

RELIABILITY IN CLEARANCE BY BORDER INSPECTION SERVICES (BIS)

Customs clearance for goods subject to action by the services shall be completed in a period not exceeding 25 working hours, in the event of a physical inspection either at the terminal or at the BIP.

Scope of the commitment:

- The facilities within the scope of this commitment are: the Border Inspection Post (BIP), APM Terminal Barcelona (APMT) and Barcelona Europe South Terminal (BEST)
- The Services bound by this commitment are: External Health, Animal Health, Plant Health and SOIVRE.

Points to keep in mind:

- The total time indicated in the commitment is counted from the arrival of the container at the terminal (or submission of the request, if this occurs after the arrival of the container) until release, for both import and export.
- Every administrative office and operator has its own office hours. In terms of quality commitments, working hours are from 09:00 to 17:00, Monday to Friday, for the purposes of calculating the total number of hours taken for clearance.
- Documents must be sent in scanned format.
- The documents submitted and the certificates presented must correspond to the actual cargo and the goods must meet the general sanitary and phytosanitary conditions for import or export.
- The documents usually submitted with a clearance request shall be those indicated in EU and Spanish Legislation governing customs clearance (published on the web pages of the respective line ministries).
- When it is necessary for two or more BIS to perform a physical examination of cargo, this examination shall be performed in a coordinated manner and at a single site. This stipulation regarding coordination and multiple inspections also applies to Customs inspections.
- Offices that have had any intervention from the Risk Analysis Unit are included. Provided that the result of the analysis has been negative (conforming merchandise).
- If a service needs to perform a second inspection of the cargo, the commitment shall be extended by 8 working hours, provided that the additional inspection is not triggered by a failure to meet the sanitary or phytosanitary conditions of the cargo, and there is a rejection of the goods, in which case the commitment shall not apply. Likewise, it shall not apply if three or more inspections are performed by the same service.
- Files requiring fumigation/ventilation or sampling, if there is no rejection of goods, are included in the Commitment with the following considerations:
 - Fumigation and ventilation: the time elapsed from the time the container is positioned for fumigation until the end of the ventilation operation is excluded from the commitment.
 - Physical examination with sampling with retention of the merchandise pending results: the time elapsed between the end of the inspection for sampling until the resolution of the file is excluded.

Compensation if the commitment is not met:

€150 per request

Exclusions:

- For export, only dossiers submitted to the BIP site located within the Port of Barcelona shall be taken into account, not those submitted to BIS Central Offices.
- Cases in which during the customs process inspections ordered by judicial decision are carried out on the merchandise/container, are excluded, or those that have been requested by the owner of the merchandise or his representative, or by judicial and/or administrative order.
- Clearances in which goods do not acquire the status of Union goods, in which case they shall be considered non-compliant due to infringement of the relevant legislation.
- Cabotage containers are excluded.
- Also goods subject to inspection by the pharmaceutical service and/or CITES-SOIVRE.
- Cases where the commitment is not met on grounds of force majeure.