

Import and export licences for agricultural products

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1. Introduction

Recommended browsers for reading this Guide are Google Chrome and Mozilla Firefox. Click on the arrows at the bottom of the page to browse the Guide. To return to the Contents page, click the Contents button in the bottom left-hand corner. Click on any heading on the Contents page to go directly to that section. Click on any image to magnify it. A link to the printable PDF version of the Guide may be found in the section 'Publication details' at the end.

The purpose of this Guide is to provide an overview of the system of import and export licences for agricultural products in the EU and how it is applied in Finland. The system of import and export licences for agricultural products forms part of the EU's Common Agricultural Policy, the purpose of which is to attain a balanced market situation.

Import and export licences are provided for in the following regulations and national legislation:

- **Commission Delegated Regulation (EU) 2016/1237** of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences, amending Commission Regulations (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 951/2006, (EC) No 341/2007 and (EC) No 382/2008 and repealing Commission Regulations (EC) No 2390/98, (EC) No 1345/2005, (EC) No

376/2008 and (EC) No 507/2008.

- **Commission Implementing Regulation (EU) 2016/1239** of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the system of import and export licences. Annex II Part I of the Implementing Regulation lists the agricultural products subject to a licensing obligation for imports. Annex II Part II of the Implementing Regulation lists the agricultural products subject to a licensing obligation for exports.

- The security system for agricultural products is provided for in **Commission Delegated Regulation (EU) No 907/2014** of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro.

- Act on the Organisation of Markets in Agricultural Products (999/2012). The aforementioned Commission Regulations are directly enforceable in Finland. The guidelines issued are based on these Regulations but are not legally binding. The information in this Guide is indicative only. Since EU legislation is constantly being amended, the information in this Guide may not be accurate, even though the Guide is also regularly updated. Please note that currently valid legislation always takes precedence over any guidelines or instructions. EU legislation is published in the Official Journal of the European Union, whose web address

is <http://www.eurlex.europa.eu>¹ When submitting an application, please check the currently valid legislation and procedures by contacting the Market Department.

The Market Department of the Finnish Food Authority, hereinafter the Market Department, is the competent authority for issuing import and export licences. The Financial Management of the Finnish Food Authority receives securities, refunds and withholds securities as required, and maintains a register of securities. Contact information is given in section 10 at the end of this Guide.

The instructions given in this Guide mainly concern licences other than quota import and export licences. There may be special provisions applying to quota import and export licences that differ from the general provisions discussed in this Guide. This Guide does not apply to quotas administered through the quota register, regarding which the competent authority is the Foreign Trade and Taxation Department of Finnish Customs (contact information given at the end of the Guide). The forms referred to in this Guide are available online at the Finnish Food Authority website, <https://www.ruokavirasto.fi/en/companies/import-and-export/import/agrim-import-licences/>²

1.1. Imports and exports monitoring system

The import of certain agricultural products from third countries requires an AGRIM import licence under the organisation of agricultural markets; similarly, the export of certain agricultural products to third countries

requires an AGRIM export licence. The purpose of import and export licences is to ensure good administration of the market organisation. Import and export licences are monitoring documents. Such licences are issued to applicants who have registered as customers of the Market Department and registered an EORI number with Customs, who have lodged a security if required, who have filled out their applications appropriately and in whose case the proposed net quantity of the agricultural product handled requires a licence. Import and export licences are valid in all Member States of the European Union except in certain special cases separately provided for in EU legislation.

1.2. Preferential arrangements

In some cases, preferential treatment is applied to the import of agricultural products from third countries. These are mainly linked to a specific maximum quantity, known as a tariff quota. Tariff quotas are a mechanism for granting reductions on customs duties when importing a product into the European Community. Once the quota for any particular such product is filled, imports from third countries may continue but will be subject to full import duties and other levies.

Tariff quotas may be divided into quotas based on multilateral or bilateral agreements on the one hand and quotas based on unilateral arrangements on the other. Agreement quotas are based on preferential treatment agreed between the European Union and third countries. Examples of this are the quotas based on Europe agreements, the ACT-EC Agreement and the Euro-Mediterranean agreements. Import quotas only ap-

¹<http://www.eurlex.europa.eu>

²<http://www.mavi.fi/en/guides-and-forms/Pages/default.aspx>

ply to products that have been shown to originate in the country concerned. WTO (formerly GATT) quotas are also agreement-based quotas; they constitute their own group in the tariff quota system. Unilateral concessions granted by the European Union allow for partial or complete exemption from import duties for products that are not pro-

duced in the European Union in sufficient quantities.

Various methods are employed in applying for quotas and in apportioning quantities among applicants. Quotas on agricultural products are quotas that are managed either through an application procedure or with a quota register.

2. Terms and abbreviations

AGREX licence European Union AGREX agricultural export licence. AGREX export licences should be applied for using the Electronic import and export licence service. User IDs for this service may be obtained by contacting the Finnish Food Authority at tuovi@ruokavirasto.fi. An AGREX export licence is issued as an electronic licence for use in Finland or as a paper licence for use elsewhere in the EU.

AGRIM licence European Union AGRIM import licence. AGRIM import licences should be applied for using the Electronic import and export licence service. User IDs for this service may be obtained by contacting the Finnish Food Authority at tuovi@ruokavirasto.fi. An AGRIM import licence is issued as an electronic licence for use in Finland or as a paper licence for use elsewhere in the EU.

CN code Combined Nomenclature commodity identifier used in the EU; it has 8 digits on an import licence and 8 or 12 digits on an export licence.

EORI number Economic Operators' Registration and Identification number, an EU-wide electronic identification system. In Finland, the Customs is the competent authority for EORI number registration. Any person or entity that is a licence applicant, a titular holder (licence holder) or a licence transferee must have an EORI number. Following amendments to EU legislation, as of 6 November 2016 all enterprises, titular holders and licence transferees applying for an import or export licence will be required to have an EORI number.

Third country Any country that is not a Member State of the European Union.

The Finnish Food Authority, the competent authority in issuing AGREX export licences and AGRIM import licences.

MRN—Movement Registration Number A number assigned by a competent customs authority to the declarations and notifications referred to in the Union Customs Code Article 5(9–14), to TIR movements or to evidence concerning the customs status of Union goods.

Decision to release security with exit certification Proof as required in Article 14(4)(b) of Commission Implementing Regulation (EU) 2016/1239 of fulfilment of the obligation to export, delivered by the Finnish Customs to the Finnish Food Authority by official channels in export procedures where the export licence is only used in Finland and in which products leave the customs territory of the EU in Finland. If an export licence issued in Finland is used anywhere else in the EU, it is the responsibility of the titular holder to deliver similar proof of fulfilment of the obligation to export, in electronic form (including the MRN number) to the authority that issued the licence.

Registration number Customer registration number that the customer is assigned when registering as an import and export customer with the Market Department of The Finnish Food Authority.

Tariff quota A certain quantity of goods under a certain customs tariff heading that is entitled to preferential treatment under cer-

tain conditions.

Finnish Customs The competent authority for issuing confirmations of releasing products into free circulation under an import licence or of fulfilment of the obligation to export under an export licence.

Customs representative A declaration of release into free circulation or of export may be submitted by a customs representative as referred to in Article 18 of Regulation (EU) 952/2013. In such cases, the EORI number of the titular holder or transferee must be entered in the customs declaration.

Customs declaration A Single Administrative Document (SAD).

Import The fulfilment of customs formalities with regard to imports and the release of products for free circulation in the European Union in connection with these formalities.

Security A guarantee issued by a financial institution approved as guarantor, or a cash deposit made, to ensure that certain actions are taken.

Withholding the security Under certain circumstances, the Finnish Food Authority may withhold part or all of a security lodged by a customer.

Releasing the security The Finnish Food Authority releases a lodged security once the obligation pertaining to the relevant import or export licence has been fulfilled and proof thereof has been delivered to the Finnish Food Authority within the specified time period.

Export The fulfilment of customs formalities with regard to exports and the transport of products outside the customs territory of the EU.

WTO The World Trade Organisation, founded in 1995. The cooperation it facilitates and the system of standards it administers form the foundation of the multilateral trade policy of the EU, and therefore of Finland. Prior to 1995, multilateral trade was based on the General Agreement on Tariffs and Trade (GATT).

3. Registration

3.1. Registration as a customer of the Market Department

Before applying for an import or export licence, the importer/exporter must register as an importer/exporter in the customer register of the Market Department by filling in the registration application on the Finnish Food Authority website. After registration, customers will be identified by their registration number.

To register, the registration application should be carefully filled in and submitted to the Market Department. The form must be signed by a person authorised to sign for the company or a holder of procuration as per the Trade Register. A Trade Register extract must be submitted to the Market Department at registration.

If any changes occur to a customer's registration details, the Market Department must be notified using the registration details change notification form. The registration application and change notification form may be submitted by scanned and e-mailed. If a customer's Business Identity Code changes, a new registration application and Trade Register extract must be submitted.

Customers should ensure that their details in the customer register of the Market Department are up to date regarding addresses and contact persons and that they are consistent with the details in the EORI register. Commission Regulations require that the details on customs declarations and on import/export licences match.

3.2. EORI registration with the Finnish Customs

With new provisions enacted by Commission Regulation entering into force on 6 November 2016, any person or entity that is a licence applicant, a titular holder (licence holder) or a transferee must have an EORI number. The Economic Operators Registration and Identification (EORI) system is an EU-wide system for the registration and identification of economic operators. In Finland, the Customs is the competent authority for EORI registration, and the Customs website¹ has EORI application forms available. An EORI number application should be submitted well in advance of applying for an import/export licence.

1 <http://tulli.fi/en/e-services/search-and-query-services/eori>³

³<http://tulli.fi/en/e-services/search-and-query-services/eori>

4. Security

When applying for an import licence, the importer undertakes to import the product in the quantity stated in the licence during the period of validity of the licence. Similarly, when applying for an export licence, the exporter undertakes to export out of the customs territory of the EU the product in the quantity stated in the licence during the period of validity of the licence. The purpose of requiring a security is to ensure that the titular holder or transferee actually fulfills the obligations imposed by the licence and to prevent profiteering with licences.

The security system used in Finland for implementing the Common Agricultural Policy is derived from Commission Delegated Regulation (EU) No. 907/2014. Basically, any and all operations where a security is required shall conform with the procedural provisions laid out in that Regulation. There are more detailed provisions concerning product-specific securities and periods of validity of licences in Annex II of Commission Implementation Regulation (EU) 2016/1239.

When submitting a licence application, the required security must be lodged so that it is in place with the Finnish Food Authority no later than 14.00 on the day when the application is submitted. The security required must be determined in euros, to the nearest cent. If no security has been lodged, the licence application will not be processed and will automatically be rejected. If the security relevant to an application would amount to EUR 100 or less, no security is required. The quantity of products and amount of the security declared in the licence application must include all the quantities of the item(s) in

question that are imported/exported in the same logistical movement (e.g. on board the same vessel).

4.1. Lodging the security

The forms of security accepted are a guarantee issued by a guarantor approved by the Finnish Food Authority or a cash deposit. Practical arrangements regarding securities are handled by the Financial Management at the Finnish Food Authority, where further information and a security pledge template are available. A customer may lodge as security a guarantee issued by a bank or an insurance company where that institution undertakes, if so required, to pay the amount specified in the guarantee in the event of any breach of the conditions and procedures described in the Regulations. Customers must independently negotiate their guarantees with the relevant approved bank or insurance company. Guarantees provided by any institution that is not the Finnish Food Authority-approved will not be considered. A financial institution intending to act as guarantor must apply to Financial Management at the Finnish Food Authority for approval.

When a cash deposit is paid by bank transfer, the security is not considered lodged until Financial Management is satisfied that the amount is at its disposal. In urgent cases, a receipt of payment of the cash deposit or the signed bank guarantee may be initially sent by e-mail to Oili Hassinen in Financial Management (firstname.lastname@ruokavirasto.fi). An account statement on the security will be sent to you. No interest is paid

on cash deposits. Customers are liable for any costs involved in taking out a bank guarantee.

Cash securities should be deposited into this account:

FI04 5000 0121 5047 80

OKOYFIHH

(re: security)

For further information on securities, see the security guideline on the Finnish Food Authority website. The Financial Management at the Finnish Food Authority can also provide further information on securities. Contact information may be found at the end of this Guide.

4.2. Returning or withholding securities

The Finnish Food Authority decides whether to release or withhold the security, in accordance with the criteria provided for in the EU legislation on market organisation. Customers who want to have the released security paid into their bank account must submit a request in writing to the Financial Management at the Finnish Food Authority. The request may be freeform; it must be dated and signed, and it must specify the security number, the amount and the number of the bank account into which it should be paid.

Sometimes part or all of the security must be withheld, for instance if the obligation specified in the licence is not fulfilled during the period of validity of the licence, or if proof of fulfilling the obligation is not submitted to the authority within the specified time period. In case of a withholding made from a

cash deposit, the Finnish Food Authority will deduct the withheld amount before returning the security. If the security is a bank guarantee and a withholding is required, the Finnish Food Authority will invoice the withheld amount. However, if the amount to be withheld is no more than EUR 100 per licence, no withholding will be made; the security will be released. The security will be released in its entirety if at least 95% of the quantity specified in the licence has been used and proof of fulfilment of the obligation has been submitted within the specified time period. If less than 5% of the quantity specified in the licence has been used, the entire security will be withheld, i.e. the titular holder will lose the entire security.

If less than 95% of the quantity specified in the licence has been used, a withholding will be made from the security as follows:

$$\left[\frac{\text{quantity on the licence (kg)} * 95\% - \text{actual quantity imported/exported (kg)}}{\text{quantity on the licence (kg)} * \text{security for the licence}} \right] = \text{portion of the security to be withheld}$$

Example of withholding made from the security: The licence was issued for 10,000 kg, and 5,000 kg of this was used. The security lodged for the licence is EUR 2,000. The expired licence and any other proof of discharging the obligation have been returned within the specified time period.

*Unused quantity in the licence: $10,000 \text{ kg} * 95\% - 5,000 \text{ kg} = 4,500 \text{ kg}$*

*Portion of the security to be withheld: $4,500 \text{ kg} / 10,000 \text{ kg} * \text{EUR } 2,000 = \text{EUR } 900$.*

This means that EUR 900 of the security lodged for this licence will be withheld and EUR 1,100 released.

5. Import licence and export licence

Under Article 1 of Commission Delegated Regulation (EU) No 2016/1237, an import or export licence is an electronic or paper document with a specific period of validity, expressing the right and the obligation to import or export products. Import and export licences are referred to as AGRIM import licences and AGREX export licences, respectively. Licences are valuable documents that must be stored with care.

Commission Implementation Regulation (EU) 2016/1239 and Commission Delegated Regulation (EU) 2016/1237 list the agricultural products for which and the cases in which an AGRIM import licence or an AGREX export licence is required. The agricultural products in question are also listed in this Guide, in Annex I for import licences and in Annex II for export licences.

5.1. Cases in which an import licence is required

An import licence must be presented regarding the following products:

- Products listed in Annex I of this Guide when they are declared for release for free circulation under any criteria, except for tariff quotas, unless otherwise stated in Annex I. An import licence is only required if the product quantities exceed the net quantities listed in Annex I.
- Products declared for release for free circulation under a tariff quota administered under the 'simultaneous examination method' or the 'traditional/newcomers method'

referred to in Article 184(2)(b) and Article 184(2)(c), respectively, of Regulation (EU) No 1308/2013, or a combination of these methods, or some other feasible method.

- Products listed in Annex I when declared for release for free circulation under a tariff quota administered under the 'first come, first served principle' referred to in Article 184(2)(a) of Regulation (EU) No 1308/2013.
- Products referred to in Annex I when declared for release for free circulation under preferential treatment intended to be administered with licences.
- Products covered by outward processing arrangements using the export licence and returning for release for free circulation as a product listed in Annex I part A or B.
- Products declared for release for free circulation pursuant to Article 185 of Regulation (EU) No 1308/2013 if a reduction in import duty is applied.

5.2. Cases in which an export licence is required

- Products listed in Annex II of this Guide (a licence is required if the product quantities exceed the net quantities listed in Annex II)
- Union products for which an export licence needs to be presented for admission under a quota that is administered by the Union or by a third country and has been opened in that country for those products
- The following Union products referred to in Annex II to be exported:

- products that are under the customs procedure of inward processing
- products that are basic products as listed in Annex III to Regulation (EU) No 510/2014 of the European Parliament and of the Council and that are under the customs procedure of outward processing
- products that are subject to the recovery or remission of the amount of import or export duty as set out in Chapter 3 of Title III of Regulation (EU) No 952/2013 of the European Parliament and of the Council in respect of which a final decision has not yet been taken

5.3. Applying for an import or export licence

Customers may apply for an import or export licence online through the Electronic import and export licence service² once they have registered with the customer register of the Market Department and with the Electronic import and export licence service. The Finnish Food Authority will send registered customers user IDs for the Electronic import and export licence service by e-mail.

² <https://todistus.ruokavirasto.fi/>⁴

In the Electronic import and export licence service, customers may apply for both an electronic licence and a paper licence for use elsewhere in the EU, if the products are to clear customs in another Member State. If the Electronic import and export licence service is not available because of technical problems, the AGRIM import and AGREX export licence application forms on paper may be used. Paper applications may be scanned and sent by e-mail to tuovi@ruokavirasto.fi, or mailed to the Finnish Food Authority,

PO Box 100, FI-00027 FINNISH FOOD AUTHORITY, or delivered in person to registry office of the Finnish Food Authority.

The submission date of the application is the working day on which the authority received the licence application no later than **14.00**. Applications that arrive at the Finnish Food Authority after 14.00 are considered to have been received on the working day immediately following the day of arrival. Similarly, any security associated with a licence application must be lodged so that it is in place with the Finnish Food Authority no later than 14.00 on the day when the application is submitted.

Applications that arrive after 14.00 on a working day, or on a Saturday, Sunday or public holiday, are considered to have been received on the working day immediately following the day of arrival.

A security is required for an import or export licence. For further information, see 'Lodging a security', section 4.1.

A customer who wishes to retract an application already submitted must do this by 14.00 on the submission day, electronically or in writing.

If an application or any part of it is rejected, the Finnish Food Authority will immediately release the security lodged.

5.4. Issue of an import or export licence
Electronic licences issued will be posted on the Licences tab in the Electronic import and export licence service. A licence may be issued as a paper document if it is to be used elsewhere in the EU. Import and export licences issued as paper documents will be issued on AGRIM and AGREX forms, respectively, and mailed to the address given by the applicant. The periods of validity of import and export

⁴<https://todistus.ruokavirasto.fi/>

licences are given in Annex II to Commission Implementation Regulation 2016/1239 (and Annexes I and II of this Guide).

Entries on licences and extracts thereof must not be altered once issued. If the authority that issued the licence considers that the licence must be corrected, the licence or extract must first be cancelled, and a corrected licence or extract issued immediately.

5.5. Using an import or export licence

An import or export licence confers the right and imposes an obligation to release for free circulation or to export, respectively, the quantity of products specified in the licence during the period of validity of the licence. The customs declaration must be filed by the titular holder or transferee, or a customs representative acting on their behalf. As per Article 18 of Regulation (EU) No 952/2013, the customs declaration must state that the titular holder or transferee is the party on behalf of which the declaration is being filed. In such cases, the EORI number of the titular holder or transferee must be entered in the customs declaration.

If special EU legislation so requires, the obligation to release products for free circulation or to export products may include an obligation to release products from or to export to a specific country or group of countries as specified in the licence.

For electronic import/export licences used in Finland, the titular holder must enter a reservation for use of a specific amount in the licence in the Electronic import and export licence service, which will then be confirmed by Customs. For entries made on paper licences used elsewhere in the EU, the current procedures of the customs authority in the Member State in question as to the declaration of quantities of products released for free circulation or exported should be checked. For paper licences, the number of the licence must be entered on the customs declaration. If the space reserved for endorsements on the reverse of the licence is not enough, the customs authority may append extra pages to the licence.

The quantity of products imported on an import licence or exported on an export licence may differ from the quantity specified in the licence by +/-5%.

6. Licence extract and transfer of a licence

6.1 Licence extract

If the quantity indicated in the licence has to be divided up because of procedural or logistical reasons, or if the titular holder or transferee is obliged to use an electronic licence issued in Finland in another Member State, the Finnish Food Authority may issue extracts from the licence at the request of the titular holder or transferee. For an extract to be issued, the original licence must be sent to the Finnish Food Authority and a request for an extract submitted by e-mail to tuovi@ruokavirasto.fi or by mail.

A licence extract has the same legal effect as the licence from which it is extracted, up to the portion of the licence quantity covered by the extract. An extract of an extract cannot be issued.

Once a titular holder's extract has been used or has expired, it must be returned to the issuing authority together with the titular holder's copy of the original licence.

6.2 Transfer of a licence

If so requested by the titular holder, the Finnish Food Authority may transfer an issued import or export licence to another importer or exporter during the period of validity of the licence, unless otherwise provided for in product-specific legislation. To do this, the original import or export licence must be sent to the Finnish Food Authority and a transfer request submitted, for instance by e-mail (tuovi@ruokavirasto.fi). The obligation deriving from a licence is non-transferable; the titular holder continues to be liable for this obligation with the security lodged.

The rights derived from a licence or licence extract may be transferred to one transferee only, and such a transfer may only concern product quantities not yet attributed to the licence or an extract thereof. A transferee is not allowed to further transfer the rights to a third party but may transfer them back to the titular holder. Any transfer back to the titular holder may only concern product quantities not yet attributed to the licence or an extract thereof. A transfer or a transfer back to the titular holder enters into force on the date of registration.

7. Use and return of an import or export licence

7.1. General remarks on fulfilling obligations and proof thereof

A security may be released when the obligations specified in the import or export licence have been fulfilled and proof thereof has been delivered to the authority issuing the licence, within the specified time period. The obligation to release products for free circulation or to export them is considered fulfilled when the entire quantity of products specified in the licence has cleared customs through the appropriate procedure during the period of validity of the licence. The quantity of products released for free circulation on an import licence or exported on an export licence may differ from the quantity specified in the licence by $\pm 5\%$.

An import or export licence issued in Finland must be returned to the Finnish Food Authority after the appropriate endorsements have been entered on it by Customs. Electronic licences must be returned through the Electronic import and export licence service, and paper licences must be mailed to the Finnish Food Authority. The licence must always be returned, even if it has not been used during its period of validity.

7.1.1. Fulfilling an import licence obligation and proof of same

An import licence must be returned to the Finnish Food Authority within 60 days of its expiry. Returning the import licence with

Customs endorsements to the Finnish Food Authority within those 60 days is taken as proof that the obligation derived from the import licence has been fulfilled. The security will be released if the import obligation has been fulfilled and the used licence has been returned within the specified time period.

The obligation to release products for free circulation is considered completely fulfilled when the entire quantity of products specified in the licence has cleared customs through the appropriate procedure and the products have actually been released for free circulation.

7.1.2. Fulfilling an export licence obligation and proof of same

With an export licence, the products must exit the Union customs territory within 150 calendar days of the date of approval of the customs declaration. As proof of fulfilling the export obligation, the customer must return to the Finnish Food Authority both the export licence with Customs endorsements and the exit certification issued by the exit customs office to the exporter or customs representative by email [tuovi\(@\)ruokavirasto.fi](mailto:tuovi(@)ruokavirasto.fi).

If the export licence is used elsewhere in the EU, the titular holder must consult the customs authority in the Member State in question as to the procedure for exit certification. The exporter or customs representative must submit proof of the exit of the products to the titular holder, who must then deliver

the proof in electronic format to the Finnish Food Authority (by e-mail to tuovi@ruokavirasto.fi). If the exit certification is revoked because of rectifications made by the exit customs office, the exit customs office will notify the exporter or customs representative, who in turn must notify the titular holder, who must notify the authority issuing the licence.

In addition to the aforementioned exit certification, the titular holder must submit to the Finnish Food Authority the Movement Registration Number (MRN) in the following cases:

- if there are more than one Member State involved in the export procedure, or
- if the exit customs office is in a Member State other than the Member State of the authority issuing the licence, or
- if the MRN is used in an export procedure completed in the Member State where the export notification was submitted.

The Finnish Food Authority must receive proof of export and of the exit of the products

from the Union customs territory within 180 calendar days of the expiry of the licence. The obligation to export the products is considered completely fulfilled when the entire quantity of products specified in the licence has cleared customs through the appropriate procedure.

7.2. Late return of a licence

If a used import or export licence (and proof of its use) is returned to the Finnish Food Authority late, the titular holder will forfeit part of the security even if the licence has been fully used. If the delay is due to technical problems, the Finnish Food Authority may extend the deadline at the request of the titular holder for a maximum of 730 calendar days. The titular holder must then deliver the proof of release for free circulation or of export as required, after the original deadline. If the deadline is extended, the provisions concerning the graded withholding of the security given in Article 23(4) of the Commission Delegated Regulation (EU) 907/2014 will be

8. Loss or destruction of the import or export licence

8.1. Replacement licence

An import or export licence to be used in Finland must always be primarily applied for as an electronic licence. If the licence is to be used elsewhere in the EU, it will be issued as a paper licence. If an issued import or export licence is lost or destroyed wholly or in part, the titular holder or transferee may request the Finnish Food Authority to issue a replacement licence or extract.

A replacement licence or extract substitutes the original licence or extract, including all rights and obligations concerned. A replacement licence or extract may only be issued once and for the period of validity and the balance of quantity remaining in the original licence or extract. A replacement licence or extract will not be issued where the issue of licences or extracts for the product in question is suspended or where it concerns an import or export tariff quota.

If the lost or partially destroyed original licence is found, the titular holder must return the original licence to the Finnish Food Authority, who will release the remaining security for the original licence forthwith.

If the request for a replacement licence or extract concerns a partly or totally destroyed licence or extract issued for products other than those referred to in section 5.1 paragraph 1 or section 5.2 paragraph 1 of this Guide, the special provisions of the Regulation will apply. They are as follows:

- the titular holder or transferee must prove

the total or partial destruction to the satisfaction of the licence issuing authority,

- the replacement licence or extract will not be issued if the titular holder or transferee has failed to show that he has taken reasonable precautions to prevent the destruction of the licence or extract, or where the evidence provided by the titular holder is unsatisfactory, and

- the security to be lodged for the replacement licence or extract shall be 150% of the security for the original licence, with a minimum of EUR 3 per 100 kilograms or per hectolitre or head, taking account of the balance of the quantity remaining available at the moment of destruction, and of the positive tolerance, if applicable. The balance of security available for the original licence may be used when lodging the security for the replacement licence. Any excess of the security for the original licence compared to the security for the replacement licence, taking into account the remaining available quantity, shall be released immediately.

8.2. Duplicate

If a paper licence or extract is lost or destroyed, and the lost or destroyed document has been used wholly or in part, for the sole purpose of releasing the still outstanding the security concerning the release for free circulation or export which were already registered on the original licence, the titular holder or transferee may request the Finnish Food Authority to issue a duplicate licence or extract to be drawn up. The duplicate licence or ext-

ract may not be applied for release for free circulation or export, only for releasing the security. A duplicate licence or extract may only be issued once.

The titular holder or transferee must present the duplicate licence or extract and the necessary proof (e.g. customs declarations) concerning the use of the destroyed licence or extract to the customs authority, who will

make entries on and endorse the duplicate concerning the release for free circulation or export carried out under the original licence or extract. The security can be released once the duplicate endorsed by Customs has been returned to the Finnish Food Authority. In case of export, an exit certification by the customs authorities is also required, as specified above in section 7.1.2.

9. Force majeure

In some cases, non-compliance with the terms and conditions of an import or export licence may be due to force majeure. In order for force majeure to be recognised, the titular holder or transferee must present to MAVI a request pleading force majeure. If the titular holder is seeking an extension to the period of validity of the licence, such a request must be presented within 30 calendar days of the expiry of the licence and of MAVI informing the operator that the licence obligation in question has not been fulfilled.

In addition to the request, the titular holder or transferee must present proof of the circumstances that they consider to constitute force majeure. The proof must be presented within 181 calendar days of the expiry of the period within which the obligation was to be completely fulfilled. If it has not been possible to present such proof within this period despite the operator's best efforts to obtain them and present them, MAVI may grant an extension to the deadline.

MAVI may recognise force majeure for a licence or extract that it has issued and decide to:

- either cancel the obligation to have the products and quantity indicated on the licence be released for free circulation or exported during the period of validity of the licence and release the security, or extend the period of validity of the licence by a period of maximum 180 days following the expiry of the original period of validity of the licence, taking account of the circumstances of the case; this only applies to that portion of the quantity in question that could not be released for free circulation or exported because of the force majeure,
- or extend the period for the submission of the proof of release for free circulation or export by a period of maximum 730 calendar days without partial forfeiture of the security.

The titular holder or transferee may (pending a decision on force majeure) request the right to use the licence with respect to the balance of the quantity specified thereon concerning which the operator has not pleaded force majeure. MAVI may then issue an extract for such balance of the quantity. Such an extract is not transferable

10. Contact information

Import and export licences

The Finnish Food Authority , Market Department

PO Box 100, FI-00027 Seinäjoki

Tel. +358 29 530 0400 (switchboard)

E-mail [tuovi\(at\)ruokavirasto.fi](mailto:tuovi(at)ruokavirasto.fi)

Registration as a customer of the Market Department and forms: www.ruokavirasto.fi⁵

Securities

The Finnish Food Authority, Financial Management Department

PO Box 100, FI-00027 Seinäjoki

Tel. +358 29 530 0400 (switchboard)

E-mail Oili Hassinen

([firstname.lastname\(at\)ruokavirasto.fi](mailto:firstname.lastname(at)ruokavirasto.fi))

Customs authority making endorsements of certificates

Finnish Customs, Foreign Trade and Taxation Department

on Department

Electronic Service Centre

PO Box 512, FI-00101 HELSINKI

Tel. +350 295 5207

E-mail [spake.vienti\(at\)tulli.fi](mailto:spake.vienti(at)tulli.fi) or [spake.tuonti\(at\)tulli.fi](mailto:spake.tuonti(at)tulli.fi)

Quotas managed with a quota register ('first come first served' quotas)

Finnish Customs, Foreign Trade and Taxation Department

Customs Clearance Unit, Tariff systems/Quotas

PO Box 386, FI-20101 Turku

Tel. +358 40 332 4083, +358 40 332 4092

E-mail [kiintioryhma\(at\)tulli.fi](mailto:kiintioryhma(at)tulli.fi)

EORI registration and forms:

Finnish Customs website:

www.tulli.fi⁶

⁵<https://www.ruokavirasto.fi/yritykset/tuonti-ja-vienti/tuonti-eun-ulkopuolelta/tuontitodistukset/>

⁶<http://www.tulli.fi/>

11. Data protection

Data protection is at a centre stage in the operation of the Finnish Food Authority. The Finnish Food Authority takes always into account the requirements of data protection and data security when disclosing and processing data. The Finnish Food Authority does not disclose personal data to third parties without separate data permission. The data permission is applied from the Finnish Food Authority, which investigates carefully the circumstances of the use, protection and data security of the data from the assignee of the data.

What is your data used for?

The Finnish Food Authority can disclose your data to outsiders only if the statutory conditions for disclosing of data exist. Your data is not disclosed to marketing purposes and guidance. However, you cannot prevent data being disclosed to taking care of official duties and scientific research.

Further information

More information about personal data processing can be found in the internet in the address <https://www.ruokavirasto.fi/en/about-us/services/data-protection/>

12. Publication details

Publisher: The Finnish Food Authority

<https://ruokavirasto.mobiezone.fi/zine/357/pdf>⁷

Link to PDF version of the Guide:

⁷<https://ruokavirasto.mobiezone.fi/zine/357/pdf>

ANNEX I Products requiring an import licence

This Annex I contains information on the agricultural products (in Tables A–H) the importing of which requires an AGRIM import licence. The tables list the CN codes, descriptions, security required, net quantities (i.e. the maximum quantities up to which a licence is not required), and periods of validity. Click on a table to zoom in. This information is also available in Commission Implementation Regulation (EU) 2016/1239 and Commission Delegated Regulation (EU) 2016/1237. Tables B, E and F have been removed since from 30.9.2017 sugar, garlic and other vegetables of the genus *Allium* as well as processed products including garlic and *Allium ampeloprasum* vegetables no longer need an AGRIM import license.

Table A. Rice

A. Rice (Article 1(2)(b) and Part II of Annex I to Regulation (EU) No 1308/2013)

CN code	Description	Amount of the security	Period of validity
1006 20	Husked (brown) rice, including products imported under tariff quotas as referred to in Article 2(1)(c) of Delegated Regulation (EU) 2016/1237	30 EUR/t	until the end of the second month following the month of the day of issue of the licence, in accordance with Article 7(2)
1006 30	Semi-milled or wholly milled rice, whether or not polished or glazed, including products imported under tariff quotas as referred to in Article 2(1)(c) of Delegated Regulation (EU) 2016/1237	30 EUR/t	until the end of the second month following the month of the day of issue of the licence, in accordance with Article 7(2)
1006 40 00	Broken rice, including products imported under tariff quotas as referred to in Article 2(1)(c) of Delegated Regulation (EU) 2016/1237	1 EUR/t	until the end of the second month following the month of the day of issue of the licence, in accordance with Article 7(2)

Table C. Seeds

C. Seeds (Article 1(2)(e) and Part V of Annex I to Regulation (EU) No 1308/2013)

CN code	Description	Amount of the security	Period of validity
ex 1207 99 20	Seeds of varieties of hemp, for sowing	(1)	until the end of the sixth month following the month of the day of issue of the licence, in accordance with Article 7(2), save as otherwise provided by the Member States

(1) No security is required

Table D. Flax and hemp

D. Flax and hemp (Article 1(2)(h) and Part VIII of Annex I to Regulation (EU) No 1308/2013)

CN code	Description	Amount of the security	Period of validity
5302 10 00	True hemp, raw or retted	(1)	until the end of the sixth month following the month of the day of issue of the licence, in accordance with Article 7(2), save as otherwise provided by the Member States

(1) No security is required.

Table G. Other products

G. Other products (Article 1(2)(x) and Section 1 of Part XXIV of Annex I to Regulation (EU) No 1308/2013)

CN code	Description	Amount of the security	Period of validity
1207 99 91	Hemp seeds other than for sowing	(1)	until the end of the sixth month following the month of the day of issue in accordance with Article 7(2), save as otherwise provided by the Member States

(1) No security is required.

Table H. Ethyl alcohol of agricultural origin

H. Ethyl alcohol of agricultural origin (Article 1(2)(u) and Part XXII of Annex I to Regulation (EU) No 1308/2013)

CN code	Description	Amount of the security	Period of validity
ex 2207 10 00	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol. or higher, obtained from the agricultural products listed in Annex I to the Treaty	EUR 1 per hectolitre	until the end of the fourth month following the month of the day of issue of the licence, in accordance with Article 7(2)
ex 2207 20 00	Ethyl alcohol and other spirits, denatured, of any strength, obtained from the agricultural products listed in Annex I to the Treaty	EUR 1 per hectolitre	until the end of the fourth month following the month of the day of issue of the licence, in accordance with Article 7(2)
ex 2208 90 91	Undenatured ethyl alcohol of alcoholic strength by volume of less than 80 % vol., obtained from the agricultural products listed in Annex I to the Treaty	EUR 1 per hectolitre	until the end of the fourth month following the month of the day of issue of the licence, in accordance with Article 7(2)
ex 2208 90 99	Undenatured ethyl alcohol of alcoholic strength by volume of less than 80 % vol., obtained from the agricultural products listed in Annex I to the Treaty	EUR 1 per hectolitre	until the end of the fourth month following the month of the day of issue of the licence, in accordance with Article 7(2)

ANNEX II Products requiring an export licence

This Annex II contains information on the agricultural products (in Tables A–B) the exporting of which requires an AGREX export licence. The tables list the CN codes, descriptions, security required, net quantities (i.e. the maximum quantities up to which a licence is not required), and periods of validity. Click on a table to zoom in. This information is also available in Commission Implementation Regulation (EU) 2016/1239 and Commission Delegated Regulation (EU) 2016/1237.

A. Rice

A. Rice (Article 1(2)(b) and Part II of Annex I to Regulation (EU) No 1308/2013)

CN code	Description	Amount of the security	Period of validity
1006 20	Husked (brown) rice	3 EUR/t	until the end of the fourth month following the month of the day of issue of the licence, in accordance with Article 7(2)
1006 30	Semi-milled or wholly milled rice, whether or not polished or glazed	3 EUR/t	until the end of the fourth month following the month of the day of issue of the licence, in accordance with Article 7(2)