

(English version)

Priority question for written answer P-000912/25
to the Commission
Paolo Borchia (PFE)
(4 March 2025)

Subject: Inadequacy of the single market uniform tariff measures laid down by Implementing Regulation (EU) 2020/2080

Implementing Regulation (EU) 2020/2080 establishes common measures for the regulation of tariffs and customs practices. It transpires, however, that the Member States' tariff measures are not uniform, a state of affairs that leads to disparities that are, in turn, distorting competition and undermining the internal market's competitiveness.

The absence of a common tariff policy has, in a number of cases, resulted in variations in costs and practices among companies operating in the same sector. This lack of alignment is threatening the harmonisation of single market rules and is also making life difficult for businesses because it undermines fair competition.

In the light of above:

1. Is the Commission aware of the problems arising from the absence of uniform tariff measures and of the negative repercussions that this state of affairs could have on the competitiveness of the European market?
2. Can the Commission clarify why Implementing Regulation (EU) 2020/2080 considers salting to be a further preparation, thus preventing the products mentioned in the regulation from being classified under Heading 0712? According to studies carried out by the Experimental Station for the Food Preserving Industry (SSICA), salting is necessary for transporting semi-finished products because a salt content of between 8% and 15% prevents the proliferation of moulds.
3. Will the Commission ensure that the aforementioned products are reclassified under Heading 0712/0711 by amending the acceptable salting levels laid down by Implementing Regulation (EU) 2020/2080, thus correcting any distortions in the internal market?

Submitted: 4.3.2025

Answer given by Mr Šefčovič on behalf of the European Commission
(22 April 2025)

The Commission is aware of the issues raised in the question, and shares the importance of the uniform classification of goods in the Common Customs Tariff, the cornerstone of the Customs Union.

Therefore, as there still are (despite the existing Commission Implementing Regulation (EU) 2020/2080) divergent views on the classification of the products at issue (salted and dried tomatoes), the Commission opened a case of divergent classification. The issue was examined at the meeting of the Customs Code committee (25 to 26 March 2025).

The Customs Code Committee that previously voted unanimously on the above Regulation agreed that salting is not a permitted preparation mentioned in the wording of heading 07.12 ('Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared')

The heading covers only dried vegetables, and the drying process does not require the addition of the salt. According to the Explanatory Notes to Chapter 7: '*Vegetables not presented in a state covered by any heading of this Chapter are classified in [...] Section IV. For example, [...] vegetables prepared or preserved by any process not provided for in this Chapter fall in Chapter 20*'.

The Commission ensured an appropriate re-examination of the case by the Customs Code Committee, taking into consideration all relevant arguments presented by the industry.

The Customs Code Committee confirmed during its meeting, that the products at issue are to be classified in heading 2002 — in line with the above Regulation.
