

Paolo Gentiloni
Commissioner for Economy
Rue de la Loi 200
1000 Brussels
Belgium

Brussels, 23 April 2020

Re: A call to harmonize COVID-19 guidelines to allow a rational supply, allocation and use of Personal Protective Equipment (PPE) across the EU to ensure public health safety

Dear Commissioner Gentiloni,

On behalf of the American Chamber of Commerce to the EU (AmCham EU), I would like to thank you for your reply (ref. Ares 1783154) to our letter dated 25 March 2020 in which you refer to possible derogations and facilitations that can be used in exceptional situations, relating, for example, to the payment of customs duties.

Our member companies are currently in the process of reviewing exit strategies that will allow for a safe and healthy restart of economic activities as soon as possible. An important component of that strategy will be the ability to protect employees from harm, including rendering available Personal Protective Equipment (PPE) to all individuals that need to be economically involved and active in the reopening of the economy.

To stimulate availability of these materials imported from third countries, the European Commission on 20 March invited all EU Member States, as well as the UK, to lift customs duties and VAT on imports of necessary PPE during the crisis for State organizations or approved charitable or philanthropic organizations, as well as disaster relief agencies.

In order to ensure the availability of sufficient PPE goods for employees returning to their workplace, and to avoid a potential shortage of critical PPE, AmCham EU calls on the European Commission to extend the current exemption of customs duties and VAT on imports to companies that purchase this equipment for distribution to their employees and for purchases by individuals for private use. Such an extension would help to facilitate a healthy and safe restart of economic activity.

We understand and recognize the need for customs to pay extra attention to imports of PPE, either from a compliance perspective or from a national security perspective. AmCham EU is encouraged by the decision of certain Member States to put in place a fast-track procedure for PPE destined for hospitals or public authorities. However, this should not lead to a slow-track clearance for PPE imports destined to other end-users. This is especially true as many Member States are imposing or contemplating to impose the obligatory use of masks in public for operators of essential services but also the general public.

For efficiency and safety reasons, AmCham EU is recommending that all PPE goods, whether for public, commercial or private use, should be cleared as a priority. Additionally, national authorities should provide a fixed time window to the consignee during which it can still requisition PPE goods in their

location, instead of indefinitely holding PPE items at the border and leaving importers in limbo if and when their PPE imports will be cleared.

Finally, the EU should encourage alignment between EU Member States on the practices and requirements with regards to different types of imports, notably those requiring conformity to EU standards such as the CE marking. In that regard, we are pleased to see that this issue is on the agenda for the upcoming Trade Contact Group meeting on 29 April.

AmCham EU appreciates the work being done at the European level to reach a coherent and coordinated response to the COVID-19 crisis and we would like to thank you in advance for considering the issue raised in this letter.

We look forward to continuing our fruitful coordination with your services and remain at your disposal to discuss this issue with you and your team directly.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Walter Van der Meiren', enclosed within a large, thin, hand-drawn oval.

Walter Van der Meiren,
Chair of the Customs and Trade Facilitation Committee
AmCham EU