of imports from non-EU member countries.

For this purpose, Community Regulation no. 765/2008 of 9 July 2008 reaffirms Member States' obligation to organise market surveillance, strengthens monitoring mechanisms and enlists customs authorities' help in this effort.

Your goods may be inspected when they are imported from a third country

For many products from the EU or France (toys, electric equipment, machines, and so on) that are subject to special industry-specific regulations, French Customs has been empowered to ensure compliance with these regulations.

For products that are not regulated by special legislation, in case of serious doubt, the General Directorate of Customs and Excise (DGDDI) may also ask the General Directorate for Competition, Consumer Affairs and Fraud Control (DGCCRF) to step in and block the products for three business days.

The operator marketing the products is responsible for their compliance

Safety regulations for industrial products have been introduced to clear the way for the free movement of goods and to ensure consumer safety.

Accordingly, before importing, you are responsible for implementing the requisite conformity evaluation procedure, assembling the technical documents, and stamping the goods with the regulatory markings - in particular the CE marking.

If needed, certain customs procedures with economic impact may allow you to make your products compliant before release for home use.

In case of a customs inspection, procedures will vary depending on how carefully you have complied with regulations

If you have not met your obligations, your goods will be considered as banned under Article 38 of the Customs Code. You will be responsible for proving their compliance with safety requirements and for having laboratory tests conducted at your expense.

At the same time, **even if the obligations have been met, in case of doubt and depending on actual risk, customs may take samples to inspect, or even have laboratory tests conducted at its expense, if needed.** The inspection will be conducted as quickly as possible and, save extraordinary circumstances, will last less than a month if tests are run.

If your goods are found to be non-compliant

... You will generally have a choice between:

- Making them compliant, if technically feasible – To help you do so, you will systematically receive a copy of the laboratory test report.
- Re-exporting the goods – An alert message will be sent to all European Union customs authorities
- Destroying the goods

Of course, you may also request a second expert opinion at your own expense. Customs will provide you with the information about the procedures for this step.

Get in touch with the competent public administrations to find out what your obligations are, or to get any additional information concerning the regulations applicable to your products. The authorities' contact information is listed per type of applicable regulation, on the dedicated Internet page of the website: www.douane.gouv.fr, under the heading *Entreprises/Vos opérations à l'extérieur de l'UE* (Businesses/ Your Operations outside the EU), in the menu *formalités particulières liées à l'importation de marchandises* (Special Procedures for Importing Goods).

Contact your Single Customs Officer (RUD, *Référent Unique Douanier*) in charge of your relevant procedures and find out what the requisite customs formalities are, at your main customs office, or send a message to dg-e2@douane.finances.gouv.fr for any questions about regulations, or to dg-d2@douane.finances.gouv.fr for questions about customs inspections. You may also consult the useful French and European websites (free access):

EUR-LEX: <http://eur-lex.europa.eu/>

COMMISSION DG ENTREPRISES: http://ec.europa.eu/enterprise/sectors/index_fr.htm

NANDO: <http://ec.europa.eu/enterprise/newapproach/nando/index.cfm?fuseaction=directive.main>

RAPEX: <http://ec.europa.eu/consumers/safety/rapex>

TRIS: http://ec.europa.eu/enterprise/tris/index_fr.htm LEGIFRANCE: <http://www.legifrance.gouv.fr/>

AFNOR (French Standardisation Agency): <http://www.afnor.org/>

CSC: <http://www.securiteconso.org/>

COFRAC: <http://www.cofrac.fr/>



General Directorate of Customs and Excise

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