



2024/2216

9.9.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/2216

of 6 September 2024

correcting and amending Implementing Regulation (EU) 2021/2248 specifying the details of the electronic interface between national customs systems and the information and communication system for market surveillance, and the data to be transmitted by means of that interface

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 ⁽¹⁾, and in particular Article 34(8) thereof,

Whereas:

- (1) Regulation (EU) 2019/1020 requires the Commission to set up an electronic interface ('the interface') between the Information and Communication System for Market Surveillance ('ICSMS') and national customs systems and empowers the Commission to adopt implementing acts in this respect.
- (2) Commission Implementing Regulation (EU) 2021/2248 ⁽²⁾ lays down requirements for the development of the interface, including requirements as regards the processing of personal data and the confidentiality of data to be transmitted by means of the interface.
- (3) In accordance with Regulation (EU) 2022/2399 of the European Parliament and of the Council ⁽³⁾ that entered into force on 12 December 2022, ICSMS is to be connected with the European Union Customs Single Window Certificates Exchange System ('EU CSW-CERTEX') that thus becomes the electronic interface referred to in Article 34(7) of Regulation (EU) 2019/1020.
- (4) Regulation (EU) 2022/2399 lays down a unique set of rules, including rules on the confidentiality of data and on the processing of personal data, that is to apply to EU CSW-CERTEX when enabling the exchange of data between Union non-customs systems listed in the Annex to that Regulation and national single window environments for customs. Therefore, the rules on the same subject contained in Articles 4, 5 and 6 of Implementing Regulation (EU) 2021/2248 have become redundant and should be deleted.
- (5) For reasons of clarity, the title of Implementing Regulation (EU) 2021/2248 should refer to the main act under which that Implementing Regulation was adopted.
- (6) Implementing Regulation (EU) 2021/2248 should therefore be corrected and amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 43 of Regulation (EU) 2019/1020,

⁽¹⁾ OJ L 169, 25.6.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/1020/oj>.

⁽²⁾ Commission Implementing Regulation (EU) 2021/2248 of 16 December 2021 specifying the details of the electronic interface between national customs systems and the information and communication system for market surveillance, and the data to be transmitted by means of that interface (OJ L 453, 17.12.2021, p. 38, ELI: http://data.europa.eu/eli/reg_impl/2021/2248/oj).

⁽³⁾ Regulation (EU) 2022/2399 of the European Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 (OJ L 317, 9.12.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2399/oj>).

HAS ADOPTED THIS REGULATION:

Article 1

Correction to Implementing Regulation (EU) 2021/2248

The title of Implementing Regulation (EU) 2021/2248 is replaced by the following:

‘Commission Implementing Regulation (EU) 2021/2248 of 16 December 2021 laying down rules for the application of Regulation (EU) 2019/1020 of the European Parliament and of the Council as regards the details of the electronic interface between national customs systems and the information and communication system for market surveillance, and the data to be transmitted by means of that interface’.

Article 2

Amendments to Implementing Regulation (EU) 2021/2248

Implementing Regulation (EU) 2021/2248 is amended as follows:

(1) in Article 1, point (b) is replaced by the following:

‘(b) “interface” means the electronic interface referred to in Article 34(7) of Regulation (EU) 2019/1020, established under the European Union Customs Single Window Certificates Exchange System (EU CSW-CERTEX) provided by Regulation (EU) 2022/2399 of the European Parliament and of the Council (*).

(*) Regulation (EU) 2022/2399 of the European Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 (OJ L 317, 9.12.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2399/oj>);

(2) Articles 4, 5 and 6 are deleted.

Article 3

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 September 2024.

For the Commission
The President
Ursula VON DER LEYEN