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E.U. Tightens Origin Checks for U.S. Imports Under New Customs Rule

Importers must prove direct transport or customs supervision to qualify for adjusted duties and tariff quotas under the revised regime.

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The European Commission has adopted changes to the Union Customs Code Implementing Act that took effect on July 1 and are meant to tighten how the European Union verifies non-preferential origin for certain imports, including goods from the United States.

The amendments affect Articles 57 to 59 and Annex 22-14 of the implementing act. According to the Commission, the changes will allow customs authorities to accept electronic certificates of origin issued through ELAN, the EU's electronic system for agricultural non-customs formalities, and will give officials more flexibility during the transition before the system becomes fully mandatory.

The Commission also added a new Article 59a for goods originating in the United States. Under that provision, importers seeking the application of adjusted customs duties and tariff quotas under Regulation (EU) 2026/1455 must provide proof that the goods were transported directly from the country of origin to the European Union, or proof that they remained under customs supervision and were not altered when routed through a third country.

The Commission said the new rule is intended to strengthen enforcement and reduce the risk of circumvention. In practice, it gives national customs authorities a clearer basis to check whether products declared as U.S.-origin goods meet the conditions required for those adjusted duties and quotas.

The move matters for importers of agricultural products because ELAN is designed to handle documents used in international trade in that sector. The system stores information on the issue and use of trade documents and supports exchanges between issuing bodies and customs authorities through the EU Single Window Environment for Customs.

ELAN began operating on a voluntary basis in January 2026. The Commission said its use will become mandatory for authorities issuing documents in January 2028 and for customs authorities in October 2028. The latest legal changes are meant to bridge that transition period by aligning customs rules with agricultural legislation and by allowing electronic certificates of origin from third countries to be accepted for certain agricultural imports before ELAN is fully rolled out.

For wine, spirits, beer and other beverage companies that import into the EU, the changes could have practical effects on compliance planning. Businesses that rely on U.S.-origin goods or ingredients may face closer scrutiny over origin documentation and shipping records when seeking access to adjusted tariffs or quotas. Importers moving products through third countries may need to show more clearly that shipments were not altered and remained under customs control.

That could be relevant not only for finished beverages but also for agricultural inputs used by drinks producers, depending on how products are sourced and routed. Companies that already manage complex supply chains may need to review document flows between exporters, freight operators, customs brokers and EU import teams to avoid delays or disputes over eligibility.

The Commission described the new Article 59a as essential for the correct application of Regulation (EU) 2026/1455, which adjusts customs duties and opens tariff quotas for U.S.-origin goods. By making direct transport or non-alteration evidence part of the proof of non-preferential origin, Brussels is trying to ensure that trade benefits tied to origin are applied only where the legal conditions are met.

To help businesses and customs officials apply the new rule, the Commission has published a questions-and-answers document alongside the amendment. The guidance is intended to support operators and competent authorities as they begin using the new requirements.

Non-preferential rules of origin do not grant preferential tariff treatment under a free trade agreement. Instead, they are used to determine a product’s economic nationality for measures such as tariffs, quotas and trade restrictions. That makes documentation especially important when governments adjust duty levels or open quota access for goods from a specific country.

The Commission’s announcement did not single out beverage products. Still, because many wines, spirits and other drinks traded into Europe depend on agricultural documentation and tightly managed customs treatment, the revised rules may become an important operational issue for parts of the beverage sector dealing with U.S.-linked trade flows.