

EN  
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Answer given by Mr Vella  
on behalf of the Commission  
(17.9.2015)

The introduction by passengers of goods for home consumption are not considered imports in commercial terms; customs duties and taxes are exempted when their value is not sufficient to consider them commercial flows. The limit of 20 kg for certain fisheries products applies only in the context of a waiver from veterinary border checks, i.e. consignments of up to 20 kg introduced in the EU as personal belongings are, in principle, exempted.

Regarding CITES, certain species of sharks and derived products are under trade controls (irrespective of the 20 kg waiver); this may imply the need to present import licences at entry into EU territory. Moreover, Council Regulation (EC) 1005/2008<sup>1</sup> requests catch certificates for imports of most marine fisheries products. The implementation of these sanitary, environmental and fisheries provisions at border controls is the responsibility of Member States (MS).

EU provisions for tax exemptions for personal belongings are based on a value rate and do not differentiate between goods. The Commission services in charge of taxation have not been informed of shark fin traffic diversion having significant impact on MS tax receipts.

The amended Council Regulation (EC) 1185/2003<sup>2</sup> does not cover trade; the objective of this regulation is to prevent “shark finning”, i.e. removing the fins from sharks, with the carcass being discarded at sea. EU provisions regarding CITES already regulate the trade in endangered species, including some sharks, and MS officials at the EU borders have the elements to apply these provisions.

With these considerations in mind, the Commission does not plan to propose any alteration to the fish products personal allowance list in respect of shark fins in the near future.

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<sup>1</sup> <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32008R1005>

<sup>2</sup> <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32003R1185>  
<http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32013R0605>