

International Trade in Goods

Reporting obligations for International Trade in Goods Statistics from 2022 onwards – Explanations



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I. A new legal basis for International Trade in Goods Statistics, as of January 1, 2022.

As of January 1, 2022, Regulation (EU) 2019/2152¹ on European Business Statistics (henceforth: EBS BA) will replace the two current European Regulations on International Trade in Goods Statistics (ITGS). At the same time, Commission Implementing Regulation (EU) 2020/1197² (henceforth: EBS IA) will replace the current Implementing Regulations on ITGS. EBS BA and consequently EBS IA have an important impact on ITGS. They necessitated the revision of national ITGS law, which is, in the case of Germany, the Außenhandelsstatistikgesetz (AHStatG)³ and the Außenhandelsstatistik-Durchführungsverordnung (AHStatDV)⁴.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R2152>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020R1197>

³ Bundesgesetzblatt 2021 Teil I Nr. 32 vom 17. Juni 2021, S. 1751.

⁴ Bundesgesetzblatt 2021 Teil I Nr. 43 vom 16. Juli 2021, S. 2580.

They also directly entail **three major changes to ITGS reporting requirements from reporting month January 2022 onwards**:

1. Table 1 of Part C of Annex I of EBS IA introduces a new list of Nature of Transaction codes (henceforth NoT codes), which replaces the current lists contained in Annex II of Commission Regulation (EU) No. 113/2010 and Annex III of Commission Regulation (EC) 1982/2004, respectively.

It is important to note that the new NoT codes will be applicable from **reporting month January 2022** onwards in both Intrastat and customs declarations. Therefore, reporting units are required to use the **current** lists of NoT codes for declarations **pertaining to reference year 2021**, even if the corresponding declarations are filed during the year 2022. This is the case for regular Intrastat declarations for reporting month December 2021, as well as for corrections of declarations or late reporting for reference year 2021.

2. **In Intrastat declarations of intra-EU-exports**, reporting units are required to declare the **country of origin** of exported goods from reporting month January 2022 onwards.
3. Also **in Intrastat declarations of intra-EU-exports**, reporting units are required to declare the **VAT identification number⁵ of the partner operator** in the Member State of import from reporting month January 2022 onwards.

These two additional data elements mean that reporting units will be required to differentiate their Intrastat export declarations according to the country of origin and the VAT identification number of the partner operator, which they are not required to do at the moment (reporting units can already report them on a voluntary basis in order to test their IT system).

At the moment, reporting units may combine transactions in one single item of their Intrastat export declarations, provided the individual transactions have identical commodity code, country of destination, region (*Bundesland*) of origin, Nature of Transaction and Mode of Transport. From reporting month January 2022 onwards, the individual transactions also have to have identical country of origin and identical VAT-ID number of the partner operator.

The following example may illustrate the additional requirements: Consider the example of company A, which records the following six export transactions to France in a reporting month.

Transaction No.	Commodity code	Country of destination	Country of origin	Region of origin	Nature of Transaction	Mode of transport	VAT-ID no. of the partner operator in the Member State of import	Statistical value in €
1	0704 10 00	FR	DE	07	11	8	FR12345678	1000
2	4602 19 90	FR	CZ	99	11	8	FR12345678	2000
3	4602 19 90	FR	NL	99	11	8	FR12345678	500
4	4404 20 00	FR	AT	99	11	3	FR87654321	3000
5	5810 10 10	FR	DE	07	11	3	FR87654321	800
6	5810 10 10	FR	DE	07	11	3	FR12345678	4000

⁵ Identification number allocated to that person in accordance with Article 214 of Directive 2006/112/EC.

Under current conditions, company A may report the following four items in its Intrastat export declaration, by combining Transactions 2 and 3, as well as Transactions 5 and 6 (note that other variables also have to be reported in Intrastat declarations, the variables mentioned in the table are just for illustration purposes):

Intrastat export item no.	Commodity code	Country of destination	Region of origin	Nature of Transaction	Mode of transport	Statistical value in €
1	0704 10 00	FR	07	11	8	1000
2	4602 19 90	FR	99	11	8	2500
3	4404 20 00	FR	99	11	3	3000
4	5810 10 10	FR	07	11	3	4800

= 2000 + 500 = Trans. 2 + Trans. 3
= 800 + 4000 = Trans. 5 + Trans. 6

From reporting month January 2022 onwards, company A may no longer combine any of the six transactions into single Intrastat reporting items. This is because the country of origin differs between transactions 2 and 3, and because the VAT-ID no. of the partner operator in France differs between transactions 5 and 6. Consequently, company A has to report six different items in its Intrastat export declaration (instead of four items, as under current conditions).

Intrastat export item no.	Commodity code	Country of destination	Country of origin	Region of origin	Nature of Transaction	Mode of transport	VAT-ID no. of the partner operator in the Member State of import	Statistical value in €
1	0704 10 00	FR	DE	07	11	8	FR12345678	1000
2	4602 19 90	FR	CZ	99	11	8	FR12345678	2000
3	4602 19 90	FR	NL	99	11	8	FR12345678	500
4	4404 20 00	FR	AT	99	11	3	FR87654321	3000
5	5810 10 10	FR	DE	07	11	3	FR87654321	800
6	5810 10 10	FR	DE	07	11	3	FR12345678	4000

The present publication is meant to provide detailed information to reporting units about pending changes to ITGS reporting obligations. In particular, it is meant to enable reporting units to adjust relevant IT systems to the changed requirements in time. It complements information provided in the “Leitfaden zur Intrahandelsstatistik“ and the “Merkblatt zu Zollanmeldungen, summarischen Anmeldungen und Wiederausfuhrmitteilungen“.

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II. NoT codes from reporting month January 2022 onwards.**Table 1:** NoT codes according to EBS-IA and AHStatDV, as of reporting month January 2022.

Number	Nature of Transaction
Transactions involving actual change of ownership with financial compensation	
11	Outright sale/purchase except direct trade with/by private consumers
12	Direct trade with/by private consumers (incl. distance sale)
Return and replacement of goods free of charge after registration of the original transaction	
21	Return of goods
22	Replacement for returned goods
23	Replacement (e.g. under warranty) for goods not being returned
Transactions involving intended change of ownership or transactions involving change of ownership without financial compensation.	
31	Movements to/from a warehouse (excluding call-off and consignment stock and with the intermediation of a commission agent)
32	Supply for sale on approval or after trial (including call-off and consignment stock and with the intermediation of a commission agent)
33	Financial leasing (hire-purchase)
34	Transactions involving transfer of ownership without financial compensation, including barter trade (compensation in kind)
Transactions with a view to processing under contract (not involving change of ownership)	
41	Goods expected to return to the initial country of export
42	Goods not expected to return to the initial country of export
Transactions following processing under contract (not involving change of ownership)	
51	Goods returning to the initial country of export
52	Goods not returning to the initial country of export
Particular transactions recorded for national purposes - acc. to AHStatDV - Extra-EU trade only	
67	Goods for and after repair or maintenance
68	Movements to/from a customs warehouse for account of a non-resident person
69	Other movements of goods for or following temporary use with expected duration under 24 months, as well as other movements of goods excluded from ITGS
Transactions with a view to/following customs clearance (not involving change of ownership, related to goods in quasi-import or export)	
71	Release of goods for free circulation in a Member State with a subsequent export to another Member State
72	Transportation of goods from one Member State to another Member State to place the goods under the export procedure
81	Transactions involving the supply of building materials and technical equipment under a general construction or civil engineering contract for which no separate invoicing of the goods is required and an invoice for the total contract is issued
Other transactions which cannot be classified under other codes	
91	Hire, loan and operational leasing longer than 24 months
99	Other

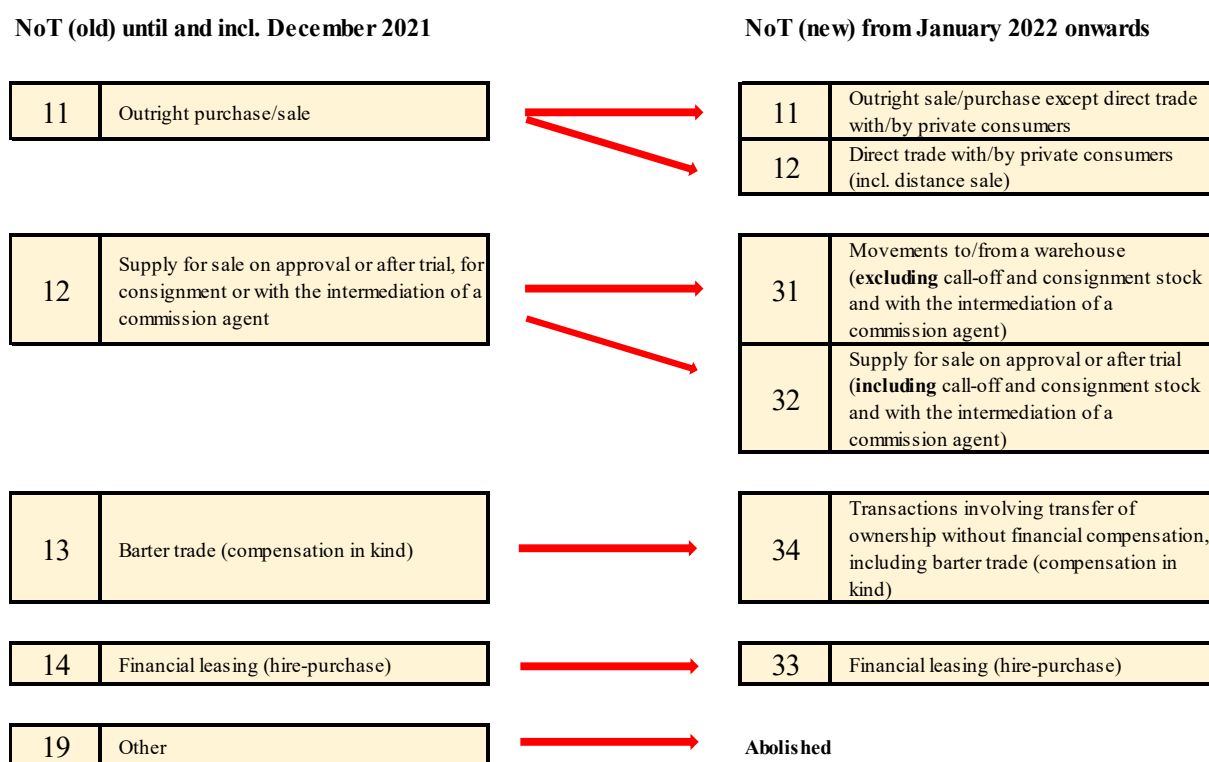
II.1. Transactions involving actual change of ownership with financial compensation

Based on current EU Regulations, all types of movements of goods involving change of ownership with compensation are subsumed under the NoT codes starting with the number One as their first digit. This is true irrespective of the type of compensation and irrespective of whether the change of ownership has already taken place or is only intended at the time of cross-border movement of the goods.

EBS IA applies a much narrower definition. Starting from January 2022, NoT codes “11” and “12” may be used only for reporting transactions involving actual change of ownership against financial compensation at the time of the cross-border movement of goods. This definition also includes transactions involving payment by instalments. A distinction is made between NoT code “11”, to be used when reporting sales between companies, and NoT code “12”, to be used when reporting sales between a company and a private individual (or between individuals).

Transactions currently reported under NoT code “12”, subsuming virtually all kinds of warehousing, as well transactions currently reported under NoT code “13” (barter trade, compensation in kind) or “14” (financial leasing, hire-purchase) will have to be reported under NoT codes starting with the number Three as their first digit (see below). The current NoT code “19” (Other) will be abolished.

Figure 1: NoT codes starting with One as their first digit according to current EU Regulations (left column) and their breakdown according to EBS IA (right column).



In particular, the following rules apply from January 2022 onwards:

NoT “11”: Outright sale/purchase except direct trade with/by private consumers.

In case of an outright sale or purchase of a good, ownership of the good changes between seller and buyer for money. In general, the financial compensation for the purchased good is paid directly (with time allowed for payment, if applicable). By way of exception, transactions involving payment by instalments and possibly reservation of ownership are also to be reported using NoT “11”. In any case, NoT “11” is applicable only if both contracting parties are companies (B-to-B, “Business-to-Business”).

Moreover, goods movements between subsidiaries in different countries (so-called “intra-firm trade”) have to be reported using NoT “11”, as long as the movements under consideration are not movements to or from a warehouse. As a rule, movements to or from a warehouse have to be reported under either NoT “31” or NoT “32” (see Section II.3 below).

Processing on own account of the processor has to be reported under NoT “11”, too. Processing on own account of the processor means that a company purchases the input which it subsequently processes into a finished product on own account. In other words, a company becomes the owner of the goods to be processed and uses these goods to produce new goods. Processing in the ITGS sense only includes processing under contract, in the context of which no change of ownership occurs (see Section II.4). Processing on own account of the processor does not amount to processing in the ITGS sense.

Example 1: A German company (DE) is selling machine tools to a French company (FR). Company DE is dispatching the goods to its customer FR in France. NoT “11” has to be reported in the corresponding Intrastat dispatch declaration.

Example 2: A German company (DE) is purchasing stainless steel sheets from a Chinese steel producer (CN). Company DE is importing the goods into Germany via Hamburg, where the goods are released for free circulation and home use. NoT “11” has to be reported in the corresponding customs declaration.

NoT “12”: Direct trade with / by private consumers (including distance sale)

In case of direct trade with or by a private consumer, ownership of the good changes between seller and buyer for money. In general, the financial compensation for the purchased good is paid directly (with time allowed for payment, if applicable). By way of exception, transactions involving payment by instalments and possibly reservation of ownership until the final instalment are also to be reported using NoT “11”. This includes sales to private consumers under “consumer credit” terms. In any case, at least one contracting party is a private individual. Possible constellations are “Business-to-Consumer” (B-to-C), “Customer-to-Business” (C-to-B), and “Customer-to-Customer” (C-to-C).

As a precondition for using NoT “12”, it has to be known already at the time of the cross-border movement of goods that one contracting party is a private individual. In the context of distance sales, for example, the goods have to be delivered directly to the private individual. In such a case, NoT “12” has to be reported in the Intrastat or the customs declaration, respectively. Following the movement of goods, the private individual in the third country of destination is liable to pay the import sales tax (Extra-EU-trade), or is being charged the applicable value added tax (Intra-EU-trade).

Not to be reported under NoT “12” are cases in which the goods are moved across the border to or from a warehouse by a logistics service provider, even if it is likely at the time of cross-border movement that the goods will be sold eventually. Such cases have to be reported under NoT “31”.

For further details regarding Intrastat reporting obligations in the context of direct trade with private consumers, see p. 8 and 31 of the “Leitfaden zur Intrahandelsstatistik” 2021.

Example 3: A German company (DE) sells goods via its mail-order platform to a Belgian private consumer. DE then dispatches the good to Belgium by mail. NoT “12” has to be reported in the corresponding Intrastat dispatch declaration.

Example 4: A German company (DE) sells goods to a private consumer in the US. Company DE then has the goods shipped via Hamburg to the US. NoT “12” has to be reported in the corresponding customs declaration.

II.2. Return and replacement of goods free of charge after registration of the original transaction (under NoT “11”, “12”, “31”, “32”, “33” or “81”).

The only change EBS IA entails with respect to the NoT codes starting with the number Two as their first digit is the abolition of the current NoT “29” (Other). Otherwise, these NoT codes continue to capture the return and replacement of goods which had previously been reported as transactions involving a change of ownership against financial compensation. In other words, all movements of goods reported under NoT “21”, “22” or “23” have previously been reported to German foreign trade statistics, at the time with either NoT “11”, “12”, “33” or “81”.

Note: Movements of goods for or after repair or maintenance are not to be reported under NoT codes starting with the number Two as their first digit. Regarding intra-EU movements, goods for or after repair or maintenance must not be reported in Intrastat declarations. Regarding extra-EU movements, they have to be reported in customs declarations using NoT “67”.

Moreover, deliveries of processed goods from the processor back to the owner of the goods are **not** to be reported under NoT “21” (Return of goods), but are rather to be reported under NoT “51” or “52”, as transactions following processing under contract (not involving change of ownership). This is also the case for the return of unprocessed goods to the owner, which had been sent to the processor originally with a view to processing under contract (see II.5. below).

Figure 2: NoT codes starting with Two as their first digit according to current EU Regulations (left column) and their breakdown according to EBS IA (right column).

NoT (old) until and incl. December 2021			NoT (new) from January 2022 onwards	
21	Return of goods	→	21	Return of goods
22	Replacement for returned goods	→	22	Replacement for returned goods
23	Replacement (e.g. under warranty) for goods not being returned	→	23	Replacement (e.g. under warranty) for goods not being returned
29	Other	→	Abolished	

In particular, the following rules apply from January 2022 onwards:

NoT “21”: Return of goods

A German company is returning previously imported goods to a foreign supplier. The previous importation was reported in an Intrastat or customs declaration using the appropriate NoT code (e.g. NoT “11” in case of direct trade between companies). The subsequent return shipment (e.g. due to defects) has to be reported to German export statistics using NoT “21”. In the reverse case, a foreign customer is returning goods to a German company, which the latter had previously exported and reported using the appropriate NoT code in an Intrastat or customs declaration. The subsequent return shipment (e.g. due to delivery of the wrong good) has to be reported to German import statistics using NoT “21”.

When reporting movements of goods using NoT “21”, the amount of the credit note issued for the returned goods has to be declared as Statistical value, plus transportation costs to the German border, if applicable. In Intrastat declarations, no invoice value is to be reported. Further explanations are provided on p. 37 of the “Leitfaden zur Intrahandelsstatistik“. In customs declarations, the invoice amount given in the pro forma invoice for customs purposes has to be reported as Total amount invoiced.

In case the returned goods are sold back to the supplier, rather than a credit note being issued by the supplier, the appropriate NoT code for declaring the return shipment is NoT “11”.

Note: Only physical movements of goods across the German border may be reported to German ITGS. This is also true for the case of return shipments.

Example 5: A German company (DE) buys goods from a Belgian company (BE) and reports the import from Belgium in an Intrastat import declaration using NoT “11”. Subsequently, DE returns some of the goods due to defects. The returned goods have to be reported in an Intrastat export declaration using NoT “21”.

*Example 6: A German company (DE) buys goods from a Belgian company (BE) and reports the import from Belgium in an Intrastat import declaration using NoT “11”. Subsequently, DE notices that some of the goods have defects. BE agrees to **buy back** the deficient goods from DE. The returned goods have to be reported in an Intrastat export declaration using NoT “11”.*

NoT “22”: Replacement for returned goods

Movement of goods subsequent to the return of goods have to be reported using NoT “22”. Thus, if returned goods are replaced by the supplier, the movement reported using NoT “22” represents the third cross-border movement in execution of a particular business transaction, following the original export or import (e. g. reported using NoT “11”) and the return shipment (reported using NoT “21”). If goods are returned to a German supplier by its foreign customer (e. g. due to defects) and both parties agree on a replacement delivery, the German supplier reports to export of the replacement using NoT “22”. In the reverse case, the German customer of the foreign supplier reports the import of the replacement using NoT “22”.

When completing monthly Intrastat declarations, reporting units may “net” return and replacement movements of goods which belong together and took place during the same reporting month. For example, if a good is exported (e.g. NoT “11”), returned (NoT “21”) and replaced (NoT “22”) **within the same reporting month**, the reporting unit only needs to declare one export transaction using NoT “11”, instead of two export transactions (NoT “11” and NoT “22”) and one import transaction (NoT “21”).

When reporting movements of goods using NoT “22”, only the value of the replacement needs to be declared as Statistical value (i.e. the value of the fraction of goods originally exported/imported and subsequently returned). In Intrastat declarations, no invoice value is to be reported. Further explanations are provided on p. 37 of the “Leitfaden zur Intrahandelsstatistik“. In customs declarations, the invoice amount given in the pro forma invoice for customs purposes has to be reported as Total amount invoiced.

Example 7: A German company (DE) buys goods from a Belgian company (BE) and reports the import from Belgium in an Intrastat import declaration using NoT “11”. During the following month, DE returns some of the goods due to defects and reports the return shipment in an Intrastat export declaration using NoT “21”. Subsequently, BE sends goods for replacement, which DE reports in an Intrastat import declaration using NoT “22”.

NoT “23”: Replacement (e.g. under warranty) for goods not being returned

NoT “23” has to be used when reporting the movement of goods replacing goods rejected by the customer, if the rejected goods are not returned to the supplier. Instead, they remain with the customer who disposes of them. In particular, replacements for goods under warranty have to be reported using NoT “23”. Thus, the original movement of the good, for example reported with NoT “11” in case of a direct trade between companies, is followed directly by a goods movement in the same direction, reported as a replacement delivery with NoT “23”. There is no intervening return movement in the opposite direction, to be reported with NoT “21”.

As in the context of NoT “22”, when reporting movements of goods using NoT “23”, only the value of the replacement needs to be declared as Statistical value (i.e. the value of the fraction of goods originally exported/imported and now replaced). In Intrastat declarations, no invoice value is to be reported.

Further explanations are provided on p. 37 of the “Leitfaden zur Intrahandelsstatistik“. In customs declarations, the invoice amount given in the pro forma invoice for customs purposes has to be reported as Total amount invoiced.

Example 8: A German company (DE) buys goods from a Belgian company (BE) and reports the import from Belgium in an Intrastat import declaration using NoT “11”. Subsequently, DE notices that some of the goods have defects and makes use of the warranty. The deficient goods are not returned to Belgium. Rather, BE sends goods as replacement under warranty. DE reports the corresponding import in an Intrastat import declaration using NoT “23”.

II. 3. Transactions involving intended change of ownership or transactions involving change of ownership without financial compensation

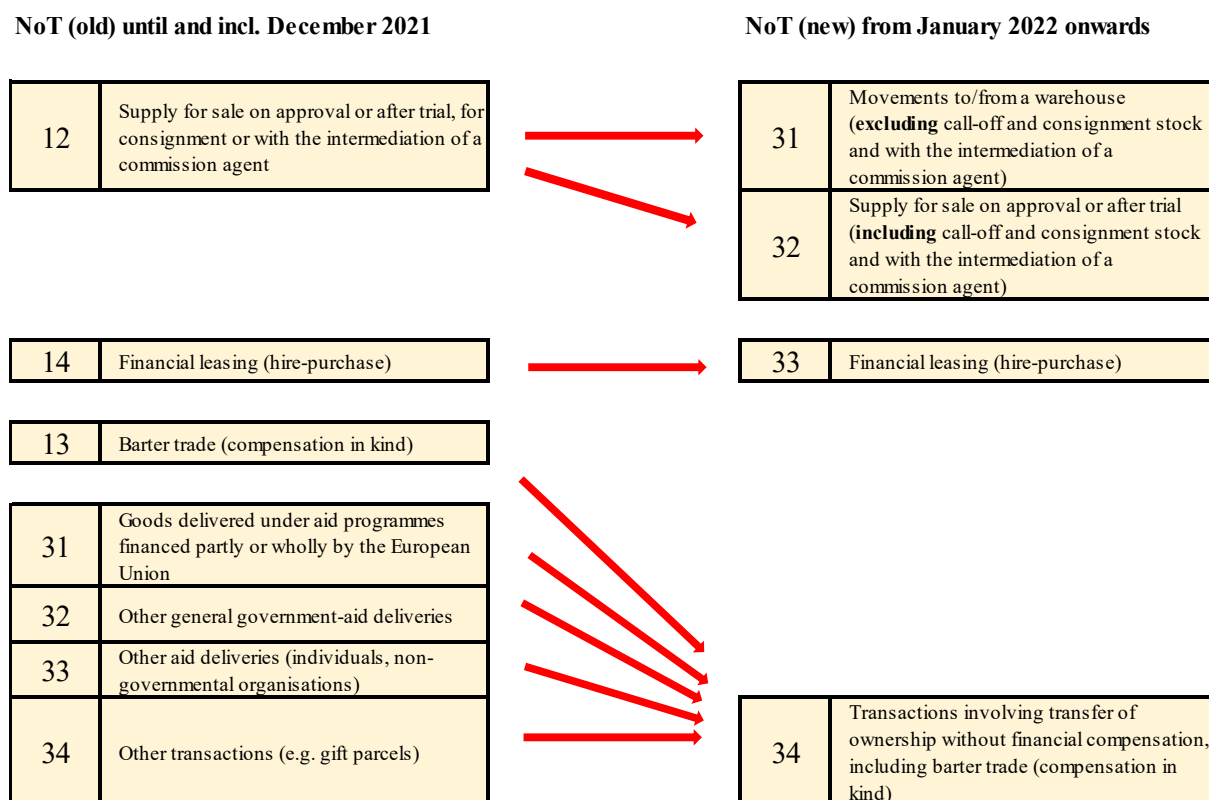
According to current EU Regulations, NoT codes starting with the number Three as their first digit cover movements of goods, in the context of which a change of ownership occurs without any compensation, whether financial or in kind. These are essentially gifts and aid shipments. EBS IA entails a major expansion of goods movements to be reported using these NoT codes from January 2022 onwards. The current scope of transactions involving a change of ownership without compensation is widened to include movements to and from a warehouse, financial leasing (hire-purchase), transactions involving in kind compensation, as well as transactions on a commission basis. Importantly, existing codes change their meaning. While NoT “31” currently covers EU funded aid shipments, it will cover movements to or from a warehouse in the future, except for warehousing transactions on a consignment-stock, call-of-stock or commission basis. The latter group of movements to or from a warehouse will share NoT “32” with supplies for sale on approval or after trial, which currently covers public aid shipments not financed by the EU. Like movements to or from a warehouse, financial leasing (hire-purchase) and transactions involving in kind compensation will be covered by NoT codes starting with the number Three instead of the number One in the future. Leasing transactions that can be classified as financial leasing (in contrast to Operate Leasing which does not involve a change of ownership and which has to be reported using NoT “91”) take over NoT “33” from other (i.e. private) aid shipments. Transactions involving in kind compensation lose their own NoT code and will be subsumed under the general NoT “34”, which will cover all types of transactions involving change of ownership without financial compensation, including gifts and aid shipments.

Note: NoT “31” should be reported **only if** NoT “32” is not applicable. Thus, when deciding whether to report a movement to or from a warehouse with NoT “31” or with NoT “32”, it should always be considered first whether the definition of NoT “32” applies.

All cross-border movements to or from a warehouse that are not exempt and that are covered by neither NoT “91” nor NoT “68” nor NoT “32” have to be reported using NoT “31”.

Transactions involving payment by instalments and possibly reservation of ownership have to be reported using either NoT “11” or NoT “12” (see Section II.1 above).

Figure 3: NoT codes starting with Three as their first digit according to current EU Regulations (left column) and their breakdown according to EBS IA (right column).



In particular, the following rules apply from January 2022 onwards (see also Annex 1):

NoT “31”: Movement to or from a warehouse (excluding call-off and consignment stock and with the intermediation of a commission agent)

A company is moving goods across the border in order to store them in a warehouse abroad. The movement is primarily motivated by logistical considerations. Typically, the warehouse abroad is run by a logistics service provider. At the time of the cross-border movement, a change of ownership to **an unknown number** of customers is intended in principle, but has not yet taken place. Thus, when moving the goods across the border, the owner of the goods has not found a buyer yet. The goods moved to a warehouse constitute neither consignment nor call-off stock, nor are they moved with the intermediation of a commission agent (see NoT “32” below).

The movement of previously imported goods from a domestic warehouse to a foreign destination (i.e. Germany is the country of temporary warehousing) has to be reported with NoT “31” as well, except for the case that a German resident has acquired ownership of the goods in the meantime. If this German resident is selling the goods out of the warehouse on to a foreign customer and if the goods are subsequently exported, NoT “11” or “12” has to be reported in the Intrastat or customs declaration. In this case, the transaction represents a regular sales transaction, even though the goods are exported from a warehouse.

If goods stored in a logistics warehouse are sold and are returned to the seller in the course of warranty processing, the return and warranty movements of the goods have to be reported using NoT “21” to “23”.

Note: Buying goods abroad and subsequently storing them in one’s own company in Germany has to be reported as an importation with NoT “11”. Moreover, NoT “31” should be reported **only if** NoT “32” is not applicable. Thus, when deciding whether to report a movement to or from a warehouse with NoT “31” or with NoT “32”, it should always be considered first whether the definition of NoT “32” applies.

All cross-border movements to or from a warehouse that are not exempt and that are covered by neither NoT “91” nor NoT “68” nor NoT “32” have to be reported using NoT “31”.

Example 9 (logistics warehouse): A German company (DE) uses the logistics network of a global logistics service provider in order to sell its goods across the EU. For this purpose, it dispatches its goods to a warehouse run by the logistics service provider in the Czech Republic. DE reports the export in an Intrastat export declaration using NoT “31”.

Example 10 (logistics warehouse): A Swedish company (SE) uses the logistics network of a global logistics service provider in order to sell its goods across the EU. For this purposes, it dispatches its goods to a warehouse run by the logistics service provider in Germany. When SE is selling the goods to a final customer (company or private individual) in another EU Member State and has the goods dispatched there from the German warehouse, NoT “31” has to be reported in the Intrastat export declaration.

NoT “32”: Supply for sale on approval or after trial (including call-off and consignment stock and with the intermediation of a commission agent)

On the one hand, movements of goods for sale on approval or after trial have to be reported with NoT “32”. At the time of the cross-border movement, the goods are intended to be sold on the condition that the prospective customer approves of the goods sent. Thus, it is important to distinguish such movements from the movement of goods supplied free of charge which are themselves not the subject of a commercial transaction (e.g. advertising material or commercial samples) and which are therefore excluded from ITGS.

On the other hand, NoT “32” covers movements of goods to a warehouse that constitute consignment or call-off stock. Again, a change of ownership is intended at the time of the cross-border movement, but has not yet taken place. The essential feature of these movements is the **limited number** of customers to whom the ownership of the goods is to be transferred subsequent to the movement to the warehouse (e.g. ownership is transferred to the company, on the premises of which the consignment or call-off stock is stored). Moreover, NoT “32” covers movements of goods to a warehouse in the context of transactions between a principal (e.g. the producer) and a commission agent (acting as seller). The goods are moved across the border to the warehouse of the commission agent. The subsequent transfer of ownership to a third person is intended already at the time of the cross-border movement.

The movement of previously imported goods from a domestic warehouse to a foreign destination (i.e. Germany is the country of temporary warehousing) has to be reported with NoT “32” as well, except for the case that a German resident has acquired ownership of the goods in the meantime. If this German resident is selling the goods out of the warehouse on to a foreign customer and if the goods are subsequently exported, NoT “11” or “12” has to be reported in the Intrastat or customs declaration. In this case, the transaction represents a regular sales transaction, even though the goods are exported from a warehouse.

If goods have been delivered across the border to or from a warehouse and have been reported with NoT “32”, and if the goods are subsequently returned to the seller in the course of warranty processing, the return and warranty movements of the goods have to be reported using NoT “21” to “23”.

Note: When deciding whether to report a movement to or from a warehouse with NoT „31“ or with NoT “32”, it should always be considered first whether the definition of NoT “32” applies. All cross-border movements to or from a warehouse that are not exempt and that are covered by neither NoT “91” nor NoT “68” nor NoT “32” have to be reported using NoT “31”.

Example 11 (supply for sale on approval or after trial): A German pharmaceutical company (DE) intends to buy a packaging machine from a Polish company. To make sure that the machines are suitable for the intended purposes, DE has the machine delivered to its factory in Germany where it is tested. DE intends to buy the machine after successful trials. DE reports the import in an Intrastat import declaration using NoT “32”.

Example 12 (consignment stock): A German company (DE) moves microchips as consignment stock to a warehouse in China. Out of the warehouse, DE supplies a fixed number of Chinese customers. DE reports the export in a customs declaration using NoT “32”.

Example 13 (call-off stock): A German producer of automobile parts (DE) charges a Belgian company (BE) with keeping stocks of raw materials for the exclusive supply of DE. When needed, DE retrieves the raw material from the warehouse and imports them to Germany. DE reports the import in an Intrastat import declaration using NoT “32”.

Example 14 (commission agent): A German company (DE) produces gas springs and sends them to a warehouse in China. Afterwards, a Chinese commission agent sells them to producers of office chairs. DE reports the export in a customs declaration using NoT “32”.

NoT “33”: Financial leasing (hire-purchase)

The lessee acquires control of a good against payment of lease instalments for a fixed period of time (duration of the leasing contract). The lease instalments are calculated in a way as to cover all or virtually all of the value of the good. The risks and rewards of ownership are transferred to the lessee. At the end of the contract the lessee usually exercises the option to become the legal owner of the good. Thus, financial leasing represents a special type of rental agreement with the aim of transferring ownership.

Example 15: A German company (DE) employs a finance company for leasing industrial facilities made in France. The facilities are operated at the premises of DE in Germany. When the leasing contract expires, DE is to become owner of the facilities. DE reports the import of the facilities in an Intrastat import declaration using NoT “33”.

NoT “34”: Transactions involving transfer of ownership without financial compensation, including barter trade (compensation in kind).

NoT “34” summarizes all cross-border movements of goods involving a transfer of ownership for which a financial compensation is neither paid directly nor intended. Transactions covered by NoT “34” involve either in kind compensation or no compensation at all. Therefore, barter trade (in kind compensation), gifts and all aid shipments have to be reported with NoT “34”.

With these types of movements, the transfer of ownership occurs directly. This is different to transactions covered by NoT “31”, “32” and “33”, in the context of which the transfer of ownership is intended, but has not yet taken place at the time of the cross-border movement.

Note: Intra-community acquisitions of goods between two affiliated companies (intra-corporate movements of goods) have to be reported with NoT “11”, **not** NoT “34”.

Example 16: A German municipality is sending a used firefighting truck as a gift to a country outside the EU. NoT “34” has to be reported on the customs declaration.

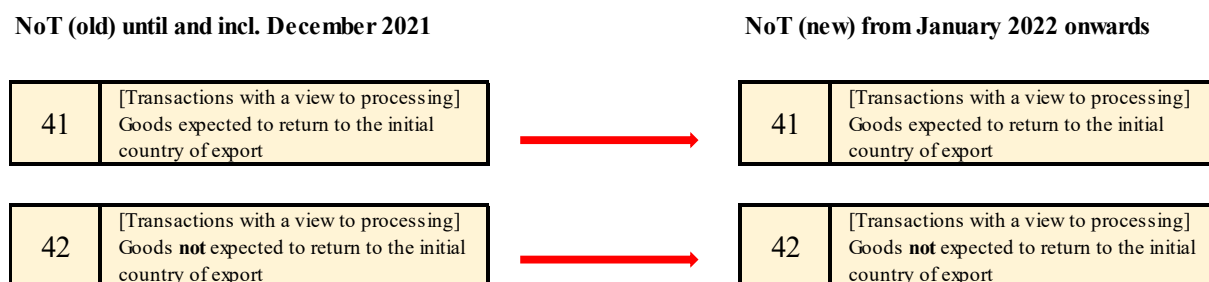
Example 17: An EU funded water purification plant is sent to a non-EU country from Germany, to be used in case of an earthquake. NoT “34” has to be reported on the customs declaration.

Example 18: A billionaire is sending vaccines manufactured in Germany free of charge to regions affected by Malaria. NoT “34” has to be reported on the customs declaration.

II. 4. Transactions with a view to processing under contract (not involving change of ownership)

EBS IA does not entail any changes with respect to the NoT codes starting with the number Four as their first digit. Just like under current EU Regulations, NoT “41” covers movements of goods with a view to processing under contract, in case the goods are expected to return to the initial country of export. Likewise, NoT “42” has to be used when reporting movements of goods with a view to processing under contract, in case the goods are **not** expected to return to the initial country of export.

Figure 4: NoT codes starting with Four as their first digit according to current EU Regulations (left column) and their breakdown according to EBS IA (right column).



In particular, the following rules apply from January 2022 onwards (see also Annex 2, as well as p. 38 ff. of the “Leitfaden zur Intrahandelsstatistik” 2021):

NoT “41”: Transactions with a view to processing under contract – Goods expected to return to the initial country of export.

A company (ordering customer) moves goods (intermediate materials) to another country with the aim of having them processed into new or really improved goods by another company (processor).

The ordering customer provides the intermediate materials free of charge to the processor and retains ownership of the goods throughout the processing activity. The goods are expected to return to the initial country of export after processing.

Example 19: A German company (DE) dispatches steel panels to a Polish company (PL), in order to have them die cut in Poland. The steel panels are provided free of charge by DE, while PL bills DE for the die cutting. The panels are to return to Germany following the processing. DE reports NoT “41” in its Intrastat export declaration.

Example 20: A Canadian company (CA) ships dried lentils from Canada to a company (DE) in Germany. CA commissions DE to use the lentils for making lentil soup. The soup is to be canned and exported to Canada. When imported, the duty-free lentils are not placed under the inward processing procedure (customs procedure code “51”), but are released for free circulation (customs procedure code “40”). DE reports NoT “41” in the customs declaration.

NoT “42”: Transactions with a view to processing under contract – Goods **not** expected to return to the initial country of export.

A company (ordering customer) moves goods (intermediate materials) to another country with the aim of having them processed into new or really improved goods by another company (processor). The ordering customer provides the intermediate materials free of charge to the processor and retains ownership of the goods throughout the processing activity. The goods are **not** expected to return to the initial country of export after processing.

Example 21: A German company (DE) dispatches steel panels to a Polish company (PL), in order to have them die cut in Poland. The steel panels are provided free of charge by DE, while PL bills DE for the die cutting. The panels are to be dispatched to the Czech Republic following the processing by PL, where they are to be further processed. DE reports NoT “42” in its Intrastat export declaration.

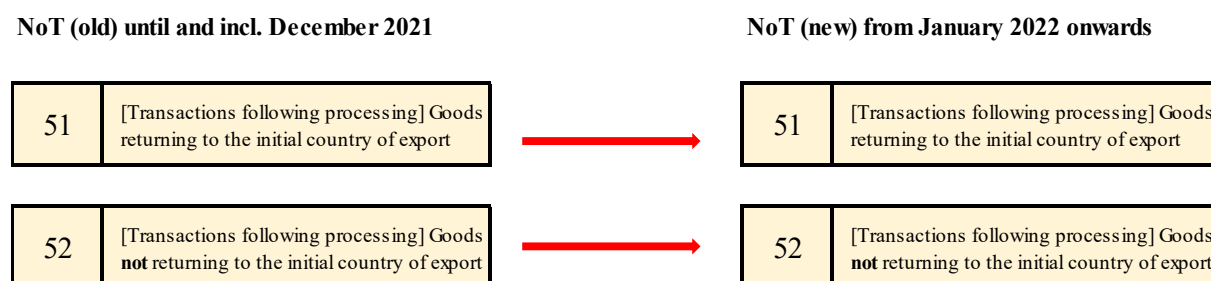
Example 22: A German company (DE) dispatches screws to a Polish company (PL), in order to have them galvanised in Poland. At the same time, DE sells the screws to a customer in the US. The screws are to be exported directly from Poland to the US after the processing. DE reports NoT “42” in its Intrastat export declaration.

Example 23: A Norwegian company (NO) buys steel in China and commissions a German company (DE) to use the steel for building a ship in Germany. The finished ship is to be exported to Norway. When imported to Germany, the steel is placed under the inward processing procedure (customs procedure code “51”). DE reports NoT “42” in the customs declaration.

II. 5. Transactions following processing under contract (not involving change of ownership)

EBS IA does not entail any changes with respect to the NoT codes starting with the number Five as their first digit. Just like under current EU Regulations, NoT “51” covers movements of goods following processing under contract, in case the goods are returning to the country from which they were initially exported with a view to processing under contract. Likewise, NoT “52” has to be used when reporting movements of goods following processing under contract, in case the goods are **not** returning to the country from which they were initially exported with a view to processing under contract, but are delivered to another country.

Figure 5: NoT codes starting with Five as their first digit according to current EU Regulations (left column) and their breakdown according to EBS IA (right column).



In particular, the following rules apply from January 2022 onwards (see also Annex 2, as well as p. 38 ff. of the “Leitfaden zur Intrahandelsstatistik” 2021):

NoT “51”: Transactions following processing under contract – Goods returning to the initial country of export.

A company (processor) has received goods (intermediate materials) from another country and has processed these goods for account of another company (ordering customer) into new or really improved goods. The ordering customer provided the intermediate materials free of charge to the processor and retained ownership of the goods throughout the processing activity. Following processing, the new or really improved goods are now returning to the initial country of export (the country of the ordering customer).

Note: Goods that are returned to the initial country of export (to the ordering customer) and that have not been processed (even though they may have been intended for processing in the first place) have to be reported using NoT “51” as well.

Example 24: A German company (DE) has received cellulose from a French company (FR) and was commissioned by FR to process the cellulose into cardboard. After production, the cardboard is now exported to the ordering customer in France, i.e. the “really improved” good (cellulose → cardboard) is returning to FR. DE reports NoT “51” in its Intrastat export declaration.

Example 25: A German company (DE) has exported plastic granulate to Canada under the outward processing procedure (customs procedure code “21”). In Canada, the granulate was used by another company (CA) to produce plastic tubes for account of DE. After production, the tubes are re-imported into Germany and are released for free circulation and home use (customs procedure code “6121”), i.e. the “really improved” goods (granulate → tubes) are returning to Germany. DE reports NoT “51” in the customs declaration.

NoT “52”: Transactions following processing under contract – Goods **not** returning to the initial country of export.

A company (processor) has received goods (intermediate materials) from another country and has processed these goods for account of another company (ordering customer) into new or really improved goods. The ordering customer provided the intermediate materials free of charge to the processor and retained ownership of the goods throughout the processing activity. Following processing, the new or really improved goods are **not** returning to the initial country of export (the country of the ordering customer), but are dispatched to another country.

Example 26: A German company (DE) has received pig iron from a company (BE) in Belgium and was commissioned by BE to process the pig iron into steel. After production, the steel is now exported to another company (FR) in France, where the steel is to be steamrolled, i.e. further processed. Thus, the “really improved” good (pig iron → steel) is not returning to Belgium. DE reports NoT “52” in its Intrastat export declaration.

Example 27: A Norwegian company (NO) bought steel in China and commissioned a German company (DE) to use the steel for building a ship in Germany.

When imported to Germany, the steel was placed under the customs inward processing procedure (customs procedure code “51”). The finished ship is now exported from Germany to Norway (customs procedure code “3151”), i.e. the “really improved” good (steel → ship) is not returning to China. DE reports NoT “52” in the customs declaration.

II. 6. Particular transactions recorded for national purposes

Current EU Regulations as well as EBS IA enable Member States to introduce Nature of Transaction codes for national purposes, in addition to the common list of NoT codes mandated by European law, if they wish to record certain types of movements of goods that are not covered by the common list. EBS IA reserves the NoT codes starting with the Number Six as their first digit for these national codes. In Germany, the national Nature of Transactions codes are laid down in the implementing regulation of the foreign trade statistics law (*Außenhandelsstatistik-Durchführungsverordnung – AHStatDV*).

It is important to note that the national NoT codes “67”, “68” and “69” **may only be used in customs declarations** submitted to German customs offices (typically using the customs IT application ATLAS). In general, movements of goods to or from third countries may be reported directly to the *Statistische Bundesamt* only in exceptional cases. For more information, please refer to the IDEV-*Extrahandel* Online help page⁶. Restricting the use of NoT “67”, “68” and “69” to customs declarations implies in particular that they **may not be used in Intrastat declarations** made to report movements of goods to or from EU Member States.

The national Nature of Transaction codes in Germany are subject to only minor changes between their current state and their future composition from January 2022 onwards. Specifically, the changes are restricted to NoT code “68”. Movements of goods to or from a customs warehouse for account of a person not resident in Germany are currently to be reported using NoT code “92”. The code for these movements will be “68” starting from next year, in order to align the national NoT codes in Germany to the NoT list mandated by EBS IA. In addition, the description of the NoT code is changed from “Movements to and from a warehouse for account of a non-resident person” to “Movements to and from a **customs** warehouse for account of a non-resident person”, which more accurately reflects its meaning.

⁶ <https://www-idev.destatis.de/idev/doc/extra/hilfe1.html>

Figure 6: NoT codes starting with Six as their first digit according to the current AHStatDV (left column) and their breakdown for the period from January 2022 onwards, on the basis of the revised AHStatDV (right column).

NoT (old) until and incl. December 2021			NoT (new) from January 2022 onwards	
67	Goods for and after repair or maintenance	→	67	Goods for and after repair or maintenance
92	Movements to or from a warehouse for account of a non-resident person	→	68	Movements to or from a customs warehouse for account of a non-resident person
69	Other movements of goods for or following temporary use with expected duration under 24 months, as well as other movements of goods excluded from ITGS	→	69	Other movements of goods for or following temporary use with expected duration under 24 months, as well as other movements of goods excluded from ITGS

In particular, the following rules apply from January 2022 onwards:

NoT “67”: Goods for and after repair or maintenance.

NoT “67” has to be reported in customs declarations when goods are exported or imported for and after repair or maintenance. Movements of goods for and after repair are temporary movements, which do not involve a change of ownership. They are excluded from ITGS.

By reporting NoT “67” in the customs declaration the declarant indicates that the declared movement of goods is in fact excluded from ITGS. Repair and maintenance entail the restoration of goods to their original function or their original condition. The purpose of repair is only to keep up the operating ability of the goods. This may involve some rebuilding or improvements (e.g. through technological progress). However, the nature of the good is altered in no way by repair or maintenance.

In particular, these conditions mean that movements for and after repair or maintenance do **not** constitute processing in an ITGS sense, because the very definition of processing includes the production of a new or really improved good (see also Annex 2). Moreover, for the decision on whether a movement of goods constitutes processing or repair in an ITGS sense, it is immaterial whether the goods under consideration are imported under the customs inward processing procedure and subsequently re-exported, or whether they are exported under the customs outward processing procedure and are then re-imported and released for free circulation.

Note: Replacement parts, which are imported or exported for the execution of a repair project and which are purchased or sold, have to be reported with NoT “11” in both Intrastat and customs declarations.

Example 28: A company (DE) in Germany receives a motor vehicle from a company (US) in the United States of America for repair. The vehicle is to be re-exported to the US after repair. DE reports NoT “67” to customs in both the import declaration and the re-export declaration.

*Example 29: A company (DE) in Germany receives a motor vehicle from a company (US) in the United States of America for repair. The vehicle is to be re-exported to the US after repair. For repairing the vehicle, DE needs to buy and import a replacement part from a supplier in Canada. When importing **the replacement part**, DE reports NoT “11” in the customs declaration.*

NoT “68”: Movements to or from a customs warehouse for account of a non-resident person.

The movement of goods to a customs warehouse and the re-export of goods from a customs warehouse has to be reported in customs declarations using “NoT” 68, if the goods are moved for account of a non-resident person, i.e. if they are owned at the time of the movement by a person who is **not** resident in Germany.

When importing goods, reporting NoT “68” is generally accurate only in combination with requested customs procedure code “71” (Placing of goods under the customs warehousing procedure). When exporting goods, reporting NoT “68” is generally accurate only in combination with re-export following customs warehousing (requested and previous customs procedure code “3171”).

Note: Movements to or from a warehouse that is **not a customs** warehouse are generally to be reported using NoT “31” or “32” (depending on the type of warehouse), even if the movement occurs for account of a non-resident person.

Example 30: A French company moves goods from a third country to a German customs warehouse, with a view to selling the goods at some future time to an unspecified number of customers in the EU. The goods have to be declared using NoT “68” in the customs declaration.

Example 31: A French company moves goods from a third country to a logistical warehouse in Germany, with a view to selling the goods at some future time to an unspecified number of customers in the EU. When imported, the goods are released for free circulation and home use. The goods have to be declared using NoT “31” in the customs declaration.

NoT “69”: Other movements of goods for or following temporary use with expected duration under 24 months, as well as other movements of goods excluded from ITGS

NoT “69” has to be reported in customs declarations when declaring all other types of cross-border movements of goods that are excluded from ITGS. By reporting NoT “69” in the customs declaration the declarant indicates that the declared movement of goods is in fact excluded from ITGS.

The different types of movements of goods which are excluded from ITGS are listed in the Appendix to Annex V of EBS IA (“List of exemptions”, see also Annex 3 of this document). In particular, movements of goods for or following temporary use are excluded from ITGS, if the (expected) duration of the temporary use was not or is not intended to be longer than 24 months.

They are excluded under the conditions that no processing is or was planned or carried out – to be reported using NoT codes “41”, “42”, “51” or “52” – and that they do not constitute transactions involving actual or intended change of ownership – to be reported with the appropriate NoT code. The expected duration has to be applied if the actual duration of the temporary use is not yet known at the time of drawing up the customs declaration. Temporary movements not involving change of ownership, the (expected) duration of which was or is intended to be longer than 24 months and which are not movements with a view or following processing under contract, have to be reported using NoT “91” (see below).

Example 32: A German company (DE) dispatches a testing device to a customer (NO) in Norway. The testing device is to return to Germany following the testing, the duration of which is expected to be fewer than 24 months. When exporting the device to Norway, DE reports NoT “69” in the customs declaration.

II. 7. Transactions with a view to/following customs clearance (not involving change of ownership, related to goods in quasi-import or export)

EBS IA entails substantial changes regarding the movements of goods to be reported with NoT codes starting with the Number Seven as their first digit. According to current EU Regulations these codes cover movements of goods in the framework of joint defence projects (NoT “71”) or other joint intergovernmental production programmes (NoT “72”). In the future, movements of goods in the framework of such programmes or projects will have to be reported just like any other movements, i.e. using NoT codes which describe their actual background (e.g. NoT “41” or “42” in the context of transactions with a view to processing under contract).

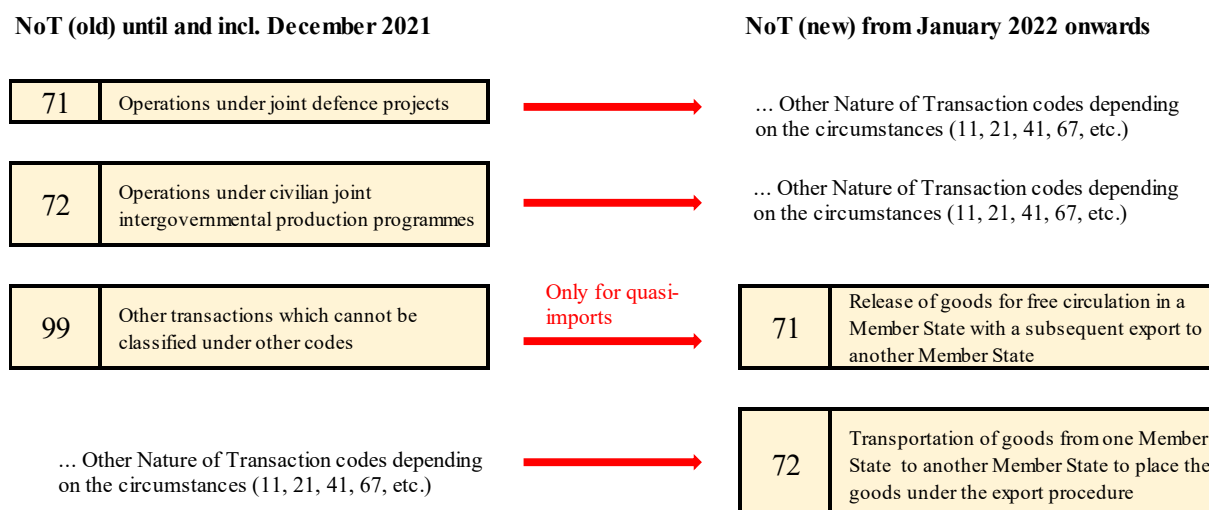
Starting from January 2022, NoT “71” and “72” cover certain movements of goods with respect to third countries, in the context of which the goods are exported from or destined to one Member State while customs clearance takes place in another Member State of transit.

NoT “71” is the code for reporting so-called quasi-imports. From a German perspective, these are imports of goods from a third country which are released for free circulation in Germany and which are subsequently dispatched to another Member State, the importer **not** being a German resident. Thus, NoT “71” may be used only if Germany is the Member State of transit of the quasi-import transaction. It follows that NoT “71” may be reported only in **customs import declarations** and in **Intrastat export declarations**. Quasi-imports are identical to the movements of goods which are declared to German customs with customs procedure codes “42” (in case of importation) or “63” (in case of re-importation).

Correspondingly, NoT “72” is the code for reporting so-called quasi-exports. These are exports of goods to a third country, which are brought to Germany from another Member State for the purpose of declaring the goods for export, the exporter **not** being a German resident. Thus, NoT “72” may be used only if Germany is the Member State of transit of the quasi-export declaration and it may be reported only in **customs (re-)export declarations**.

Regarding quasi-imports, the appropriate Nature of Transaction code in both the customs import declaration and the subsequent Intrastat export declaration is currently “99” and will be “71” starting from January 2022. There is no such one-to-one correspondence in case of quasi-exports. The appropriate NoT code for movements of goods that can be classified as quasi-exports currently depends on the underlying economic motive for the export transaction (outright sale, processing under contract, etc.).

Figure 7: NoT codes starting with Seven as their first digit according to current EU Regulations (left column) and their breakdown according to EBS IA (right column).



In particular, the following rules apply from January 2022 onwards:

NoT “71”: Release of goods for free circulation in a Member State with a subsequent export to another Member State

NoT “71” is the code for reporting quasi-imports. These are imports of goods from a third country which are released for free circulation in Germany and which are the subject of a subsequent Value Added Tax-exempt supply to another Member State (and, when applicable, an excise-duty suspension). The imported goods are declared to German customs with customs procedure code “42”. Following customs clearance in Germany, the goods are dispatched within the EU to the Member State of destination. The re-importation of goods, e.g. after temporary export under the outward processing procedure, and subsequent VAT-exempt supply to another Member State also counts as quasi-import. In this case, the re-imported goods are declared to German customs with customs procedure code “63”. In any of the two cases of quasi-imports, the person mentioned as importer in the customs declaration is **not** a resident of Germany. The supply to another Member State following customs clearance in Germany has to be reported in an Intrastat export declaration. NoT code “71” has to be reported in both the customs declaration and the subsequent Intrastat export declaration.

Note: In case Germany is the Member State of destination of the quasi-import transaction, i.e. in the case that the goods are released for free circulation in another Member State and subject to a subsequent VAT-exempt supply to Germany, the German importer of the goods is obligated to submit an Intrastat import declaration in Germany.

In this case, the appropriate NoT code depends on the underlying economic motive for the import transaction (e.g. NoT “11” in case of outright purchase or NoT “51” or “52” in case of transactions following processing under contract). NoT “71” must **not** be reported in Intrastat **import** declarations.

Example 33: A French company (FR) imports goods from Russia via the port of Hamburg, where the goods are released for free circulation under customs procedure code “42”. Because FR would like to pay the import turnover tax in France instead of in Germany, he arranges for a VAT-exempt supply to France (the Member State of destination). The German fiscal representative (“Fiskalvertreter”) of FR reports NoT “71” in the customs declaration and in the subsequent Intrastat export declaration.

*Example 34: A German company (DE) imports goods to Germany via the port of Rotterdam. DE has purchased the goods from a Canadian supplier. The goods are released for free circulation in the Netherlands and are subsequently supplied to Germany. DE pays the import turnover tax in Germany and reports NoT “11” in the German Intrastat **import** declaration.*

NoT “72”: Transportation of goods from one Member State to another Member State to place the goods under the export procedure

NoT “72” is the code for reporting quasi-exports. These are exports of goods to a third country, which are brought to Germany from another Member State only for the purpose of declaring the goods for (re-)export to a German customs office.

The movement from that other Member State to Germany must not occur in the context of an intra-Union purchase of the goods and the exporter must not be a German resident. Thus, there is essentially only one case of quasi-exports: Goods are brought to Germany from another Member State in order to place them under the (re-)export procedure at the German customs office of exit according to Article 221 paragraph 2 of Commission Implementing Regulation (EU) 2015/2447 (so-called “*einstufiges Ausfuhrverfahren*”). In addition, the person mentioned as exporter on the customs declaration is not a German resident.

Note: It does **not** amount to a quasi-export transaction if goods are placed under the (re-)export procedure at the customs office of export in another Member State, i.e. at the customs office responsible for the place of residence of the exporter, and if the goods are presented again at the German customs office of exit (so-called “*zweistufiges Ausfuhrverfahren*”). For a quasi-export to occur, the goods have to be declared to customs, i.e. placed under the (re-)export procedure at the German customs office of exit.

In case a German customs office is the customs office of exit in the context of a quasi-export transaction the preceding dispatch of the goods from another Member State to Germany represents a transit movement from an ITGS point of view. Consequently, no Intrastat import declaration has to be submitted in Germany. Therefore, **NoT “72” may only be reported in customs (re-)export declarations**. In particular, it must not be reported in Intrastat declarations.

It should also be noted that NoT “72” and DE as country of export are mutually exclusive. If NoT “72” is correctly reported in customs (re-)export declarations, the correct country of export cannot be Germany, i.e. the code DE cannot be correctly reported in SAD box 15a or data element 16 07 000 000 according to Annex B Title II of Commission Delegated Regulation (EU) 2015/2446.

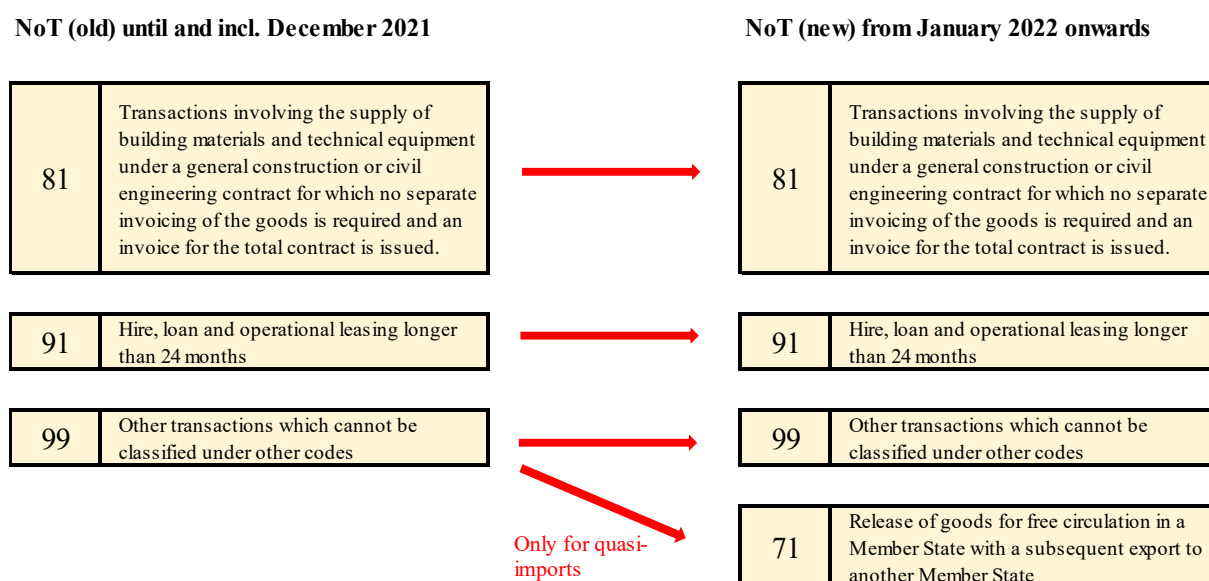
Moreover, NoT “72” may **not** be reported in customs (re-)export declarations submitted with a German customs office in the context of centralized customs clearance (i.e. Germany is the Authorizing Member State).

Example 35: A French company (FR) is exporting goods of a total value of less than 3000 € from Austria to Russia via the port of Hamburg. The goods are placed under the export procedure at the German customs office of exit in Hamburg (einstufiges Ausfuhrverfahren). FR reports NoT “72” and country of export “AT” in the customs declaration.

II. 8. Movements of goods in the framework of a general contract and other transactions that cannot be classified under other codes.

EBS IA entails changes to NoT codes “81”, “91” and “99” only inasmuch as quasi-imports have to be reported with NoT “71” instead of NoT “99”, as is the case under current regulations. Otherwise, NoT “81” will still cover transactions involving the supply of materials and equipment under a general contract, NoT “91” will be reserved for temporary movements with expected duration of more than 24 months, while NoT “99” will continue to be the residual NoT code for transactions that cannot be classified under other codes.

Figure 8: NoT codes “81”, “91” and “99” according to current EU Regulations (left column) and their breakdown according to EBS IA (right column).



In particular, the following rules apply from January 2022 onwards:

NoT “81”: Transactions involving the supply of building materials and technical equipment under a general construction or civil engineering contract for which no separate invoicing of the goods is required and an invoice for the total contract is issued.

NoT “81” may be reported only if the individual deliveries in the framework of a general contract are not separately invoiced, but one single invoice is issued for (the total value of) all movements taking place under the contract. However, if individual deliveries are invoiced separately, they have to be reported each with the appropriate code, which is generally NoT “11”.

Example 36: A German company (DE) is building a manufacturing plant in Ukraine in the framework of a general contract with a Ukrainian company (UA). DE issues one single invoice to UA for the total value of the contract. When exporting the individual parts of the plant to Ukraine, DE reports NoT “81” in the customs declaration.

NoT “91”: Hire, loan and operational leasing longer than 24 months.

NoT “91” has to be used when reporting temporary movements not involving change of ownership, the duration of which was or is intended to be longer than 24 months and which are not movements with a view or following processing under contract. Examples of such temporary movements are long-term rental or lending contracts, or leasing contracts that can be classified under so-called “operate leasing”. The latter are all types of leasing contracts that cannot be classified as financial leasing (see NoT “33”). The expected duration has to be applied if the actual duration of the temporary movement to Germany (import) or abroad (export) is not yet known at the time of drawing up the customs or Intrastat declaration.

Example 37: A Belgian construction company rents out construction equipment for the duration of three years to a German company (DE) and delivers the equipment from Belgium to the construction site in Germany. The equipment is to return to Belgium once the rental contract expires. DE reports NoT “91” in the Intrastat import declaration.

NoT “99”: Other transactions which cannot be classified under other codes.

NoT “99” may be reported only if no other NoT code applies. Before reporting NoT “99”, declarants are required to consider carefully whether the movement of goods to be declared is actually not covered by any one of the other NoT codes.

For example, this is the case with exports or imports of so-called “negative assets”. These are waste products without value to their owner. As a result, the latter has to pay for their disposal. In case of valuable waste, however, the appropriate NoT code has to be reported. For example, if the owner sells the waste to a company abroad where the waste is to be recycled by the new owner, the appropriate NoT code is “11”.

Note: The value of One Euro has to be reported as statistical value for “negative assets”.

Example 38: A German company (DE) commissions a Swiss company (CH) with the disposal of waste that has no value to DE. When exporting the waste to Switzerland, DE reports NoT “99” in the customs declaration.

III. Country of origin (Intrastat export declarations)

The country of origin has been a compulsory data element for Intrastat import declarations since the inception of the Single Market. It is used to compile the import side of German foreign trade statistics according to country of origin. EBS BA mandates the exchange of intra-EU-export data among the Member States. This exchange is meant to enable Member States to use the received data for compiling their import statistics. By virtue of Article 13 paragraph 1 of EBS BA, therefore, the country of origin will be a compulsory data element for Intrastat export declarations from reporting month January 2022 onwards. Reporting units have been able to report the country of origin in Intrastat export declarations since 2018 already on a voluntary basis. Starting from January 2022 reporting units are obligated to report the country of origin in both Intrastat import and Intrastat export declarations.

The country of origin of a good is the country where the good has been entirely obtained or produced. If two or more countries were engaged in producing the good, the country of origin is the last country where the good has been substantially processed in economically justified terms. Just like in Intrastat import declarations, the codes to be used are the two-letter ISO Alpha Codes of the current Geonomenclature, defined in Commission Implementing Regulation (EU) 2020/1470.

IV. VAT identification number of the partner operator in the Member State of import (Intrastat export declarations).

In addition to the country of origin, Article 13 paragraph 1 of EBS BA also turns the VAT identification number⁷ of the partner operator in the Member State of import into a compulsory data element for Intrastat export declarations from reporting month January 2022 onwards. Analogously to the country of origin, reporting units have been able to report this VAT-ID number in Intrastat export declarations since 2018 already on a voluntary basis. The VAT-ID number of the partner operator in the Member State of import is needed also in the context of the exchange of intra-EU-export data among Member States. It allows Member States to allocate the received data to the respective importing company in their own country.

⁷ Identification number allocated to that person in accordance with Article 214 of Directive 2006/112/EC.

Specifically, reporting units are obligated to report the VAT-ID of the company (technically speaking the taxable person or non-taxable legal person) that has declared the intra-Union acquisition of the goods under consideration in the Member State of import in accordance with Article 251 c) of Council Directive 2006/112/EC. Failing this information, the VAT-ID of the importer in the Member State of import according to Section 6 of Annex V of EBS IA has to be reported. Said Section 6 defines the importer as the person concluding the contract (with the exception of transport contracts), giving rise to the import of the goods in the Member State of import.

Failing this, the importer is the person bringing the goods into the Member State of import or providing for the import of the goods. Again failing this, the importer is the person being in possession of the goods following the movement of the goods to the Member State of import.

As a rule, the importer is equal to the following person:

- The customer paying the supplier for the imported good in case of a sale.
- The ordering customer in case of inward processing under contract, if the processed goods return to the initial country of export (i.e. the processing takes place in Germany, export from Germany following processing).
- The recipient of the processed goods in case of inward processing under contract, if the processed goods do **not** return to the initial country of export (i.e. the processing takes place in Germany, export from Germany following processing).
- The processor in case of outward processing under contract (i.e. the processing takes place in the Member State of import, export from Germany with a view to processing). If it is known at the time of the cross-border movement with a view to processing that the goods will be sold abroad following the processing, the German ordering customer has to register for VAT purposes in the Member State of import and has to report that VAT-ID as the VAT-ID of the partner operator in the Intrastat export declaration.
- The final customer in case of triangular trade (i.e. the good is sold from Germany to one Member State and is shipped from Germany to another Member State. That other Member State – the country of destination – is the Member State of import).

In case of triangular trade it is possible that the German reporting unit does not know the VAT-ID number of the final customer in the Member State of import (i.e. the country of destination). In this case, reporting units may report a fictitious number, consisting of the two-letter country code of the country of the invoicing partner and a sequence of twelve times the number “9” (e.g. FR999999999999). However, the VAT-ID number of the final customer in the Member State of import has to be reported if it is known – for whatever reasons.

In case of direct trade with private consumers, the importer in the Member State of import (i.e. the country of destination) is a private individual. In this case, reporting units have to report the fictitious number “QN999999999999”.

In case the VAT-ID number of the partner operator in the Member State of import (i.e. the country of destination) is really unknown and none of the above scenarios apply, reporting units have to report the fictitious number “QV999999999999”.

Note: In case of a **chain transaction**, goods are sold from a German supplier to a company A in another Member State, and the goods are resold by that company to a company B within the same Member State. Physically, the goods move directly from the supplier in Germany to the company B. Sales contracts exist between the German supplier and company A, as well as between company A and company B. In such a case the German supplier has to report the VAT-ID number of company A – the customer paying the supplier (see above) - in its Intrastat export declaration.

Example 39 (direct sale): A German company (DE) is selling goods to a French company (FR). The goods are exported from Germany to France. DE reports the VAT-ID number of FR in the Intrastat export declaration.

*Example 40 (chain transaction): A German company (DE) is selling goods to a French company (FR1) that sells the goods on to another French company (FR2). DE delivers the goods from Germany directly to FR2 in France. DE reports the VAT-ID number of **FR1** in the Intrastat export declaration, because FR1 is the foreign customer paying the German supplier DE for the exported good.*

Example 41 (triangular trade): A German company (DE) is selling goods to a French company (FR) that sells the goods on to a Danish company (DK). DE delivers the goods from Germany directly to DK in Denmark. DE reports the VAT-ID number of DK in the Intrastat export declaration, because DK is the recipient of the goods in the Member State of import (i.e. the person in possession of the goods following the movement of the goods to the Member State of import).

*Example 42 (triangular trade): A German company (DE) is selling goods to a French company (FR) that sells the goods on to a Danish company (DK). DE delivers the goods from Germany directly to DK in Denmark. DE has to report the VAT-ID number of DK in the Intrastat export declaration. However, DE does **not know the VAT-ID number of DK**. Therefore, DE reports the fictitious VAT-number FR999999999999 in the Intrastat export declaration.*

Example 43 (outward processing under contract): A German company (DE) commissions a Polish company (PL) to process intermediate materials into finished goods. The intermediate materials are exported from Germany to Poland. DE reports the VAT-ID number of PL in the Intrastat export declaration.

Example 44 (inward processing under contract): A Dutch company (NL) has commissioned a German company (DE) to process intermediate materials into finished goods. The finished goods are to return to the Netherlands. The intermediate materials were imported from the Netherlands to Germany and the finished goods are now to be exported from Germany to the Netherlands. DE reports the VAT-ID number of NL in the Intrastat export declaration.

Example 45 (inward processing under contract – subsequent sale): A Dutch company (NL1) has commissioned a German company (DE) to process intermediate materials into finished goods. The finished goods are to return to the Netherlands. The intermediate materials were imported from the Netherlands to Germany and the finished goods are now to be exported from

Germany to the Netherlands. In the meantime, NL1 has sold the finished goods on to another Dutch company (NL2). DE delivers the goods directly to NL2 in the Netherlands. The VAT-ID number of NL1 has to be reported in the Intrastat export declaration, because NL1 is the Dutch partner concluding the contract that gives rise to the export of the finished goods.

Example 46 (inward processing under contract – subsequent sale): A Dutch company (NL) has commissioned a German company (DE) to process intermediate materials into finished goods. After processing, the finished goods are to be exported directly from Germany to an Austrian company (AT) that has bought the goods from NL. The VAT-ID number of AT has to be reported in the Intrastat export declaration, because AT is the person in possession of the goods following the movement of the goods to the Member State of import (there is no ordering customer of the processing transaction in Austria, the Member State of import).

ANNEX

Annex 1: Movements to and from a warehouse – Further explanations

Both NoT “31“ and NoT “32“ can be used to report movements of goods to and from a warehouse, in the context of which the stored goods are to be sold eventually but have not been sold yet. NoT “31” covers movements to and from a logistical warehouse (distribution warehouse). As a rule, such movements amount to intra-community acquisitions of goods between two affiliated companies (intra-corporate movements of goods) from the perspective of VAT legislation. Thus, these movements have to be declared as an intra-Union supply or acquisition for VAT purposes. Movements to or from a warehouse of goods that constitute consignment or call-off stock, or goods moved with the intermediation of a commission agent, are not to be reported using NoT “31”. These transactions are covered by NoT “32” instead. According to our understanding, such movements have to be declared as an intra-Union supply or acquisition for VAT purposes as well.

In general, movements of goods to a warehouse that have to be reported with NoT “31” can be distinguished from those that have to be reported with NoT “32” by the number of customers to which a change of ownership is intended at the moment of moving the goods across the border. Goods reported with NoT “31” are meant to be sold to an unknown number of customers on the general market, while goods reported with NoT “32” are typically intended to be sold to a pre-defined, limited number of customers (e.g. ownership is transferred to the company, on the premises of which the consignment or call-off stock is stored).

As long as the goods are not moved to or from a customs warehouse for account of a non-resident person (see NoT “68”), generally all movements to and from a warehouse have to be reported using either NoT “31” or NoT “32”. Movements to or from a warehouse are excluded from ITGS, i.e. exempted from reporting, only if the following three conditions are met:

1. No processing is or was planned or carried out,
2. The expected duration of storing the goods in the country in which the warehouse is located was or is not intended to be longer than 24 months and
3. The intra-Union export or import does not have to be declared as an intra-Union supply or acquisition for VAT purposes.

Other movements of goods to or from a warehouse have to be reported with NoT “91”, if a change of ownership is **not** intended and the expected duration of storing the goods in the country in which the warehouse is located was or is intended to be longer than 24 months. For example, storing goods in another country in an interim warehouse for longer than 24 months has to be reported using NoT “91” (i.e. the movement to or from that interim warehouse in another country does not have to be declared for VAT purposes).

The following list provides definitions for different types of warehouses:

- **Logistics warehouse:** Also called distribution warehouses, these warehouses are used to store goods centrally in order to deliver them to the customers directly from the warehouse. Coming from the warehouse, the goods are directly put on the market. Thus, the warehouse is not used to service a pre-defined, limited number of customers. It is mainly used to minimize delivery times, to avoid potential delivery failures and to provide a high service level in general.
- **Consignment stock:** These are goods stored in a warehouse managed by the supplier, either on the premises of a customer or in the vicinity of a pre-defined, limited number of customers, in order to be able to guarantee instant delivery. The consignor (the supplier) retains ownership of the goods until the goods are taken out of the warehouse upon the order of a customer. Taking the goods out of the warehouse triggers the sale of the good and the change of its ownership to the customer. Several customers may be serviced out of one consignment stock warehouse, yet their number is limited and known in advance by the supplier. Consignment stock that is kept in order to supply one customer exclusively is equivalent to “call-off-stock”.
- **Call-off-stock:** Call-off-stock is a special form of consignment stock. These are goods stored in a warehouse by the supplier, in order to guarantee instant delivery to one individual customer (The goods are called-off by the customer when needed).
- **Commission stock:** Goods are put on commission stock whenever a transaction on a commission basis occurs between a principal (e.g. the producer of the goods) and a commission agent (the seller). The agent receives the goods from the principal in order to sell them to prospective customers. The agent sells the goods on his or her own behalf, but for account of the principal. The agent draws a commission for this service, as agreed in advance with the principal. Therefore, the commission agent is neither the real buyer nor the real owner of the goods but acts as stock keeper and as intermediary between principal and the eventual buyer.

Annex 2: Processing under contract – Further explanations

Processing under contract – definition

In ITGS, processing under contract signifies a range of activities (e.g. treating, working, assembling or improving goods), in the context of which the ordering customer provides intermediate materials free of charge to a processor who uses these materials to produce new or really improved goods. The ordering customer retains ownership of the goods throughout the processing activity and pays a fee to the processor for her service. The processing is referred to as “active” or “passive”, depending on whether it occurs domestically (“active”) or abroad (“passive”).

A number of criteria may be used to assess whether the result of processing activities represents a new or really improved good and thus whether it amounts to processing in an ITGS sense. Specific tools or machinery have been used for processing, an industrial environment (e.g. ventilation system) in compliance with legal provisions (e.g. hygiene regulations) is needed for the processing, or skilled staff with a certain level of qualification is needed to carry out the processing. Goods changing their commodity code as a result of processing activities provides evidence in favour of processing in an ITGS sense.

The following activities do **not** represent processing in an ITGS sense, even though they may amount to processing from a customs procedural point of view, i.e. declarants may request the outward processing procedure when clearing the respective goods for export, or they may request the inward processing procedure when importing the goods. Processing on own account of the processor

- **Processing on own account of the processor:** A company acquires intermediate materials and processes them on its own account. Thus, the processor acquires ownership of the materials and uses them to produce new goods. The new good is sold after production. Cross-border movements in the context of processing on own account of the processor must be reported in customs and Intrastat declarations with NoT “11”.
- **Simple measures** such as packaging, washing, labelling: Such movements of goods are excluded from intra-EU ITGS, i.e. they are exempt from Intrastat reporting. They have to be reported in customs declarations using NoT “69”.
- **Provision of insignificant parts:** It does not amount to processing in an ITGS sense if the ordering customer is only providing parts that are insignificant in terms of either value or function (e.g. labels, screws, etc.). In such cases, the insignificant parts have to be reported in Intrastat and customs declarations with their appropriate statistical value and NoT code “99”. No invoice amount needs to be provided. It is regularly assumed that the finished goods are sold or purchased when moved across the border. Thus, these movements have to be reported using NoT “11” in both Intrastat and customs declarations. By way of exception, declarants may not include the value of insignificant parts provided free of charge by the ordering customer when computing the statistical value of the finished goods.
- **Repair and maintenance:** In contrast to processing in an ITGS sense, in the context of which a new or really improved good is produced, repair activities are meant to restore the original function or the original state of a good. Maintenance is meant to preserve the function or state of a good, allowing the intended use of the good to continue. For example, these are activities that operating instructions advise or prescribe in regular intervals (e.g. after a certain mileage or after a certain amount of operating hours). Repair and maintenance are excluded from intra-EU ITGS, i.e. exempt from Intrastat reporting. They have to be reported in customs declarations using NoT “67”.
- **Destruction and scrapping** of goods: When imported to Germany, non-Union goods are not released for free circulation but are destroyed (e.g. because of quality defects). Equivalent movements may occur between EU member states. These transactions have to be reported in both Intrastat and customs declarations using NoT “99”.

- **Employment of auxiliary means for processing:** Auxiliary means are used during processing, but they are not themselves subject to processing and they are not integrated into the result of processing (they are not part of the finished good). A processor acquires ownership of the auxiliary materials when importing them in order to employ them in the context of processing activities. They have to be reported in both Intrastat and customs declarations using NoT “11”.

Distinguishing whether a given cross-border movement represents processing under contract - examples

1. A sports car is moved temporarily from Italy to Germany for tuning activities (e.g. engine power increase, car body modifications). The German processor charges the necessary working hours to the account of the ordering customer, as well as a range of parts which the processor has procured herself. The transaction represents processing under contract, because the sports car is “really improved” by the work performed. The processor reports NoT “41” in the Intrastat import declaration and NoT “51” in the Intrastat export declaration.
2. A German company (the ordering customer) commissions a Czech company (the processor) to build a car in the Czech Republic. For that purpose, the engine gearbox unit and some other parts are provided free of charge by the ordering customer who sends them to the plant of the processor in the Czech Republic. After production, the complete car is exported to Germany. The processor charges the value of the car without the value of the engine gearbox unit on the invoice. These transactions represent processing of important components (important in terms of both function and value) in the context of the production of a “new good”, i.e. the car. Both the export of the engine gearbox unit and the import the car have to be reported as processing under contract in Intrastat declarations.
3. A German company (the ordering customer) commissions an Austrian company (the processor) to build a car in Austria. For that purpose, the company emblem is provided free of charge by the ordering customer who sends it to the plant of the processor in Austria. After production, the complete car is exported to Germany. The processor charges the value of the car without the value of the company emblem on the invoice. These transactions do **not** represent processing under contract in an ITGS sense, because the ordering customer provides a part free of charge that is insignificant in terms of both value and function (the company emblem). Instead, the import of the car to Germany has to be reported in the Intrastat import declaration as an outright purchase using NoT “11”. The previous export of the company emblem to Austria has to be reported in the Intrastat export declaration using NoT “99”.
4. A used car is temporarily moved to Poland in order to restore its paint (washing, polishing and conserving). This transaction does **not** represent processing under contract in an ITGS sense because the activities performed in Poland classify as simple measures. The cross-border movements of the used car represent “temporary use” and are therefore excluded from intra-EU ITGS, i.e. exempt from Intrastat reporting.

5. A used car is temporarily moved to Switzerland under the outward processing procedure in order to restore its paint (washing, polishing and conserving). The movement does not represent processing in an ITGS sense because the activities performed in Switzerland classify as simple measures. The cross-border movements of the used car represent “temporary use” and are therefore excluded from extra-EU ITGS. When exporting the car to Switzerland, the declarant reports NoT “69” in the customs declaration. Equally, when re-importing the car, the declarant requests release for free circulation and home use of the car and reports NoT “69” in the customs declaration.

Selling finished products immediately after processing under contract (a total of three parties being involved)

Turnover tax legislation obliges the foreign owner of the goods (the ordering customer of the processing under contract) to register for tax purposes in Germany if processing takes place in Germany (inward processing) and the finished products are subsequently not returned to the ordering customer but are sold in Germany or abroad. By registering, an intra-corporate movement of the raw materials to the German VAT-ID number is deemed to have taken place before the processing under contract.

Regarding trade with EU Member States, the subsequent sale to a customer in another EU country represents a tax-free intra-Community delivery. This VAT-legal approach has two major implications for Intrastat reporting:

1. VAT registration turns the foreign entity that is the ordering customer into a German statistical unit. Thereby, the German processor is **not** (additionally) obligated to submit Intrastat declarations for the movements of the goods. The German statistical unit of the ordering customer is obligated to submit Intrastat declarations in Germany beginning with the month in which it exceeds the respective Intrastat thresholds. This may be due to the total of its movements of raw materials from other Member States (Intrastat import) or the total of its movements of finished goods to other Member States (Intrastat export) or the total of any other movements of goods of that unit with respect to other Member States.
2. The cross-border movements of the goods with a view to processing under contract or following processing under contract have to be reported as such with NoT “42” and “52”, even though VAT-related accounting entries are made that indicate a purchase or sales transaction.

These explanations apply accordingly to outward processing under contract, i.e. a German company is having raw materials processed abroad as ordering customer and is subsequently selling the finished goods abroad. The export of the raw materials from Germany has to be reported with NoT “42”.

Regarding trade with third countries, several scenarios may be applicable when the ordering customer is resident in a third country, the raw materials are imported to Germany from a third country and the processed goods are subsequently sold abroad:

1. When imported, the raw materials are released for free circulation and home use. The processed goods are subsequently sold in a country other than the country of the ordering customer. NoT “42” has to be reported in the importation customs declaration and NoT “52” has to be reported when exporting the processed goods from Germany, whether to other EU Member States (Intrastat declaration) or to a third country (customs declaration).
2. When imported, the raw materials are placed under the inward processing procedure. The processed goods are subsequently sold in a third country. NoT “41” or “42” has to be reported in the importation customs declarations and NoT “51” or “52” has to be declared in the re-export customs declaration.
3. When imported, the raw materials are placed under the inward processing procedure. The processed goods are subsequently sold in another EU Member State. The inward processing procedure may be discharged by placing the goods under a transit procedure. In this case, the importation of the raw materials has to be reported with NoT “42” in the customs declaration, while the export of the finished goods to the said EU Member State has to be reported with NoT “52” in an Intrastat export declaration.
4. When imported, the raw materials are placed under the inward processing procedure. The processed goods are subsequently sold in another EU Member State. The inward processing procedure is discharged by releasing the processed goods for free circulation and home use subject to a VAT-exempt supply to another Member State (customs procedure code “4251” or “6351” in case of excise goods). When declaring the import of the raw materials, the fiscal representative of the ordering customer in Germany has to report NoT “42” in the customs declaration. When the processed goods are exported to the said EU Member State, the fiscal representative has to report NoT “52” in an Intrastat export declaration.

Specifics of customs regulations in the context of processing under contract

There are a number of noteworthy aspects of customs legislation in the context of processing under contract:

- **Customs procedure:** Outward processing in an ITGS sense can occur under different customs procedures. Union goods to be processed in a third country can be placed under the outward processing procedure, which has to be authorised by customs authorities. In this way, the Union goods can be temporarily exported from the customs territory of the Union in order to undergo processing. When re-imported, the processed goods can be released for free circulation and home use under full or partial exemption from import duties. Placing the goods under the outward processing procedure makes sense for companies if the re-imported, processed goods are subject to import duties. Alternatively, the Union goods to be processed can be exported under the permanent export procedure. This makes sense for companies if the re-imported, processed goods are not subject to import duties. When re-importing the processed goods, the partial exemption from importation VAT does not depend on authorization by customs.

- **Customs supervision:** Inward processing in an ITGS sense can occur under different customs procedures. Non-Union goods to be processed with the customs territory of the Union can be placed under the inward processing procedure, which has to be authorized by customs authorities. No import duties are due under the inward processing procedure when importing the goods for processing. The goods remain under customs supervision until they are placed under a different procedure. Following processing, the processed goods can be re-exported or they can be placed under another procedure. For example, they can be released for free circulation and home use. Alternatively, the goods to be processed can be directly released for free circulation and home use when imported. This entails the disadvantage that customs duties and importation VAT fall due, the advantage being that the goods undergo a change of status. The Non-Union goods become Union goods, i.e. customs supervision ends and their treatment inside the customs territory of the Union is no longer subject to prior authorization by customs authorities.
- **Use of equivalent goods:** During inward processing, processors may use so-called “equivalent goods” instead of raw materials provided by the ordering customer. As a precondition from a customs perspective, it is crucial that these equivalent goods really are of the same kind and have the same value as the raw materials provided by the ordering customer (equivalence rule). The applicant has to demonstrate to the customs authorities that such is the case. If approved, a reverse process follows, so to speak: The processed goods produced from the equivalent goods are exported (reported using NoT “51” or “52”) before the raw materials provided by the ordering customer are imported (reported using NoT “41” or “42”). An analogous situation can occur during outward processing. The processed goods are produced from equivalent goods already available to the processor abroad. Subsequently, the processed goods are imported (reported using NoT “51”) before the raw materials provided by the ordering customer are exported (reported using NoT “41”).
- **Standard exchange system:** In contrast to the use of equivalent goods, the processed goods are replaced under the standard exchange system, instead of the raw materials provided by the ordering customer. Standard exchange takes place in the context of replacement of defective goods, i.e. the processor replaces defective goods with equivalent goods. These can also be replacement deliveries provided free of charge by the processor when implementing a warranty. Such replacement deliveries have to be reported in the customs declaration using the respective NoT code “21”, “22” or “23”.

Annex 3: List of exemptions from ITGS

Appendix to Annex V of EBS IA: List of goods and movements excluded from European statistics on international trade in goods

(a) monetary gold;

(b) means of payment which are legal tender and securities, including means which are payments for services such as postage, taxes, user fees;

(c) goods for or following temporary use (e.g. hire, loan, operational leasing), provided all the following conditions are met:

- no processing is or was planned or carried out,
- the expected duration of the temporary use was or is not intended to be longer than 24 months,
- the intra-Union export/import has not to be declared as an intra-Union supply/acquisition for VAT purposes or no change of ownership took place or is intended to take place for extra-Union export/import;

(d) goods moving between:

- a Member State and its territorial enclaves in other Member States or non-member countries, and
- the host Member State and territorial enclaves of other Member States, non-member countries or international organisations.

Territorial enclaves include embassies, consulates, military bases and scientific bases outside the territory of the mother country;

(e) goods used as carriers of customised information, including software;

(f) data and software downloaded from the internet;

(g) goods supplied free of charge which are themselves not the subject of a commercial transaction, provided that the movement is with the sole intention of preparing or supporting an intended subsequent trade transaction by demonstrating the characteristics of goods or services such as:

- advertising material,
- commercial samples;

(h) goods for and after repair or maintenance and replacement parts that are incorporated in the framework of the repair or maintenance and replaced defective parts;

(i) means of transport travelling in the course of their work, including spacecraft launchers at the time of launching;

(j) goods declared orally to Customs authorities which are either of a commercial nature provided that their value does not exceed the extra-Union trade statistical threshold of EUR 1 000 in value or 1 000 kg in net mass, or of a non- commercial nature;

(k) goods released for free circulation after being subject to the customs procedures of inward processing are excluded from extra-Union trade in goods;

(l) periodicals under subscription;

(m) Personal property belonging to natural persons transferring their normal place of residence; trousseaux and household effects belonging to a person transferring his or her normal place of residence on the occasion of his or her marriage; personal property acquired by inheritance; school outfits, educational materials and related household effects; coffins containing bodies, funerary urns containing the ashes of deceased persons, and ornamental funerary articles transported with the coffins and urns; goods for charitable or philanthropic organisations and goods for the benefit of disaster victims.

Annex 4: Overview of the changes to Nature of Transaction codes as of reporting month January 2022

