

M.E. DEY & Co.

PREPARING FOR ICS2 ENS FILING FOR EU EXPORTS

Beginning December 4, 2024, new customs regulations under the Import Control System 2 (ICS2) will go into effect, impacting US shippers exporting to the European Union (EU). This initiative enhances supply chain security and modernizes customs procedures. Shippers must act now to ensure compliance and avoid disruptions.

WHAT IS ICS2 AND WHY DOES IT MATTER?

ICS2 is the EU's updated electronic filing system for safety and security data, replacing the previous ICS1 system. It applies to all goods entering or transiting the EU, Switzerland, Norway, and Northern Ireland. By requiring detailed shipment data prior to entry, ICS2 aims to streamline customs processes and improve risk analysis.

KEY TAKEAWAYS FOR US SHIPPERS

To meet the ICS2 requirements, US shippers must secure an Economic Operators Registration and Identification (EORI) number and share it with their freight forwarders and carriers. This unique identifier will be critical for completing the Entry Summary Declaration (ENS).

QUESTIONS?

M.E. Dey is happy to assist in guiding you through obtaining an EORI number and ensuring your shipments are ICS2-compliant. Contact us for more information: compliance@medey.com

WHAT DO US SHIPPERS NEED TO DO?

1. Apply for an EORI Number

The EORI number is a mandatory unique identifier for all businesses trading with the EU. You can obtain this through the Member State where you will first be exporting.

2. Share EORI Information

Provide the EORI number to your freight forwarders and carriers to include in the ENS filing.

3. Prepare Accurate Shipment Details

While your freight forwarder will handle the ENS submission, shippers should ensure they supply the following:

- Complete commercial descriptions of goods
- HS codes for each item (6-digit level)
- Accurate details of all parties (shipper, consignee, buyer, seller)
- Shipment information (routes, dates, vessel details, container/seal numbers)

WHO IS RESPONSIBLE FOR FILING ICS2/ENS FOR A HBL?

The responsibility for filing the Entry Summary Declaration (ENS) at the House Bill of Lading (HBL) level falls on freight forwarders and Non-Vessel Operating Common Carriers (NVOCCs). They are required to submit detailed information about the shipment, including the actual shipper and consignee details, to the ICS2 system.

TIMELINES AND RISKS OF NON-COMPLIANCE

All HBL data must be electronically submitted at least 24 hours before the cargo is loaded onto a vessel at the origin port. Missing this deadline or submitting incomplete or inaccurate information can have serious consequences. Goods may be delayed or held at EU customs borders, declarations with errors or missing details may be rejected, and non-compliance can result in sanctions or penalties. Meeting these timelines and ensuring accurate submissions are crucial for avoiding disruptions and ensuring seamless customs processing.