

Completing Procedures for Rejected Consignments

Description:

Completing procedures for rejected consignments.

In case of final rejection of consignments released under reservation:

According to Article 96 of Regulation 770 of 2005, the importer must take one of the following actions within two weeks of being notified of the final results:

- Transport the consignment to the customs area accompanied by a representative of the control authority (GOEIC) to complete the re-export process.
- Alternatively, surrender the consignment to customs before its release in accordance with the customs rules governing this.
- Or, ensure the consignment is destroyed under the supervision of the control authority (GOEIC) and a customs representative.

If the importer does not take one of the above actions within the specified time, they will be banned from releasing consignments under reservation or being notified of inspection results for any consignments until the rejected consignment's procedures are fully completed.

In case of final rejection of consignments within the customs area: According to Article 97 of Regulation 770 of 2005, GOEIC will notify customs to proceed with re-exporting or destroying the rejected consignment according to the regulations governing this matter.

In case of administrative rejection of the consignment for not proceeding with the inspection procedures with no import restriction: The importer may surrender the consignment to another importer or customs in accordance with Article 4 of the Executive Regulations 770 of 2005 and the governing regulations.

Benefits of obtaining the service:

- Avoiding the importer's ban according to Article 96 of Regulation 770 of 2005 for not proceeding with the procedures.
- Disposing of the rejected part of the consignment after ensuring the remaining part complies in case of partial final rejection.
- Disposing of items not meeting the required specifications.
- Ensuring a high level of product quality.

Location:

- Logistics Services Building - Nafeza.

Responsible Department:

- The General Administration of Industrial Goods at the branch where the consignment was received.

First, Completing Procedures for Final and Conditionally Released Rejected Consignments

A. Destruction of final rejected consignments outside the customs area: Conditions for obtaining the service:

1. In the case of final rejection of the consignment:
 - Approval of the final rejection notification of the consignment.
2. In the case of partial rejection of the consignment:
 - Verification of the remaining part of the consignment's compliance.
 - Isolation of the rejected part based on a sorting and isolation request.
3. The consignment documents to be destroyed should not have been sent to the Foreign Trade Sector in preparation for submission to the prosecution.
4. The importer submits a request to destroy the rejected consignment or the isolated part.
5. During the inspection of the finally rejected consignment, the items and quantities should match those in the final rejection notification.
6. Presence of representatives from GOEIC, customs, and supply investigations at the destruction committee.
7. Provision of appropriate requirements for the destruction process according to the nature and quantity of the item.

Required documents:

1. Destruction request form signed by the concerned party with a bank-authenticated signature or their agent.
2. Final rejection notification.
3. If the applicant is an agent or a delegate, the original power of attorney or delegation with a bank-authenticated signature.
4. National ID card of the applicant.
5. If the destruction is outside the importer's warehouses, the importer submits:

- A letter from GOEIC responsible for the destruction confirming the reservation of the place designated for destruction at the specified time (sanitary landfill, dump, smelter, etc.).
- 6. After completing the destruction process, the importer submits:
 - A copy of the destruction report ensuring the data matches the final rejection notification.

Required procedures:

1. Submit the destruction request to the logistics customer service.
2. The relevant branch reviews the request and its attachments at the window.
3. Ensure all necessary conditions for approval of destruction are met.
4. Provide the importer with an approval letter for destruction and specify the date, with the importer's acknowledgment.
5. If destruction is within the importer's warehouses:
 - GOEIC notifies supply investigations and customs of the destruction date.
 - If destruction is outside the importer's warehouses:
 - GOEIC responsible for destruction receives the approval letter for destruction at the specified time.
 - GOEIC notifies supply investigations and customs of the destruction date.
 - The importer receives copies of GOEIC's notifications to supply investigations and customs for coordination.
6. Notify the central administration of industrial imports of the specified date.
7. The central administration approves the destruction mechanism and requirements based on the quantity and nature of the rejected item and ensures the conditions for destruction are met.
8. On the specified date, the following procedures are followed:
 - Seize the consignment in the importer's warehouses after ensuring it matches the final rejection notification.
 - Transport the consignment to the designated destruction site.
 - Execute the destruction in the presence of representatives from GOEIC, customs, and supply investigations.
 - Record the destruction process and have all parties sign it, providing a copy to the concerned party's representative.
9. The representative submits a copy of the report to the window.
10. GOEIC records and approves the destruction report at the window.
11. If the destroyed part is part of the consignment, the compliance of the accepted part is approved for release.
12. If the importer is banned, the branch that received the consignment notifies the central administration of industrial imports at the main office about the destruction to lift the ban on the importer.

B. Re-export or surrender to customs of a finally rejected consignment held under reservation outside the customs area: Conditions for obtaining the service:

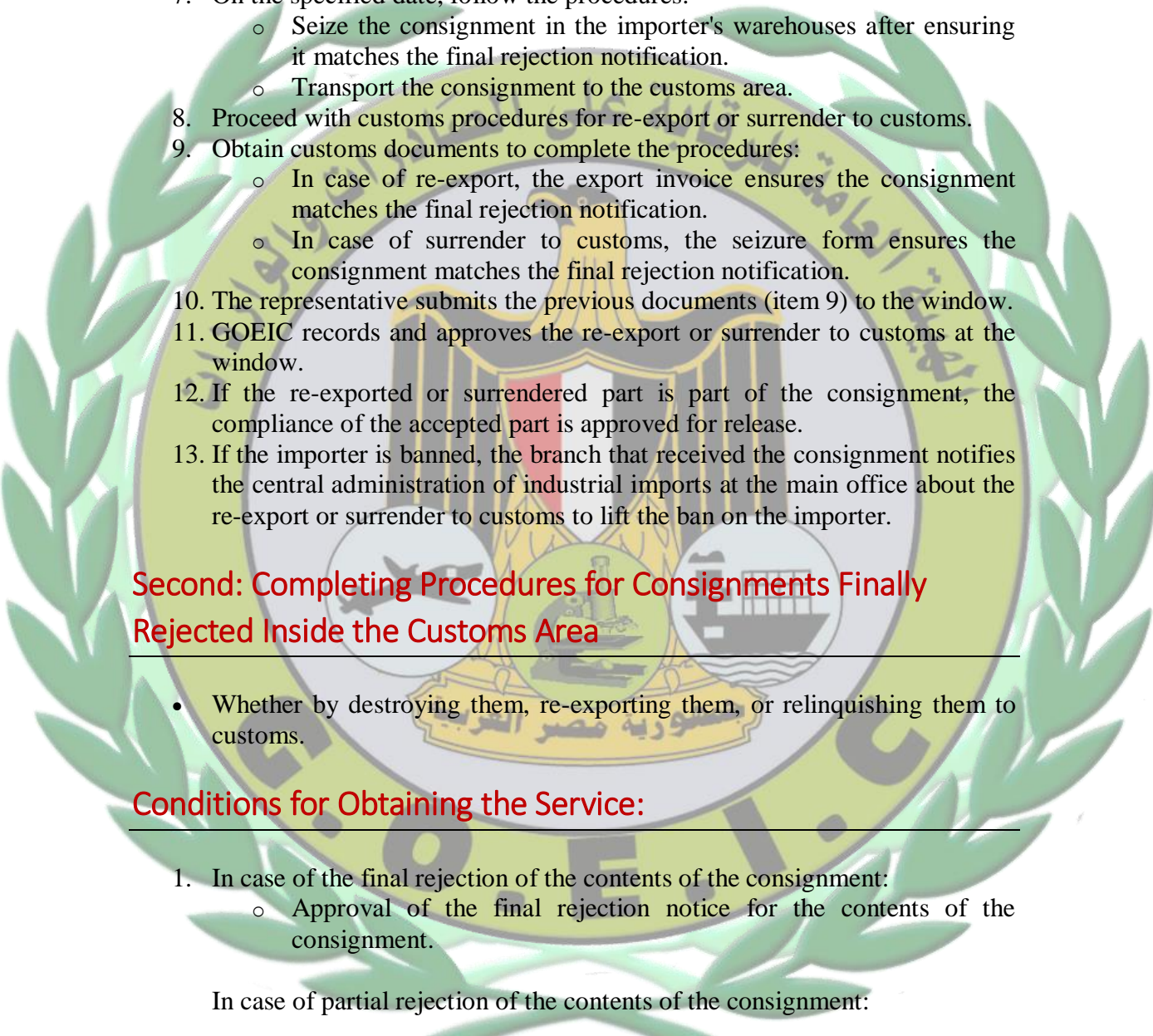
1. In case of final rejection of the consignment, approval of the final rejection notification of the consignment.
2. In the case of partial rejection of the consignment:
 - Verification of the remaining part of the consignment's compliance.
 - Isolation of the rejected part based on a sorting and isolation request.
3. The consignment documents to be re-exported or surrendered to customs should not have been sent to the Foreign Trade Sector in preparation for submission to the prosecution.
4. The importer submits a request for re-export or customs approval for surrender to customs.
5. During the inspection of the finally rejected consignment, the items and quantities should match those in the final rejection notification.
6. Inspect the consignment, seize it, and transport it to the customs area by a representative of GOEIC.

Required documents:

1. Re-export or surrender request form signed by the concerned party with a bank-authenticated signature or their agent.
2. Final rejection notification.
3. If the applicant is an agent or a delegate, the original power of attorney or delegation with a bank-authenticated signature.
4. National ID card of the applicant.
5. After completing the re-export, the following are submitted:
 - Bill of lading.
 - Export invoice ensuring the consignment matches the final rejection notification. Or after completing the surrender to customs, the following are submitted:
 - Seizure form (inventory form of customs surplus) ensuring the consignment matches the final rejection notification.

Required procedures:

1. Submit the re-export or surrender request at the logistics customer service.
2. The relevant branch reviews the request and its attachments at the window.
3. Ensure all necessary conditions for approval of re-export or surrender to customs are met.
4. In case of surrender request to customs:
 - Obtain customs approval on the surrender request.

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- Submit the approved surrender request to the window.
 5. Provide the importer with an approval letter for re-export or surrender to customs and specify the date for committee formation to inspect the consignment in the importer's warehouses and acknowledge it.
 6. Notify the central administration of the specified date.
 7. On the specified date, follow the procedures:
 - Seize the consignment in the importer's warehouses after ensuring it matches the final rejection notification.
 - Transport the consignment to the customs area.
 8. Proceed with customs procedures for re-export or surrender to customs.
 9. Obtain customs documents to complete the procedures:
 - In case of re-export, the export invoice ensures the consignment matches the final rejection notification.
 - In case of surrender to customs, the seizure form ensures the consignment matches the final rejection notification.
 10. The representative submits the previous documents (item 9) to the window.
 11. GOEIC records and approves the re-export or surrender to customs at the window.
 12. If the re-exported or surrendered part is part of the consignment, the compliance of the accepted part is approved for release.
 13. If the importer is banned, the branch that received the consignment notifies the central administration of industrial imports at the main office about the re-export or surrender to customs to lift the ban on the importer.

Second: Completing Procedures for Consignments Finally Rejected Inside the Customs Area

- Whether by destroying them, re-exporting them, or relinquishing them to customs.

Conditions for Obtaining the Service:

1. In case of the final rejection of the contents of the consignment:
 - Approval of the final rejection notice for the contents of the consignment.

In case of partial rejection of the contents of the consignment:

- Verifying the compliance of the remaining consignment.
 - Isolating the rejected part based on a sorting and isolation request.
- 2. The importer must complete the customs procedures and obtain the necessary customs approvals to finalize the consignment procedures, whether by destroying it, re-exporting it, or relinquishing it to customs.

3. Inspection by the rejecting authority (GOEIC) of the finally rejected consignment contents.
4. During the inspection of the finally rejected consignment contents, the items and quantities must match those listed in the final rejection notice.

Required Documents and Procedures:

1. Submitting a request for destruction, relinquishment, or re-export to customs and completing all necessary customs documents to obtain the service.
2. Customs should attach an inquiry directed to imports about the status of the inspection request with the importer's request.
3. The importer submits the request and the inquiry about the request status at the window.
4. The relevant branch of the authority (where the consignment is directed) annotates the request status with one of the following:
 - Compliant.
 - Administratively rejected for not proceeding with procedures, and there is no import registration.
 - Technically rejected for not proceeding with procedures and not fulfilling the import registration (...).
 - Technically rejected due to apparent rejection (data rejection according to standard specification no. ...), as per Customs Import Notice No. 52 for the year 2022.
 - Technically rejected due to laboratory rejection (according to standard specification no. ...), as per Customs Import Notice No. 52 for the year 2022.
5. If customs approve the request, the customs procedures are completed to carry out the destruction, re-export, or relinquishment.
 - Note: If GOEIC is the rejecting authority in case of a destruction request, the importer must notify GOEIC of the destruction date to attend the destruction process.
6. Bringing the document proving the completion of procedures with customs and submitting it at the window, which is:
 - The export note in case of re-export.
 - The confiscation form in case of relinquishment to customs.
 - The destruction report in case of destruction.
7. GOEIC will record the re-export, relinquishment to customs, or destruction in the window and approve it.
8. If what was re-exported, relinquished, or destroyed is part of the consignment, the compliance of the accepted part for release is confirmed.

Notes:

- Concerned persons must quickly finalize the pending procedures for their consignments, whether stored inside or outside the customs area, by completing the inspection procedures for consignments still under inspection or re-exporting or destroying the rejected consignments.
- The concerned person or their representative must review the branch at least weekly to follow up on the status of their consignment.
- In the case of consignments requiring technical data or a second sample, the concerned person must quickly provide the required technical data or enable the relevant department to conduct the second sample to avoid approving the first sample result according to Article 91 and banning the company according to Article 96 of Regulation 770 of 2005 due to not proceeding with the procedures.
- Forms for destruction or re-export requests can be obtained from customer service at the logistics or the GOEIC portal.
- The relevant branch will review the rejection notice and the fixed power of attorney on the window when submitting the destruction or re-export request.
- The nature of the item and its quantity to be destroyed determine the requirements for destroying the item regarding:
 - Providing a suitable place (sanitary landfill - foundry - workshop - dump - importer's warehouse)
 - Method of destruction (burning - crushing - cutting...)
 - Appropriate tools and equipment.
 - Sufficient labor.
- The importer must specify the following in the destruction request:
 - Item - Quantity.
 - Warehouse address.
 - Destruction address.
 - Method of destruction.
 - In case of destruction in the importer's warehouse, the availability of necessary equipment and labor for destruction must also be clarified.
- Conditions for accepting relinquishment to another importer according to Article 4 of Executive Regulation 770 of 2005:
 - Completing the consignment procedures by compliance or administrative rejection for not proceeding with procedures without an import registration.
 - Obtaining customs approval to complete the relinquishment process.
- Technical rejection includes the following:
 - Rejection for not fulfilling import registration:
 - Submitting a pre-inspection certificate according to Decision 991 of 2015 and Decision 403 of 2022.

- Registering exporting factories or trademark owners according to Decision 43 of 2016 and Decision 44 of 2022.
- Registering goods subject to (Emark) according to Decision 540 of 2014.
 - Apparent rejection or laboratory rejection.
 - Note: Relinquishment to customs is allowed in case of technical rejection.
- To finalize procedures for a part of the consignment that is finally rejected, sorting and isolation must be done first, and the compliance of the remaining consignment presented to the authority must be verified.
- If the documents of the consignment to be destroyed or re-exported are sent to the Foreign Trade Sector, destruction or re-export procedures may not proceed until a statement is received from the sector confirming that the consignment issue has not been referred to the prosecution.
- If the consignment is referred to the prosecution, destruction or re-export procedures may only proceed with a permit from the prosecution or the court.
- The ban is not lifted until the branch sends proof of completing the consignment procedures subject to the ban, whether by destruction report, re-export, or relinquishment.
- In case of not fulfilling the import registration and reconciling with the Trade Sector, it is considered to have fulfilled the import registration.