

**OBLIGATORY ELECTRONIC PRIOR DECLARATIONS
(ENS / EXS) from 01.01.2011**

Dear Sir / Madam,

From 01 January 2011, the European Commission (EC), on the basis of regulation 1875/2006 will require that before goods enter or leave the customs territory of the EC there is the transmission of an electronic prior declaration.

The background to this is the increased security measures following 11 September 2001 and the risk analyses that must be carried out by customs authorities as a result.

These so-called summary entrance and exit declarations (ENS and EXS respectively) are generally lodged by the person who is bringing the goods into or out of the Commission's customs territory (the carrier) or the person responsible for the haulage. It is possible, following approval and authorization, that these can be lodged by a third party or by a representative.

With regards to the export of goods, the lodging of the export declaration at your responsible customs office already usually fulfils the requirements for the lodging of the EXS. Therefore, a further declaration is only required in a few individual cases.

Furthermore, due to corresponding agreements, the obligation to lodge an ENS and/or an EXS does not apply to goods going directly between the EC and Switzerland or Norway.

Notably however, with regards to imports from other third countries as Switzerland and Norway, we are, in order to ascertain a legal and error-free lodging, dependent on your help and the help of the supplier from the other country.

Please therefore ensure that all goods being transported which will be brought into the EC from 01 January 2011 have the data available for us in advance.

In the first enclosure you will find the declaration data for road haulage vehicles.

For other types of carriers (e.g. maritime traffic) there are few different types of data. As far as is possible, we make these available to you:

As the EC in reference to the different carriers has set different deadlines for the ENS, you will find in the second enclosure the individual timings for the transmission of these to the customs authorities.

In order to fulfill the declaration deadlines and thus to avoid delays to the transport of the goods, it is necessary that you send the data to us after loading at the very latest and, when possible, prior to this.

In this context, we would like to expressly indicate, that transmissions that are not on time and transmissions that are not correct or are incomplete can result in fines and delays to the transport of goods due to the risk analyses that must be carried out by the customs authorities. In addition, an incorrect declaration can lead to a customs debt being incurred.

We are happy to help if you have any further questions. Please do not hesitate to contact us.

You can also find further information on the website of the German customs authorities at:

<http://www.zoll.de>

http://www.zoll.de/a0_aktuelles/a0_meldungen/azr_faq_rechtliches_technisches/index.html

http://www.zoll.de/faq/faq_rechtliches_aa/index.html#rechtliches_aa13

http://www.ec.europa.eu/ecip/security_amendment/procedures/index_en.htm

We thank you for your support and understanding in this matter.

With best regards

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