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EU enforcement of intellectual property rights: results at the EU border and in the EU internal market 2022

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Executive Summary

Since their agreement in 2020, DG TAXUD and the EUIPO jointly publish an annual document presenting the efforts made and work carried out by all authorities in the domain of the enforcement of intellectual property rights (IPRs) at the border and in the internal market. This third edition provides the figures for the detentions of IPR infringing goods in 2022.

This factual document on the 'EU enforcement of intellectual property rights: results at the EU border and in the EU internal market, 2022', has been produced from the data on the detentions at the EU border reported by the customs authorities of the 27 EU Member States ([1]), through the EU wide anti-counterfeit and anti-piracy information system (COPIS) ([2]), as well as the data on detentions within the internal market reported by the enforcement authorities of 24 out of 27 EU Member States ([3]) ([4]), through the IP Enforcement Portal (IPEP). Its objective is to provide useful information to support the analysis of IPR infringements in the EU and the development of appropriate countermeasures. On a broader scale, it should provide EU policymakers with data to develop an evidence base for priorities and policies.

([1]) In the EU enforcement of intellectual property rights: results at the EU border and in the EU internal market 2021 of the previous year the data on the detentions carried out at the EU border by Greece was not provided within the necessary timeframe to be included in the report. In the current edition of the report, this 2021 data is now included and this fact has produced discordances between the 2021 figures presented in the previous report and the updated ones in the present document.

([2]) In accordance with the relevant EU customs legislation (and in particular Regulation (EU) No 608/2013), COPIS is the EU-wide anti-Counterfeit and anti-Piracy Information System containing all applications for action and all detentions.

([3]) To be succinct, the part of the EU internal market corresponding to a Member State will be referred to, throughout the document, as the Member State's national market.

([4]) As in past editions, records on national market detentions are not available from the Austrian and German enforcement authorities, the first because their regulations do not allow the police to execute *ex officio* seizures of counterfeit or pirated goods in the national market, and the second because they have not yet joined the data provision network. Moreover, data for 2022 national market detentions is still missing from Luxembourg, although due to the overall volumes, their absence in 2022 does not affect at any point the global picture of the trends.

Detentions at the EU border in 2022

The annual number of detentions of goods ([5]) suspected of infringing an IP right by customs authorities at the EU border decreased by 15 % in 2022 compared to the previous year (from circa 75 000 cases in 2021 to circa 63 000 cases in 2022). The number of initiated procedures has also decreased by 21 %, from over 125 000 in 2021 to approximately 99 000 in 2022, while the number of detained articles also dropped by 43 % (from over 42 million in 2021 to approximately 24 million in 2022, which is even less than during the year of the COVID-19 lock down in 2020). However, the estimated value of the detained articles has increased by 11 % (from approximately EUR 847 million to approximately EUR 943 million).

In 2022, the ranking of the top identified categories of detained products did not vary and the cheaper products still dominated the more expensive ones in terms of quantity, although their shares decreased. In fact, almost the same subcategories – *packaging material* (12g), *toys* (9a), *clothing* (3a), *other beverages (1c)*, *labels, tags and stickers* (12e) – remained at the top of the list of detained products, with lower quantities and shares than in the previous year, but, as mentioned before, with a higher total estimated value. Indeed, the considerable increase in the estimated unitary value, especially of some of the most expensive categories, combined with a shift in the basket of detained products towards generally more expensive categories, explains the modest increase in the total estimated value, despite the overall significant decrease in the number of detained articles.

In terms of the number of procedures, the most frequent product subcategories ([6]) were common consumer products – *clothing* (3a) and footwear, including *sport shoes* (4a) and *non-sport shoes* (4b) as in 2021 – and, with even more presence than in the previous year, luxury products such as *bags, wallets and purses* (5b), *clothing accessories* (3b), *jewellery* (5d) and *watches* (5c). In terms of the number of articles detained, the identified subcategories in which the unitary item is usually smaller in size and value and are mainly transported in bigger shipments such as in containers – *packaging material* (12g), *toys* (9a), *labels, tags and stickers* (12e) and *mobile phones accessories* (6b) – were in the top eight positions. The subcategory with the highest number of detained items was *packaging material* (12g). This category has a negative impact due to its

([5]) Each detention is called a case, which includes a number of individual articles, ranging from one to several million, and may cover different categories of goods and different right holders. For each right holder in a case, a procedure will be initiated by customs.

([6]) For a complete overview of categories and subcategories see Annex E and Annex F.

potential multiplier effect on the production of more counterfeit products and is potentially even more threatening in combination with *labels, tags and stickers* (12e), which is ranked in 5th position in 2022. In terms of the estimated value of the detained products, luxury products whose corresponding genuine items have a high unitary domestic retail value (in particular due to the brands involved), such as *watches* (5c), *clothing* (3a), *bags, wallets, purses* (5b), *non-sport shoes* (4b) and *jewellery* (5d), clearly lead the ranking.

As to the provenance of the articles infringing IPRs entering the EU, the volumes show the preponderance of China, followed by Türkiye and Hong Kong, China. China is the predominant country of provenance for the majority of the categories of goods. Moreover, when looking at the identified([7]) detained goods infringing IP rights, the category of goods most detained with a provenance in China is *packaging material* (12g). Among those coming from Türkiye, *clothing* (3a) prevails as the most detained type of items and for goods coming from Hong Kong, China, *mobile phones accessories* (6b) is the most detained category.

In terms of means of transport, the highest number of detention cases in 2022 continued to be goods transported via post and express courier([8]). Following the trend over the last few years, the number of detention cases of goods transported by post has decreased, whereas the increasing trend of detention cases of goods transported by express courier has come to an end. In terms of the number of counterfeit articles, maritime and road detentions still account for the majority of all detained articles. The share of detentions involving express courier services increased (surpassing that of air transport) while the share of air and road transport decreased.

Finally, in terms of IPR types infringed by the detained goods, trade marks (either European Union, national and/or international) continued to be, by far, the most infringed type of IPR.

The products reported as detained at the EU border due to IP rights infringement are a fraction of the comparable goods imported from third countries into EU Member States. The ratio of reported detentions of counterfeit products at EU borders to the total number of equivalent imported goods

([7]) Subcategories of identified products exclude that of *other goods* (12h).

([8]) Post and express courier are transport modalities which could use different means of transport (e.g. air, road, sea, etc.). However they are considered transport means for the purposes of this report. As such, the remaining transport means (air, road, sea, etc.) exclude the goods transported under post and express courier modalities (e.g. goods transported by air through the express courier modality are counted as express courier but not as air).

crossing those borders provides some indication of whether the detentions are keeping pace with trade or whether counterfeits are gaining 'importance' (or share) relative to trade ([9]). The 'importance' (or share) of counterfeits relative to global trade may be due either to the priority given by EU enforcement authorities to tackling counterfeiting, or to a possible increase in IP infringements as a whole, for example because infringers find IP crimes less costly in terms of fines and sentences, or finally, perhaps due to an increased demand for counterfeits.

The figures show that in 2022 around EUR 0.44 of counterfeit goods were detained at the EU border per EUR 1 000 of equivalent imported goods. The series of ratios shows that the share of detained goods in total trade increased from 2019 to 2020 but fell back to the 2019 ratio in 2021 and even further in 2022. Hence the 'importance' (or share) of counterfeits decreased at the end of this four-year period.

In terms of product categories, the detentions of counterfeit *foodstuffs, alcoholic and other beverages* (1) and *clothing accessories* (3b) and, to a lesser extent, counterfeit *bags, wallets; purses* (5b) and *electrical/electronic and computer equipment* (7) grew faster than the trade in these goods (somehow indicating an increasing 'importance' of counterfeits of these goods in trade), whereas the detentions of counterfeit *sunglasses* (5a), *shoes* (4) and *toys, games and sporting articles* (9) grew slower than the total trade, somehow indicating a decreasing 'importance' of counterfeits in these categories of goods.

Detentions within the EU internal market in 2022

The trend of IPR-infringing goods detained in the EU internal market increased in 2022 compared to the previous year. According to the figures reported by police, customs and market surveillance authorities, the number of IPR-infringing goods reported as detained in 2022 (67 million) was approximately 14 million higher than in 2021 (53 million), representing an annual increase of almost 26 %. Despite that increase in the number of detained items, the estimated value of those items (approximately EUR 1 226 million) decreased by EUR 27 million, representing an annual decrease of around 2 %, due to a significant shift in the basket of detained subcategories towards cheaper products.

([9]) Within the respective universe: a class of products, the EU as a whole, one importing MS, etc.

For both the number of items detained and the estimated value, the top six Member States accounted for almost 97 % of total detentions in the internal market in 2022. Italy leads the ranking with over 63 % of the total number of detained items, and almost 55 % of the total estimated value. Spain, France, the Netherlands and Hungary also ranked in the top six in both the number of items and the estimated value of detentions, whereas Bulgaria and Greece complete the ranking in terms of number of items detained and estimated value respectively.

Among the top five product subcategories, *games* (9b) ranked first in terms of number of items reported as detained within the EU internal market, followed by *cigarettes* (10a), *packaging material* (12g) and *toys* (9a) and, to a lesser extent, by *recorded CDs/DVDs* (8a). In terms of their estimated value, two subcategories, *games* (9b) and *jewellery* (5d), topped the list followed by *bags, wallets and purses* (5b), *clothing* (3a) and *non-sport shoes* (4b).

Finally, for another year, trade marks are the most infringed IPR type in the EU internal market, this time closely followed by copyrights (49 % and 45 % of the articles detained respectively). Other types of rights were infringed in the internal market, such as designs (around 5 % of the items detained) and patents (around 0.03 %).

Overall detention data in 2022: aggregated data at the EU border and in the EU internal market

The volume of fake items detained and not released in the EU was approximately 86 million items in 2022 ([10]). This shows a very slight decrease of less than 2 % of the number of items reported as detained and not released compared to 2021 (87 million items). Over 78 % of those were detained in the internal market and the rest at the EU border.

The estimated value of fake items detained in the EU amounted to over EUR 2 billion. This value represents an increase of circa 3 % compared to the previous year, despite the (limited) decrease in the number of items. In 2022, almost 60 % of the total value of detained items was accounted for by detentions in the internal market, while the remaining resulted from detentions at the EU border. These percentages are in line with those of previous years.

[10] As explained in section 6, the data on overall detentions does not correspond exactly with the data on detentions at the EU border plus those on detentions in the EU internal market, because the counterfeit goods detained at the EU border but later released are not recorded in the overall results.

The above picture of low year-to-year variation in total detentions results from the compensation of higher year-to-year variations in detentions at the EU border and in the EU internal market. Indeed, the variations in the quantity and estimated value of goods seized at the EU border were almost offset by quasi-equivalent variations in the opposite direction for goods seized in the EU internal market.

The 10 Member States with the highest number of reported detentions accounted for over 96 % of the total volume of detentions and over 94 % of the total estimated value of detentions. Italy recorded the highest individual share in terms of volume, with over 50 % of the total number of items detained and over 33 % of the total value of detentions EU.

Overall, the five most common subcategories of identified detained products, in terms of the number of items detained in the whole EU, were *games* (9b), *packaging material* (12), *toys* (9a), *cigarettes* (10a) and *recorded CDs/DVDs* (8a). These five subcategories accounted for more than 72 % of the products recorded. In terms of the estimated value of the items reported, the subcategories of products identified were led by *watches* (5c), *clothing* (3a), *bags, wallets and purses* (5b), *jewellery* (5d) and *games* (9b). These five subcategories represented almost 64 % of the estimated value of detentions reported during 2022.

Report Content

1 Introduction

Illicit trade in counterfeit and pirated products is a major global challenge. The phenomenon of counterfeiting has significantly affected developed economies in recent decades. According to the OECD-EUIPO reports' estimates ([11]), the trade in counterfeit and pirated goods in the European Union has systematically accounted for over 5 % of EU imports in all the reports since 2013. This figure proves that intellectual property crime (IP crime) is a real threat to the EU economy. According to a recent OCDE-EUIPO study ([12]), IP crime affects the capacity of businesses to survive, particularly small businesses. SMEs whose IP is infringed are 34 % less likely to survive than SMEs that do not experience such infringements. Furthermore, IP crime is not a victimless crime. IP crime is also linked to other types of crime affecting consumer health and safety and the EU environmental security ([13]) ([14]).

The automation of industrial processes and artificial intelligence, while helping to create opportunities for creativity and positive developments in intellectual property, may now also be perceived as a threat to both intellectual property and creativity, highlighting the ever-increasing need for coordinated action against IP crime. Moreover, the ability of technology to conceal illicit activities and

([11]) The results from the different OECD-EUIPO reports estimated that the trade in counterfeit and pirated goods in the EU represented up to 5.1 % of EU imports in 2013, 6.8 % in 2016 and 5.8 % in 2019:

- OECD-EUIPO (April 2016), *Trade in Counterfeit and Pirated Goods: Mapping the Economic Impact*, OECD Publishing, Paris, p. 76
- OECD-EUIPO (March 2019), *Trends in Trade in Counterfeit and Pirated Goods, Illicit Trade*, OECD Publishing, Paris/European Union Intellectual Property Office, p. 57
- OECD-EUIPO (June 2021), *Global Trade in Fakes: A Worrying Threat. Illicit Trade*, OECD Publishing, Paris/European Union Intellectual Property Office, p. 58

([12]) Executive summary. OCDE-EUIPO (January 2023). *Risks of illicit trade in counterfeits to Small and Medium-Sized Firms*

([13]) EUIPO-EUROPOL (March 2022), *Intellectual Property Crime Threat Assessment*

([14]) 'Importantly, as demonstrated in this study, criminal IPR infringement is often an indicator of other serious organised crimes such as money laundering and fraud. Therefore, properly identifying and examining underlying IPR infringements can provide a critical indicator for a number of other serious crimes which can pose a significant risk to the public'. EUIPO (April 2023). *Study on Business Models Infringing IP Phase 5: Modus Operandi of Serious and Organised Crime.*

augment the scale of IPR infringements has created corresponding difficulties in bringing criminals to justice.

Another worrying fact is that the purchase of counterfeit goods is becoming more widespread in EU Member States. The main reason why consumers choose these products is economic ([15]). Similarly worrying is the proportion of Europeans who say they buy counterfeits because they have been misled (15 %), especially among younger respondents (23 %). These figures show that there is still a clear problem of awareness among consumers.

The current trend of e-commerce, with consumers increasingly going online for most of their purchases, entails a growing flow of products entering the EU from third countries. The entry of counterfeits from clandestine markets and illegal channels into the legal supply chain and the wider range of increasingly specialised and complex counterfeit goods, are already the challenges of this new era and will certainly shape the scope of new coordinated actions. Like many other criminal activities, counterfeiters now rely heavily on the digital domain to source components and distribute their products, both tangible and intangible, to consumers via online platforms, social media and instant messaging services. While most counterfeit goods distributed in the EU are produced outside the EU, there are indications that the production of counterfeit and substandard goods is increasingly taking place within Member States. In addition, '*the promotion of the creation of domestic production and final assembly sites within the EU is potentially on the rise due to the smoother movement of goods within the Union. In this regard, separate entries of semi-finished products, labels and packaging materials were detected during some of the abovementioned operations*' as stated in the Operation FAKE STAR analysis report ([16]) and in the EUIPO-EUROPOL Intellectual Property Crime Threat Assessment (March 2022) ([17]).

The international dimension of IP crime ([18]) shows that cooperation and exchange of information and technical and human resources in the domain of enforcement remain key measures for EU enforcers to effectively combat and reduce this threatening evolution of the counterfeiting phenomenon.

([15]) EUIPO (June 2023), *European citizens and intellectual property: perception, awareness, and behaviour*.

([16]) Operation FAKE STAR analysis report.

([17]) Foreword. EUIPO-EUROPOL (March 2022), *Intellectual Property Crime Threat Assessment*

([18]) "Research conducted by the OECD and the EUIPO estimates that trade in counterfeit and pirated goods amounted up to 2,5 % of world trade in 2019". Introduction. EUIPO-EUROPOL (March 2022), *Intellectual Property Crime Threat Assessment*

Enforcing IPRs in the EU is entrusted to a wide range of national enforcement authorities in the Member States and the detention of goods (at the EU border and in the EU internal market) on the basis of the infringement of IPRs is just one of a wide range of tasks that EU enforcers have.

From the customs angle, the 11th Law Enforcement Customs Action Plan develops joint customs operations to create synergies and achieve common strategic objectives. Since 2022, IP crime and counterfeiting of goods and currencies is also included in the list of priorities to tackle serious and organised crime (EMPACT priorities) for 2022-2025 ([19]) with a focus on goods that are harmful to the health and safety of consumers, the environment and the EU economy ([20]).

All these collaboration schemes between EU Member States' law enforcement authorities make up a joint shield of protection, doing its best to prevent counterfeit and pirated goods from crossing the EU borders, to prevent the establishment of counterfeit and pirated goods production centres in the EU territories and to prevent the movement of these harmful products throughout the EU internal market.

Therefore, in parallel with raising consumer awareness and the use of technology to identify counterfeits, enforcement remains the first line of defence in the fight against counterfeiting and piracy to protect the creation/innovation of European right holders, the production and revenue of businesses, the safety and security of European citizens and the EU's biodiversity.

The European Commission – Directorate-General for Taxation and Customs Union, Unit A4 'Protection of citizens and enforcement of IPR' – and the European Observatory on Infringements of Intellectual Property once again present a summary of the work carried out in 2022. The current publication presents the results of the enforcement of IPRs at the EU border and in the EU internal market in 2022 ([21]) and provides an opportunity to measure the scale of action required to enforce IPRs and to gain a better understanding of the scope and extent of the problem.

([19]) EMPACT (European Multidisciplinary Platform Against Criminal Threats) is a multidisciplinary, intelligence-led and evidence-based EU initiative that aims to tackle the main crime threats faced by the EU.

([20]) EMPACT. 2022 Results – Factsheets.

([21]) The data reported in this report stems from the collection of customs data through COPIS included in the IP Enforcement Portal (IPEP) statistical module and the detentions of goods infringing IPRs in the EU internal market reported directly in the tool. Indeed, the IP Enforcement Portal (IPEP) contains a statistical module of, in particular,

2 Cooperation between enforcers and right holders

Close cooperation between right holders and enforcement authorities, and the quality of the information shared, are of key importance for the latter's coordinated enforcement work, both at the EU border and in the EU internal market. A continuous and effective use of appropriate and secured bidirectional communication channels contributes to the necessary sharing of information between the stakeholders (customs officers, police officers and market surveillance authorities' officers and right holders).

The IP Enforcement Portal (IPEP) provides a platform for the secure exchange of information between the different parties involved in enforcement. It is a two-way communication system between enforcement authorities (including market surveillance authorities). In 2022, the IPEP also opened another avenue of cooperation with e-commerce marketplaces that can now also become members of the IPEP network to build and develop their relationship/data exchange with law enforcement in the future.

Right holders can share information with customs via so called applications for action (AFA) to formally request customs to act and assist in the enforcement of their IPRs in accordance with Regulation (EU) 608/2013 of the European Parliament and of the Council ([22]). The IPEP offers right holders the possibility of filing AFAs in any EU language. These AFAs automatically reach COPIS, where enforcers throughout the EU can manage the applications for action ([23]). The process is further explained in section 2.1.

detentions of goods infringing IPRs in the EU internal market, which was launched in 2013 when, following the mandate to the European Observatory on Infringements of Intellectual Property Rights (the Observatory), the EUIPO made the database available to all law enforcement authorities in every EU Member State.

([22]) Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).

([23]) In Germany, Spain, Italy and Poland, right holders can also use national systems to file AFAs.

The IPEP is also a secure system for right holders to send alerts about potential infringements to enforcement authorities ([24]),in particular police forces. These alerts are a way of alerting enforcement authorities to potential infringements.

In 2021, a total of 2 011 alerts about potential infringements were sent by right holders through the IPEP and were received by 70 EU internal market or EU border enforcement authorities. One year later, in 2022, the total number of alerts increased: 2 628 alerts about potential infringements were sent by right holders and were received by the same number of enforcement authorities (70) as in the previous year.

If enforcement authorities suspect an infringement, IPEP also allows them to contact the right holders swiftly and securely to confirm their suspicion. In 2021, 452 suspicious cases were communicated by eight enforcement authorities from both the EU border and the EU internal market. In 2022, 643 suspicious cases were communicated by 11 enforcement authorities ([25]), which consolidated the increasing use of this function for one more year.

The EUIPO's training activities on IPEP increased significantly in 2022: the number of training sessions for enforcers more than doubled from 15 in 2021 to 31 in 2022, and those for right holders increased significantly from 59 in 2021 to 70 in 2022. The number of participants decreased from 678 to 448 due to a shift towards a more targeted quality-time approach. Generic live demos and Q&A sessions for right holders and legal representatives were partly replaced by ad hoc training – known as IP Enforcement Portal One-to-One – enabling dedicated quality time to take users by the hand in their queries and training. Moreover, the so-called joint workshops and webinars for enforcers were also transformed into ad hoc training sessions for specific national units, with smaller audiences but more targeted training, within the same IP Enforcement Portal one-to-one approach.

([24]) Named 'Alerts to Police' in the IPEP. IPEP caters for sharing information related to any IPR (trade mark, design, geographical Indication, patent, copyright, plant variety right, unregistered Community design, trade name, topography of semiconductor product, utility model, supplementary protection certificate for medicinal products and supplementary protection certificate for plant protection products) and alerts may relate any of these IPR.

([25]) Direction des Douanes & Accises - Inspection Douanes & Accises – Luxembourg, Department of Customs & Excise of the Republic of Cyprus, Director general of Customs – Malta, Hellenic Ministry of Development and Investments - Interagency for Market Control (DIMEA) – Greece, Hungarian Customs Airport Directorate, FPS Economy – Belgium, Direction générale des douanes et des Droits Indirects – Section de la propriété intellectuelle et contrefaçon – France, Douane Groningen - Team IER, Unit Landelijke Taken – Netherlands, National Customs Agency - Central Customs Directorate – Bulgaria, Gendarmerie Nationale Française – France, Malta Police Force - Economic Crime – Malta.

2.1. Cooperation between the EU border customs and right holders

Close cooperation between customs and right holders, as well as the quality of information provided by right holders in their communications are of utmost importance for risk assessment in the field of IPR protection.

Right holders may lodge an application for action (AFA), requesting customs to take action in cases where they suspect an IPR is being infringed. This is a precautionary request that is valid for one year (renewable) for the right holder' products to be 'protected' and supported by customs authorities in the event of an infringement.

AFAs can be requested on a national ('national application') or on a European Union basis ('Union application'). Union applications (UAFAs) are requests applicable for two or more Member States and have the same legal value as national AFAs in each of the Member States for which action is requested ([26]). In 2022, 1 740 national AFAs and 1 375 EU AFAs were submitted to the customs authorities. In order to calculate the overall effort or volume of applications for action in all EU Member States, EU AFAs are 'converted into' or 'counted as' as many AFAs as the number of Member States in which action is requested. This resulted in 35 486 AFAs in 2022, compared to 36 444 in 2021, 35 844 in 2020 and 38 866 in 2019. The number of AFAs (both national and EU) applicable in Member States has decreased compared to 2021 (a decrease of nearly 2.6 %).

([26]) The European Commission, in cooperation with the EU Member States, has established a manual for right holders to explain the procedure for lodging and processing AFAs (see also the Directorate-General for Taxation and Customs Union's website).

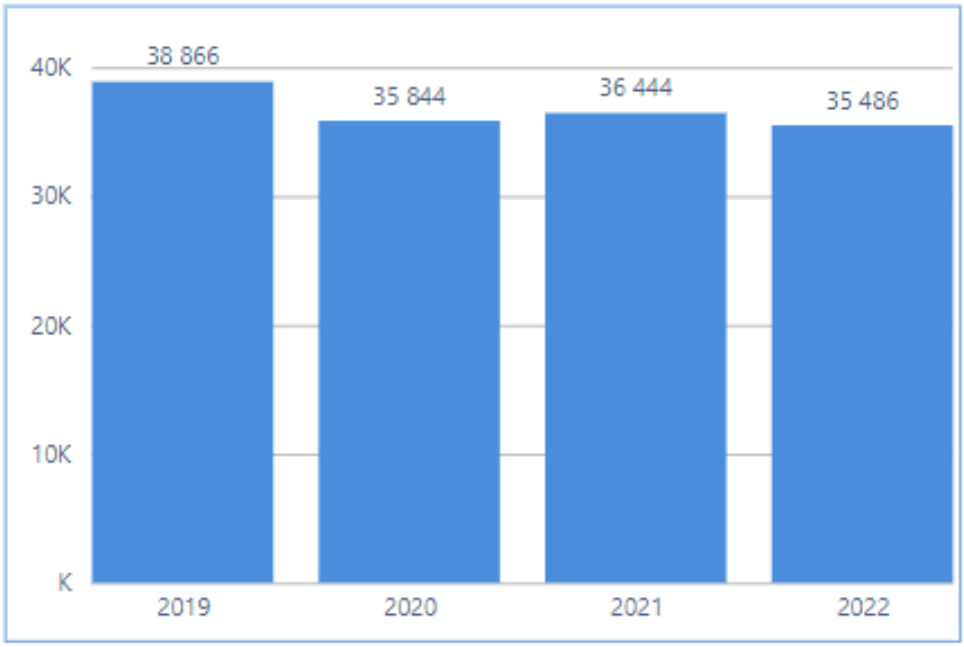


Figure 2-1: Number of applications for action 2019-2022

EU customs also have the power to act *ex officio* if they suspect an IPR infringement. In such procedures, customs have to identify the right holder, who must submit a national application within 4 working days for customs to be able to continue the detention or suspension or the release of the goods. After an increase in this exceptional procedure last year, the percentage of *ex officio* detentions decreased in 2022, reaching 1.90 % of all cases (see Figure 2-2) ([27]).

([27]) See footnote 1.

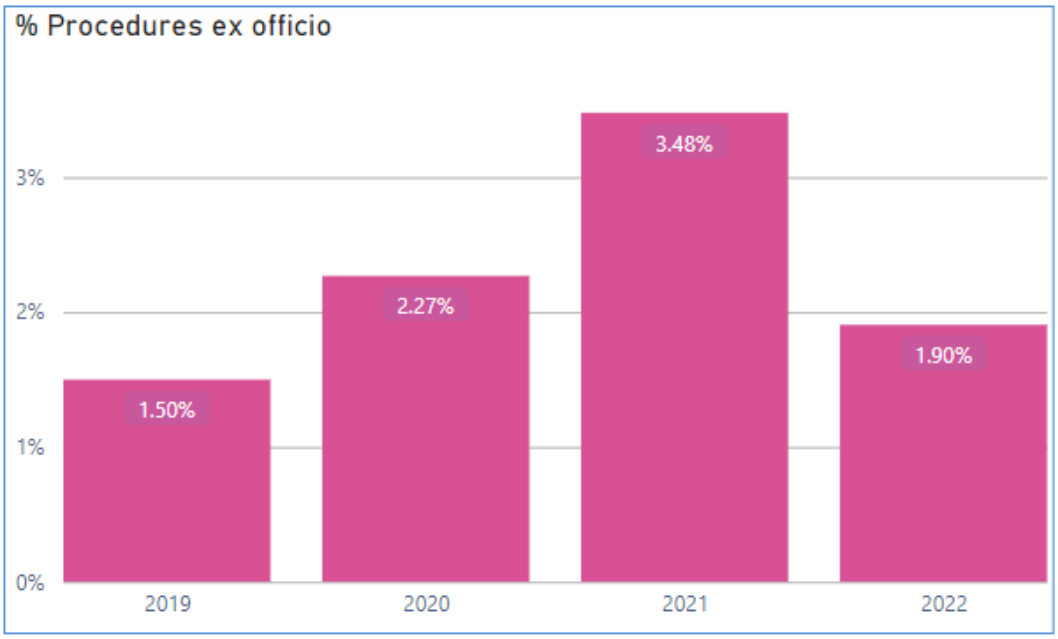


Figure 2-2: Percentage of *ex officio* procedures 2019-2022

2.2. Cooperation between the EU internal market enforcement authorities and right holders

While collaboration between right holders and customs authorities is legally based on a request from right holders to customs authorities to detain infringing goods, there is no similar EU-wide provision for internal market detentions. The IPEP however provides for the possibility for right holders to send alerts with potential infringements to enforcers and in particular to police forces.

In 2022, a total of 19 right holders sent 39 potential infringement alerts about counterfeit products in the EU internal market through the IPEP. These were received by 42 EU national markets enforcement authorities. In 2021, 25 right holders had sent 68 potential infringement alerts and these were received by five EU national market enforcement authorities.

Potential infringement alerts can be sent to one or multiple enforcement authorities. In 2022, efforts were made to support right holders to focus alerts to the relevant enforcement authority rather than sending general alerts to all of them.

In this regard, it is relevant to highlight that the EUIPO successfully supported EMPACT Operation Fake Star ([28]) through IPEP (between March 2022 and December 2022) as well as other joint international EMPACT operations. To this end, the private sector used the 'alert and interesting cases functionalities' of IPEP to share information of interest with the different enforcement authorities, while enforcement authorities were able to request data from the private sector by sending 'suspicious cases'.

([28]) Operation Fake Star under the lead of the Spanish National Police and the co-lead of the Greek Hellenic Financial Police Division and coordinated by Europol. This operational action aimed to detect counterfeit goods that were violating well-known brands' intellectual property rights Europe-wide. The European Union Intellectual Property Office (EUIPO) also supported the operation within the limits of its mandate.

3 Data range and limitations

The information about available data ranges and limitations in their use needs to be taken into consideration for a correct interpretation of the factual reporting contained in this document. Explanations about available data ranges and limitations in their use can be found in Annex B.

Data reported in this report stems from the data shared with the EUIPO by DG TAXUD and other national authorities and validated for its reporting in the IP Enforcement Portal. In addition to the usual limitations, it is important to specifically highlight for the present 2022 detentions report that:

- The Greek 2021 border dataset, which was missing in the previous report, was later updated by the Greek Customs enforcement authority and reported to DG TAXUD, that provided it to the EUIPO for this year's report ([29]). The completion of the historical series by all Member States allowed to avoid the gaps and resulting caveats in the analysis which were present in last year's report.

- Records on national market detentions are not available from the Austrian and German enforcement authorities, the first because their regulations do not allow the police to execute ex officio seizures of counterfeit or pirated goods in the national market, and the second because they have not yet joined the data provision network. Moreover, data for 2022 national market detentions is still missing from Luxembourg, although due to the overall volumes, their absence in 2022 does not affect the global picture of the trends.

- Following the United Kingdom's exit from the EU, the 2019 data on the detentions of counterfeit products at the United Kingdom EU border has been removed for comparison purposes ([30]).

([29]) In practice this means that the totals for 2021 (in particular those in Figure 4-1, Figure 4-2, Figure 4-3: and Figure 4-4) as well as Greek detentions data (inexistent in 2021) do not coincide with those presented in 2021's report.

([30]) In practice this means that the totals for 2019 (in particular those in Figure 4-1, Figure 4-2, Figure 4-3: and Figure 4-4) do not coincide with those presented in some of previous years' reports. It shall be mentioned that, although still under the EU custom regime, the United Kingdom never provided data on detentions of fakes during 2020.

4 Results at the EU border

This section and its annexes contain statistical information about the detentions made under customs procedures, and includes data on the description, quantities and value of the goods, their provenance, the means of transport used and the type of IPRs that were infringed.

Each detention is referred to as a 'case'; a case may involve one or more articles and each case may contain articles of different product categories, belonging to different right holders. In COPIS, Member States register each case per category of goods and per right holder. For each right holder, a new detention procedure is initiated, which explains why there are more procedures than cases.

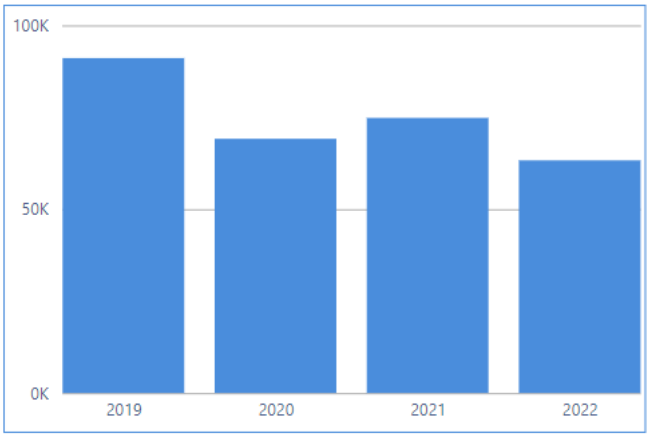
The statistics are established based on the data transmitted by Member State administrations, in accordance with Regulation (EU) No 608/2013, which lays down the provisions concerning customs enforcement of IPRs, including provisions on transmission of relevant information by Member States to the European Commission.

4.1. Number of cases, procedures, articles and estimated value

The total number of cases ([31]) decreased by almost 15 % in 2022 ([32]), with different trends depending on the transportation modes (see Figure 4-13 in section 4.6 for more details). In 2022, within a framework of an overall decrease in the number of cases compared to 2021, air and sea interception cases have shown an increase in absolute figures, (over 13 % and almost 11 % respectively). Despite of this, for both transportation modes, the absolute number of cases in 2022 did not reach their pre-pandemic levels.

([31]) Each case represents an interception by customs.

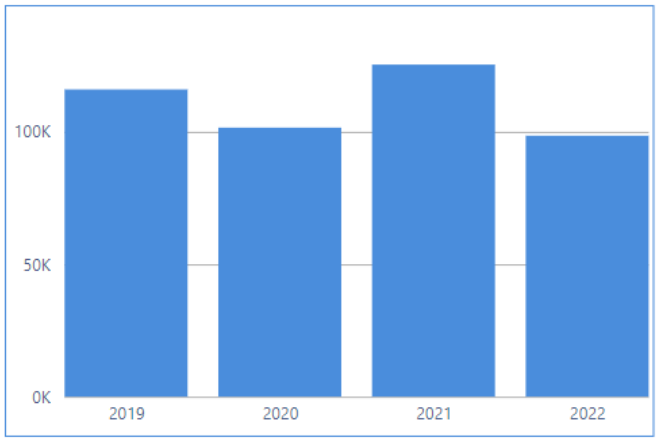
([32]) See footnote 1.



Year	Number of cases
2019	91 099
2020	69 147
2021	74 831
2022	63 274

Figure 4-1: Number of cases registered

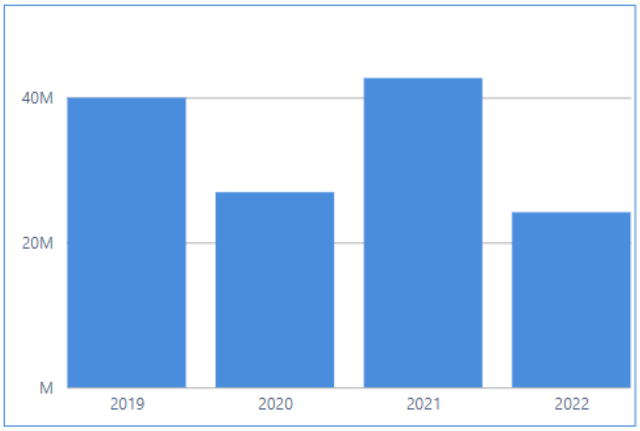
The number of procedures and of detained articles decreased from 2021 ([33]) to 2022 (around 21 % and a severe 43 % respectively) while, conversely, their estimated value increased (around 11 %).



Year	Number of procedures
2019	115 997
2020	101 570
2021	125 382
2022	98 536

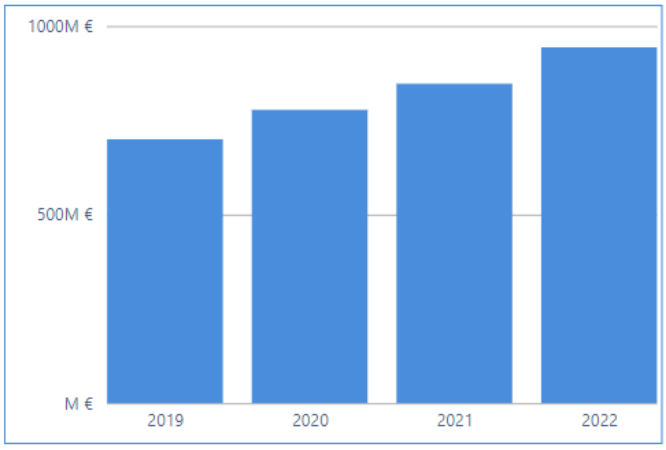
Figure 4-2: Number of procedures initiated

([33]) See footnote 1.



Year	Number of articles
2019	39 969 030
2020	26 922 173
2021	42 679 819
2022	24 158 183

Figure 4-3: Number of articles detained



Year	Estimated value
2019	699 625 965 €
2020	777 630 477 €
2021	846 848 998 €
2022	943 389 610 €

Figure 4-4: Estimated value of the detentions

Three parameters may determine potential changes in the estimated value of items detained each year compared to the previous year:

- the change in the number of items detained each year,
- the increase or decrease in the estimated unitary value, in particular of the most expensive and of the most numerous products subcategories, and
- the shift in the composition of the basket of products detained from one year to another (from more expensive products to cheaper ones or vice versa).

As will be seen in section 4.3, the significant reduction in the share of the identified categories of cheaper products, the parallel increase in the share of other identified categories with higher unitary estimated value, together with the considerable increase in the estimated value per unit of some of the categories of articles detained in 2022, explain the increase in the global estimated value of the detained goods, despite the decrease in the number of articles detained.

The top 10 Member States ([34]) in terms of number of cases, accounted for over 90.5 % of the overall number of cases, whereas the top 10 Member States in terms of number of articles accounted for over 93 % of the overall number of articles detained. Five Member States (Belgium, Germany, Italy, the Netherlands and Portugal) appear in the top 10, both in terms of number of cases and number of counterfeit goods detained (see section C.1 in Annex C for more details).

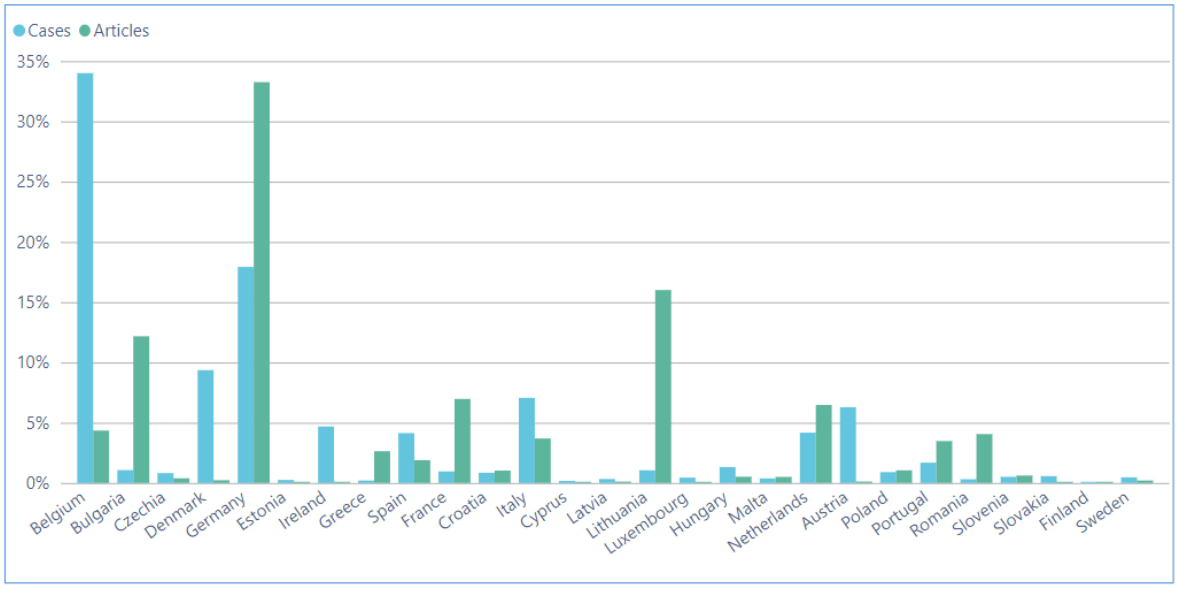


Figure 4-5: Overview of Member States in terms of percentage of cases and articles 2022

([34]) See footnote 1.

4.2. Data per results of detention

In 2022, the detentions of goods by customs resulted in the following:

- goods were destroyed under the standard procedure pursuant to Article 23 of Regulation (EU) No 608/2013, after confirmation from the right holder and agreement from the holder of the goods;
- goods were destroyed under the procedure for small consignments in accordance with Article 26 of Regulation (EU) No 608/2013, after agreement from the holder of the goods;
- goods were released because the right holder did not react to the notification issued by customs;
- a court case was initiated by a right holder to determine the infringement;
- goods were released as they appeared to be genuine goods;
- release of 'non-genuine' goods as a result of lack of infringement ([35]);
- following detention, goods were subsequently dealt with pursuant to national criminal procedures;
- an out-of-court settlement was reached between the right holder and the holder of the goods, after which the goods were released.

Regulation (EU) No 608/2013 provides the applicant of the AFA with the possibility of requesting the use of the procedure set out in Article 26, namely the destruction of goods transported in a small consignment, without the need to notify the right holder of every shipment. This procedure leads to a significant reduction in the administrative burden for customs authorities and right holders and to a more effective treatment of counterfeit or pirated goods transported by post or express courier. This procedure is limited to a maximum of three units, or a gross weight of less than two kilograms per consignment.

As explained in the list above, goods that appeared to be non-infringing genuine goods, goods in relation to which the right holder did not take any action, or non-genuine goods with regard to which no infringement was established, were released from detention based on Regulation (EU)

([35]) In certain cases, goods are suspected of being counterfeit but are released because they are detained in a situation that does not lead to an infringement. This would be the case for instance when a private person sends the goods to another private person as a gift. In such cases, providing the private person can prove that the goods are indeed gifts, no commercial transaction would be involved (which is needed to establish the infringement).

No 608/2013. However, this does not exclude the possibility that these goods were also detained based on other legislation relating to prohibitions or restrictions. **Moreover, this report does not reflect the sum of efforts made by customs authorities to enforce IP rights**: customs controls triggered by a suspicion of IPR infringement that do not give rise to a detention or suspension of the release for free circulation are not recorded in COPIS, and thus also not reflected in this report.

In around 92 % of the procedures, either the goods were destroyed under the standard procedure or the procedure for small consignments, or a court case was initiated to determine the infringement, or they were handled as part of criminal proceedings, or an out-of-court settlement was reached. In 5.62 % of the procedures, the goods were released because no action was taken by the right holder after receiving notification from the customs authorities; 1.06 % of the 5.62 % concerned *ex officio* procedures. In only 2.29 % of the detentions did the customs authorities release the goods because they appeared to be non-infringing genuine goods (1.79 %) or because there was a non-infringing situation ([36]) (0.5 %).

([36]) There can be goods that, not being genuine, are not infringing EU law. This could be the case of goods in transit to countries where the IPR is not registered in the destination country but also fake goods detained which were sent as private gifts.

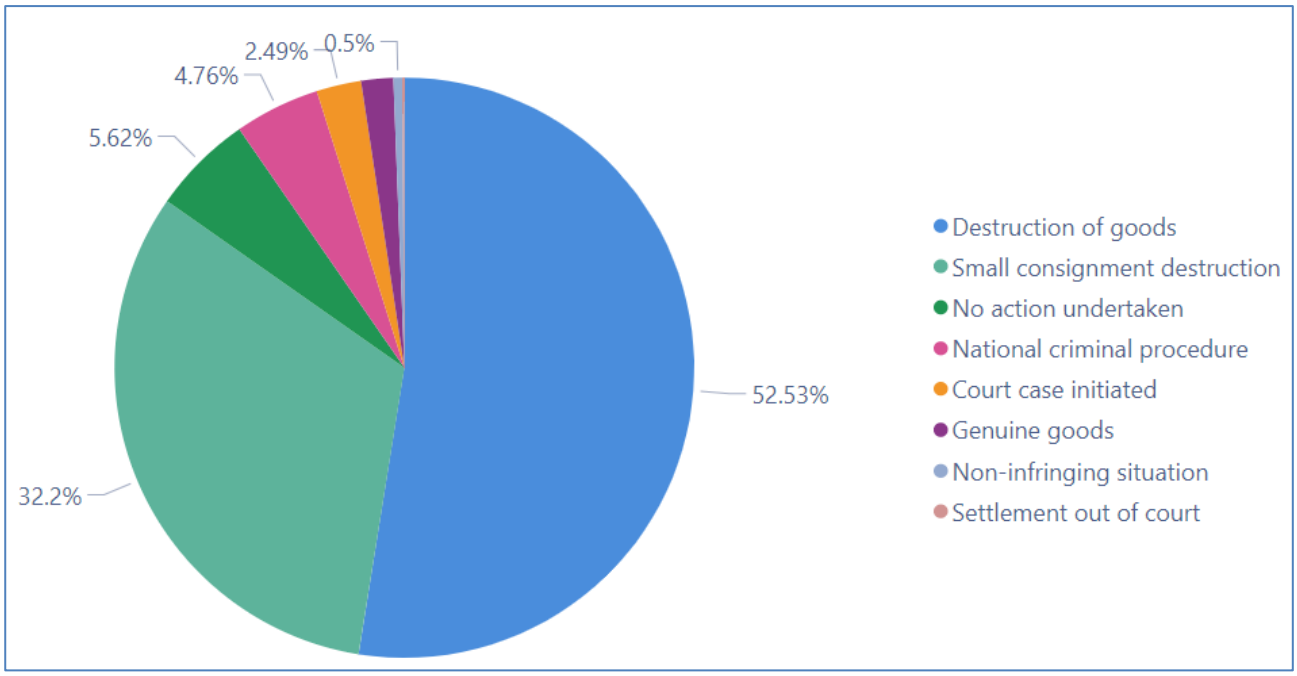


Figure 4-6: Breakdown of the number of procedures by result of the procedure 2022

In absolute numbers, this gives the following results ([37]):

Result of the procedure	Number of procedures	Number of articles
Destruction of goods	**51 737**	**16 173 516**
Small consignment destruction	**31 714**	**161 913**
No action undertaken		
Application	4 489	2 898 243
ex officio	1 044	177 292
National criminal procedure	**4 684**	**1 461 990**
Court case initiated	**2 457**	**675 877**
Genuine goods	**1 759**	**2 325 015**
Non-infringing situation	**490**	**199 874**
Settlement out of court	**109**	**82 168**

Table 4-1: Number of procedures and number of articles detained in 2022 by result of the procedure

([37]) Another 53 procedures did not contain information about their result.

4.3. Data per product subcategory

In terms of numbers of identified counterfeit goods detained, the top three categories are *packaging material* (12g), *toys* (9a) and *clothing* (3a). Similarly to 2020 and 2021, *packaging material* (12g) leads the ranking, although its share has decreased compared to the previous year. *Toys* (9a) moved up one position to reach 2nd place and *clothing* (3a) from 6th to 3rd place. *Clothing accessories* (3b), as well as *foodstuffs* (1a) – very much related to health and safety risks – and *textiles* (12f) were not among the top 12 identified categories in 2021 but entered the ranking in 2022, replacing the categories *other body care items* (2b), *cigarettes* (10a) and *vehicle accessories* (12b).

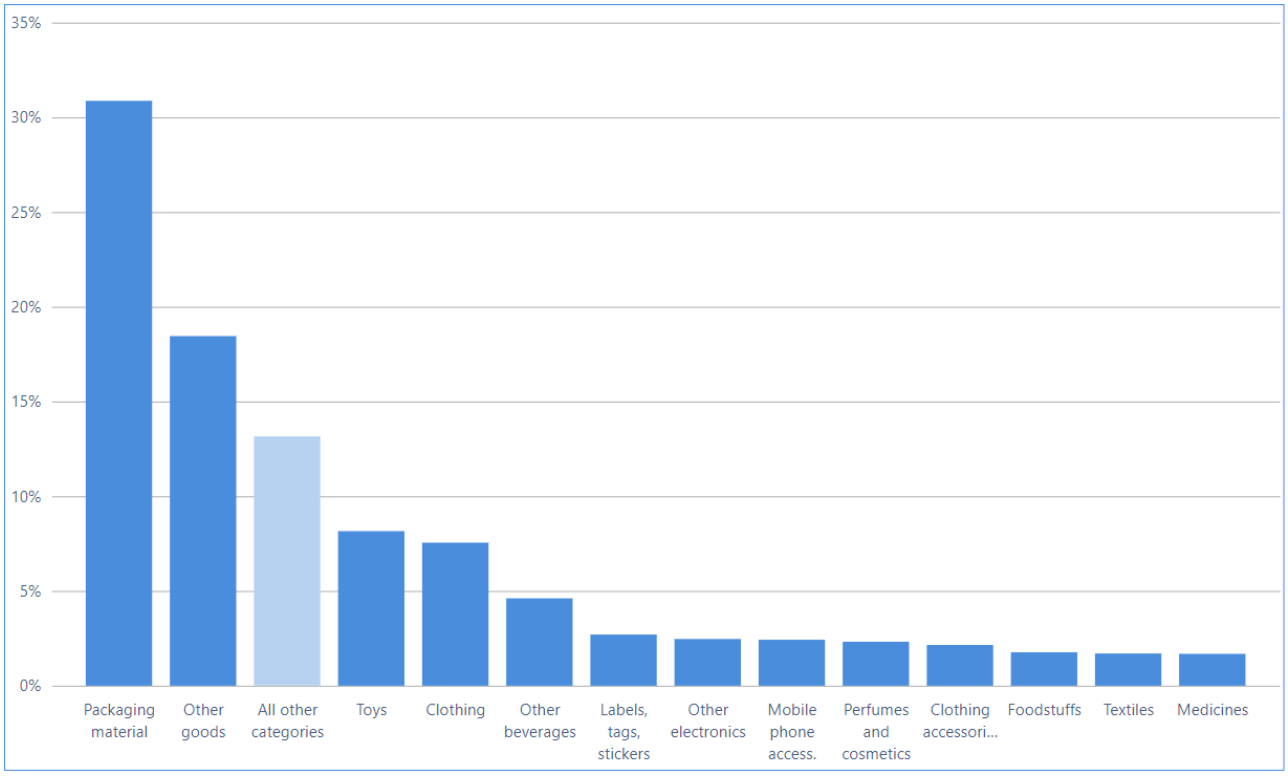


Figure 4-7: Top categories by number of articles 2022

In terms of the number of procedures, *clothing* (3a), *sports shoes* (4a) and *bags, wallets, purses* (5b) remain in the top three categories in 2022. Moreover, for the third year in a row, they remained in the same positions in the top three ranking. The top detained categories in terms of procedures are typically goods that are often ordered online and shipped by post or express courier (see section C.11 in Annex C).

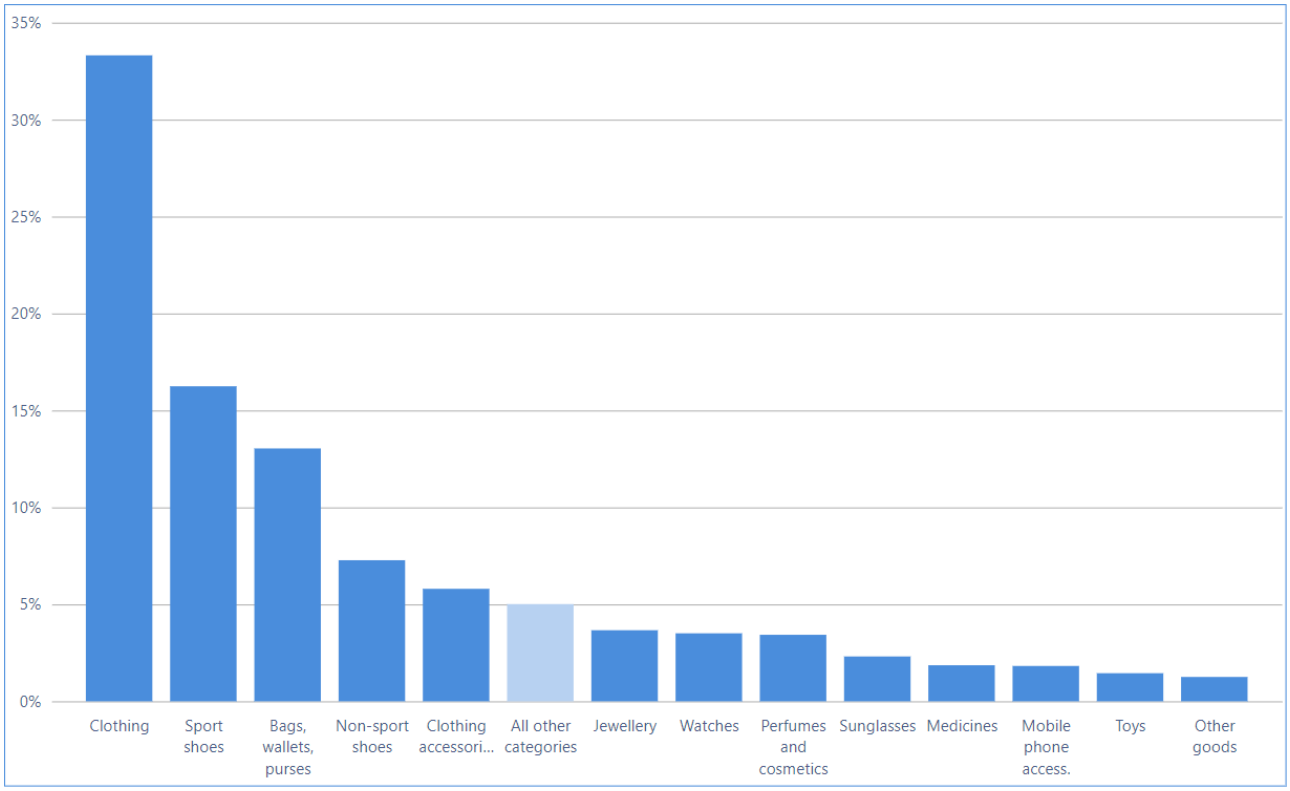


Figure 4-8: Top categories by number of procedures 2022

Following the approved harmonised rules for reporting, the standard value for reporting by Member States is the domestic retail value (DRV), which corresponds to the price at which the goods would have been sold at retail on the Member State market had they been genuine.

Based on the DRV, there has been only one change in the top three categories of products in terms of value compared to 2021: the first two remained the same, *watches* (5c) and *clothing* (3a), whereas *bags, wallets, purses* (5b) came back at 3rd position, as in 2020, replacing *mobile phones accessories* (6b) (see section C.2 in Annex C for an overview of all categories).

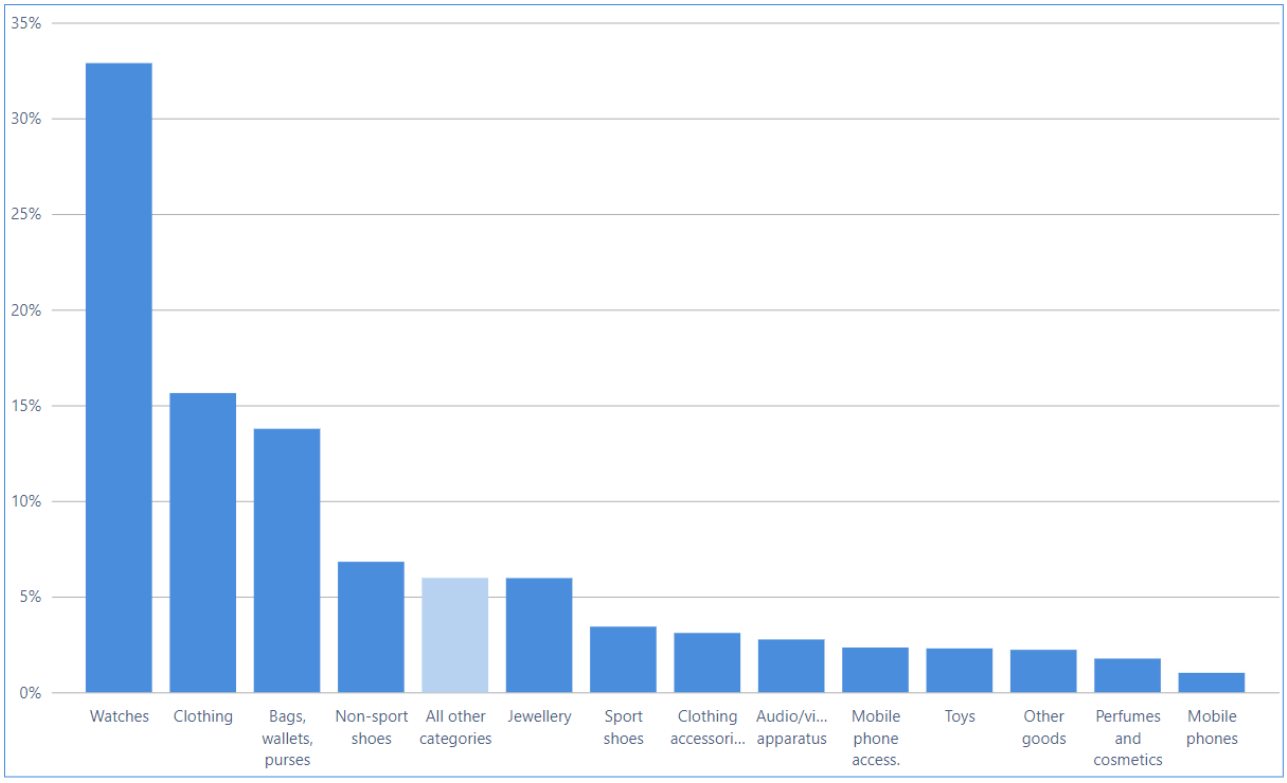


Figure 4-9: Top categories by value 2022

As highlighted in section 4.3, the significant reduction in the share of cheaper products in 2022, the parallel increase in the share of categories with a higher unitary estimated value, and the considerable increase in the unitary estimated value of some of the categories of articles detained in 2022, explain the increase in the global estimated value of the detained goods, despite the decrease in the number of articles detained.

In fact, together with the reduction in the total number of items detained, the composition of the basket and the unit values have changed significantly. Categories of goods with more expensive unit values have increased their share in the basket of detentions ([38]), whereas categories with cheaper unit values have decreased their share ([39]). In parallel, the unit prices of the items detained have

([38]) As *clothing* (3a) – from 3.48 % of all articles detained in 2021 to 7.55 % in 2022 – or *clothing accessories* (3b) – from 0.96 % to 2.15 %.

([39]) As *packaging material* (12g) – from 44.19 % of all articles detained in 2021 to 30.87 % in 2022 – or *other body care items* (2b) – from 4.31 % to 1.60 %.

risen sharply ([40]) in many categories, overcompensating for those whose unit prices have fallen. The increase in the global value resulting from the combined effect of the shift in the basket towards more expensive categories (+34 %) and the increase in the unit prices of many categories (+21 %) has more than compensated for the reduction in that value expected from the drop in the number of items detained (-43 %). As a result, the items in the basked of products detained in 2022 have, on average, almost twice the unit value of the average product in that basket in 2021 (EUR 39.05 per item versus EUR 19.84 per item). The impact of the shift towards more expensive categories accounts for about 60 % of that increase in the average unit value, whereas the increase in the unit prices themselves accounts for the remaining 40 %.

The share of unidentified counterfeit goods, the ones under the subcategory *other goods* (12h), reached the 2nd position in terms of number of items in the general ranking ([41]), representing over 18 % of all articles detained in 2022 (see again Figure 4-7). Its weight has been increasing year after year ([42]) since the drop in 2020 until it almost recovers the picture of 2019.

4.4. Data per provenance

China is still the main country of provenance for goods suspected of infringing IPR and not released, with more than 74 % of the articles. Indeed, in terms of articles detained, China remained – as in previous years – on top as the country of provenance, followed by Türkiye (in a consolidated 2nd position) and Hong Kong, China (with an increasing trend). For China, the category of *packaging material* (12g) was on top (by far) in terms of the number of detained articles, while in the case of Türkiye, the predominant category was *clothing* (3a) for the second year in a row. For Hong Kong, China, *mobile phones accessories* (6b) head the ranking followed very closely by *medicines* (11a). Russia – *cigarettes* (10a) – and Georgia – *alcoholic beverages* (1b) – complete the top five.

([40]) E.g. *watches* (5c) – from around EUR 1 700 per item in 2021 to around EUR 4 100 per item in 2022 – or *packaging material* (12g) from EUR 0.21 per item to EUR 0.41 per item.

([41]) The ranking per product subcategory without differentiating between identified and unidentified subcategories.

([42]) Over 23 % in 2019, almost 7 % in 2020 and over 14 % in 2021.

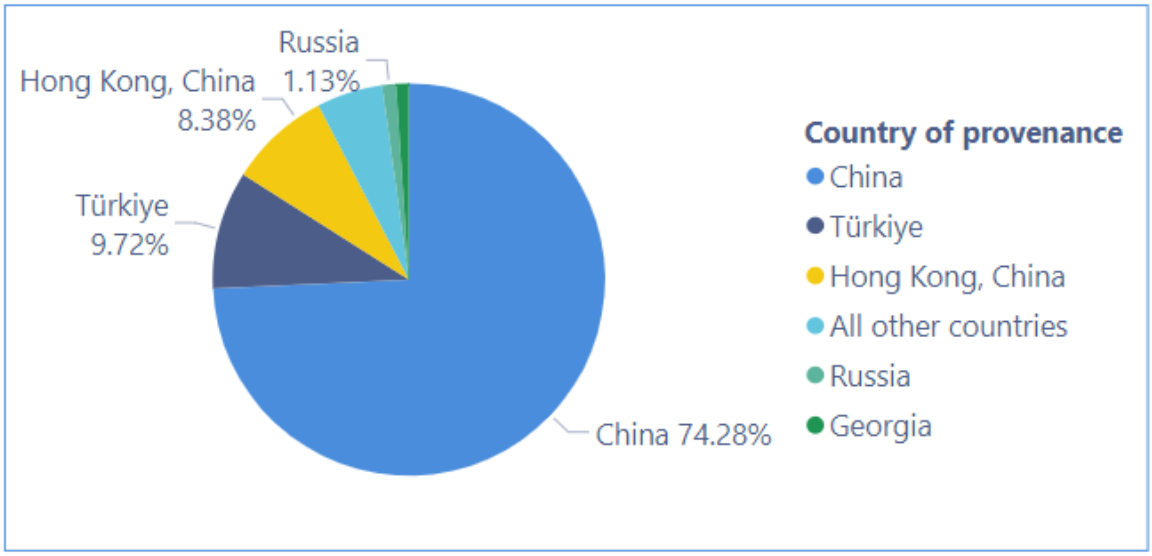


Figure 4-10: Country of provenance by number of articles 2022

With regard to countries of provenance in relation to the value of the items detained, Hong Kong, China, leads the list with over 40 %, followed by China with almost 30 % and then Türkiye with more than 22 %. The category of the most valuable detained articles in both Hong Kong and China is *watches* (5c) and in Türkiye it is *clothing* (3a). Hong Kong, China has finally surpassed China's classic dominance in terms of value and even Türkiye is challenging China's current second position

in terms of value. Georgia – with *alcoholic beverages* (1b) – and Vietnam – with *clothing* (3a) – complete the top five countries of provenance in terms of value.

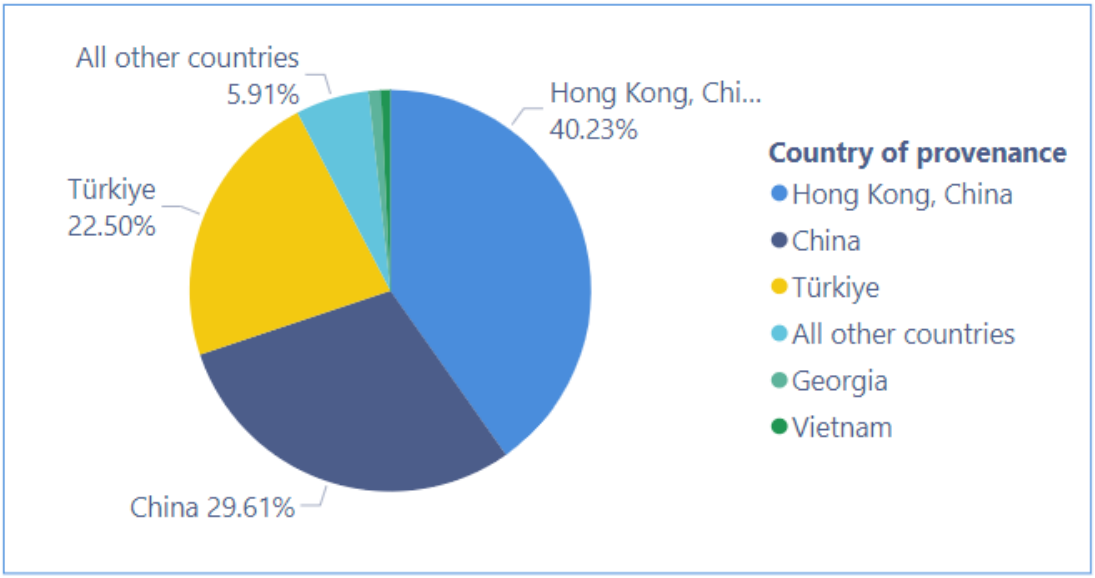


Figure 4-11: Country of provenance by value 2022

A further breakdown according to each category of products is given in section C.5 of Annex C. Additional information is provided in sections C.6 and C.7 of the same annex.

4.5. Data per freight/passenger traffic

Cases involving passenger traffic relate to goods brought into the EU by passengers in amounts considered to be of a commercial nature, rather than intended for private use. The proportions of cases of goods suspected of infringing an IPR found in freight and in passenger traffic remain at approximately 98 % and 2 % respectively, almost the same as in 2020 and 2021.

In section C.8 of Annex C, an overview is provided of the main categories of products carried by passengers. Furthermore, overviews of the countries of provenance of the passengers are provided in relation to the number of products, their value and the number of cases.

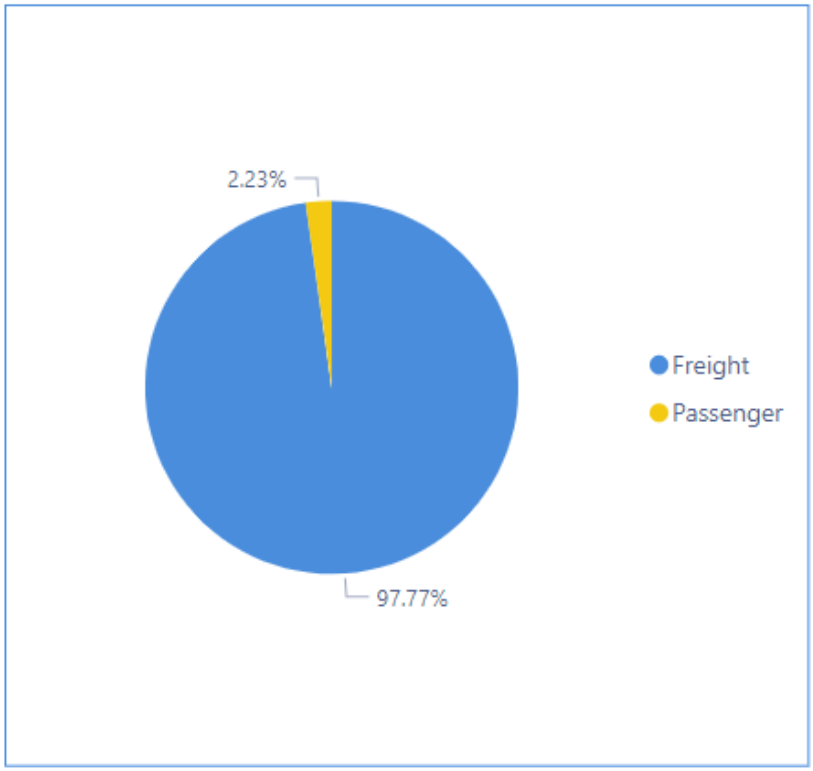


Figure 4-12: Breakdown of cases by type of traffic (freight/passenger) 2022

4.6. Data per transport

In 2022, the highest number of detention cases concerned goods transported via post (49 %) and express courier (33 %) in line with 2021 (57 % and 28 % respectively). However, over the last few years, the share of detention cases of goods transported by post have continuously decreased (they

represented 68 % in 2020), whereas the share of detention cases of goods transported by express courier have constantly increased (18 % in 2020).

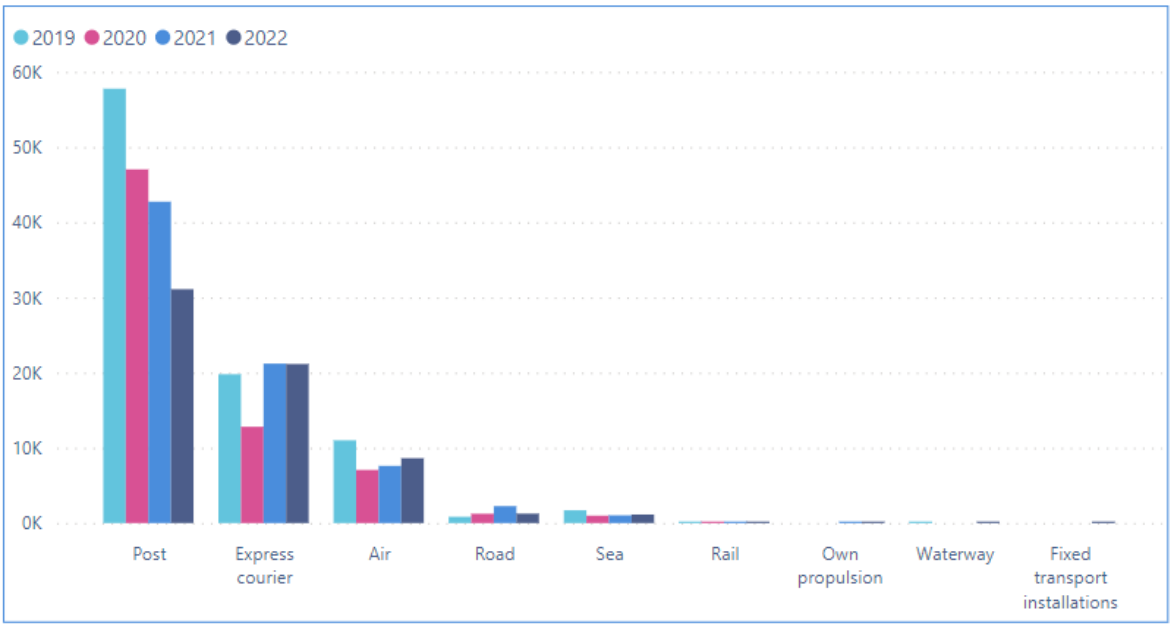


Figure 4-13: Registered cases by means of transport 2022

In terms of the number of counterfeit articles, detentions in 2022 in sea, air, post, road and rail traffic showed a relevant decrease in absolute numbers compared to 2021 (see Figure 4-3). This decrease was however the expected result of the considerable reduction in the number of items detained globally in 2022 (-43 %, see again Figure 4-3). The slight growth of the absolute number of detained counterfeit goods transported via express courier in 2022 is therefore even more relevant in a year

when the total number of items detained decreased. Items detained in sea traffic still account for the biggest share of all detained articles (more than 67 %).

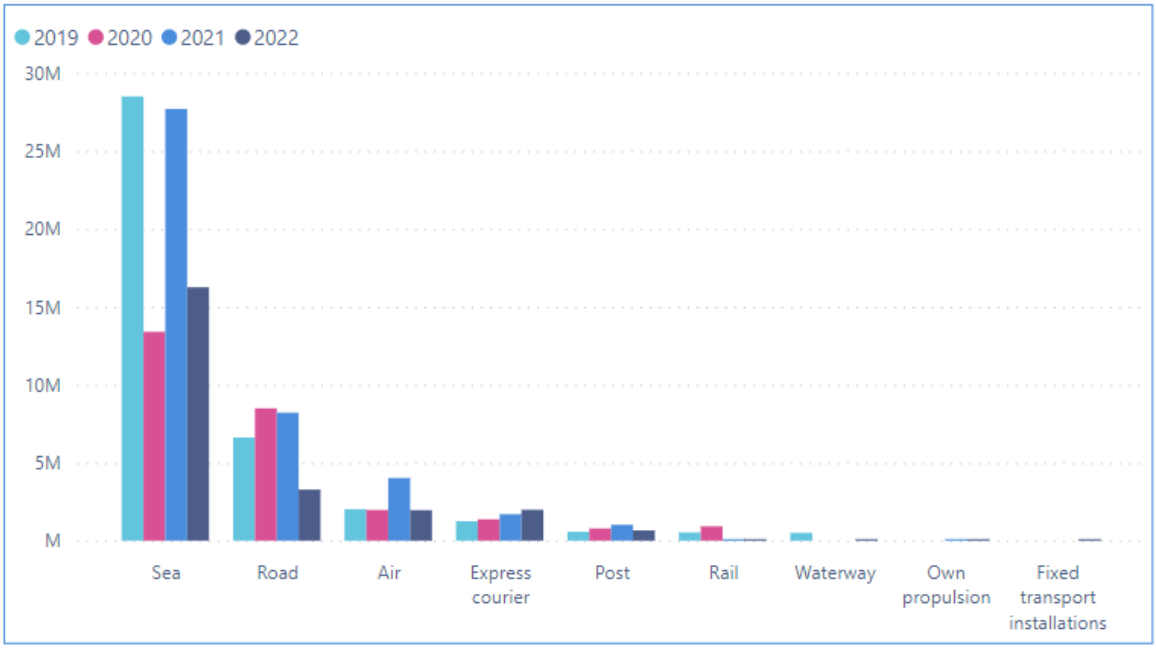


Figure 4-14: Detained articles by means of transport 2022

A further breakdown can be found in sections C.9 and C.10 of Annex C.

4.7. Data per intellectual property right

In 2022, as in previous years, the majority of articles detained by customs and where at least one infringed IPR was identified, were related to trade marks[43]. Almost 97 % of articles detained, representing circa 96 % in value[44], were infringing trade marks, across all categories of goods.

[43] European Union trade mark (EUTM) and/or an international trade mark (ITM) and/or a national trade mark (NTM). The meaning of all the IP rights abbreviations can be seen in Table C-7, in section C.12 in Annex C.

[44] To be compared with respectively 96.6 % and 93 % in 2021. These figures cannot be directly calculated from Figure 4-15 and Figure 4-16, since the same article may infringe several types of IP rights.

The share of number of articles concerned by detentions based on infringed design rights([45]) reached 2.6 % of all the articles detained in 2022. This share is lower than that of 2021 (3.2 %). The designs were infringed in a wide variety of identified products. In 2022, the infringements mainly occurred in *mobile phones accessories* (6b) followed by *audio/video apparatus* (7a), *toys* (9a), *sport shoes* (4a), *non-sport shoes* (4b) and *sunglasses* (5a).

Regarding copyright infringements (NCPR), the identified products most frequently detained were *toys* (9a) and *games* (9b).

For plant variety rights (CPVR), the products involved were *foodstuffs* (1a).

Where patent and utility models([46]) infringements were suspected, the main category of products involved was *other goods* (12h).

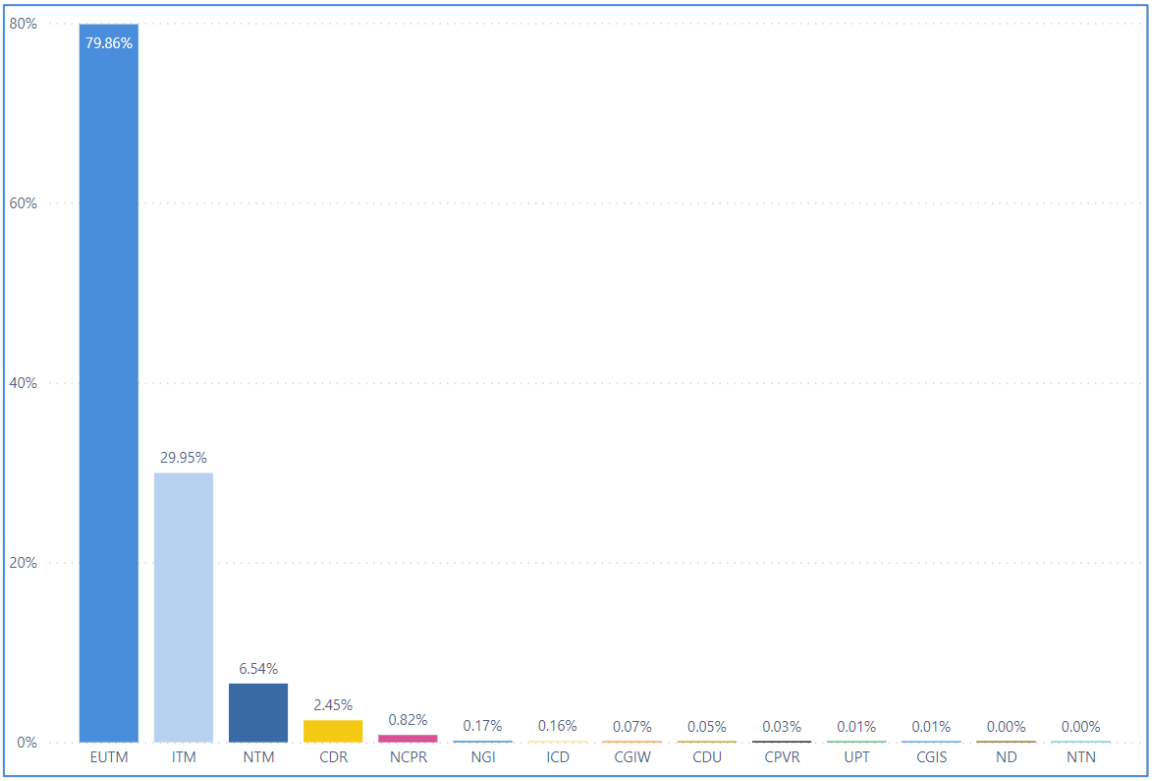


Figure 4-15: IPRs in percentage of articles 2022

([45]) Registered community (CDR), unregistered community (CDU), registered international (ICD) and registered national (ND) designs.

([46]) Patent as provided by Union law (UPT), patent as provided by national law (NPT) and national utility model (NUM).

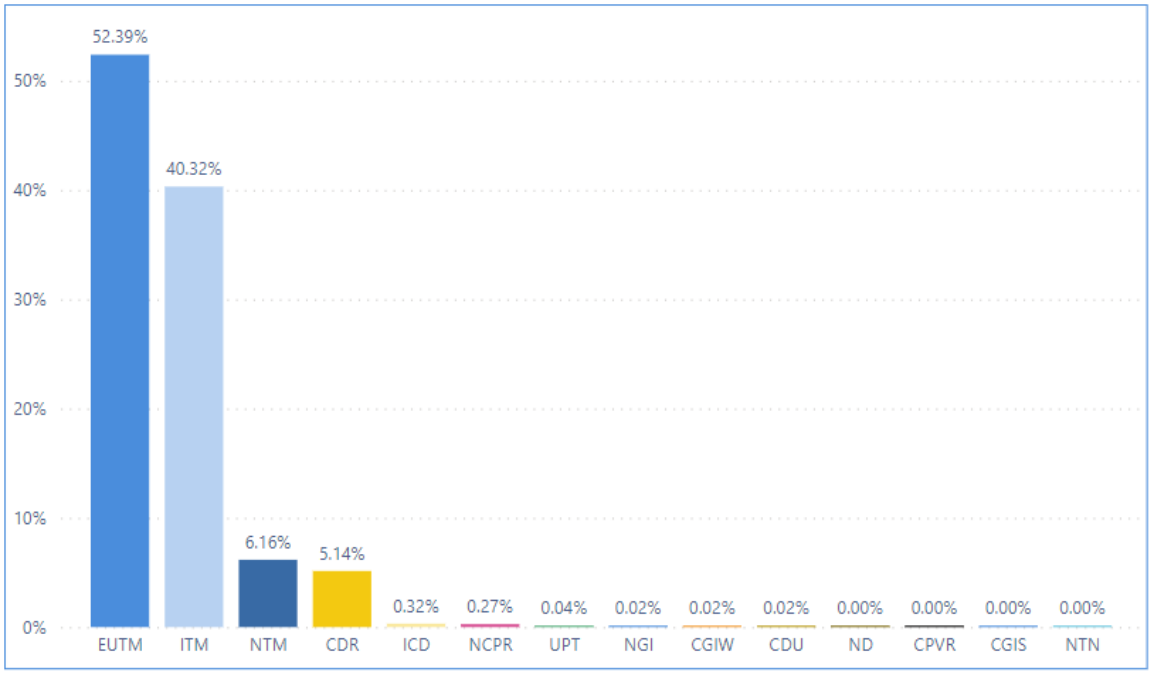


Figure 4-16: IPRs in percentage of value 2022

4.8. Data per customs procedure

In around 71 % of cases, customs action began while the goods concerned were part of an import procedure. In almost 25 % of cases, goods were discovered while in transit with a destination in the EU (continuing its increasing trend in the last 4 years). In around 1 % of cases, goods were part of

a (re-)export procedure, with a destination outside of the EU. In almost 3 % of cases, goods were in transit/transhipment, with a destination in a non-EU country or were detained in a warehouse.

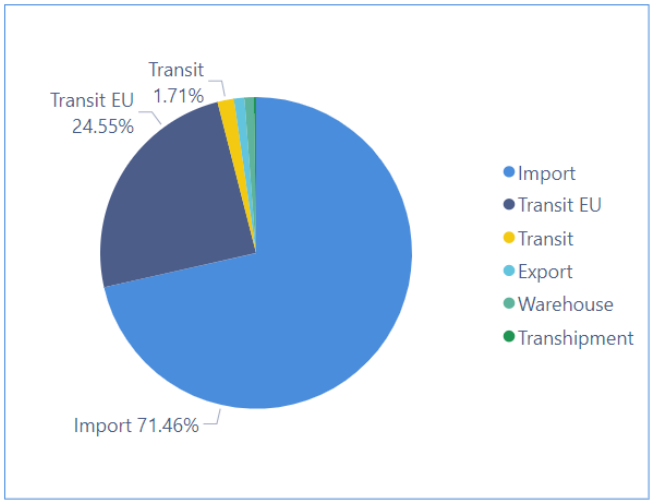


Figure 4-17: Breakdown of cases by customs procedure 2022

Considering the number of articles, those detained in transit and transhipment procedures have slightly higher percentages because detentions in those procedures are often in container traffic (with bigger shipments), while the largest numbers of cases found as part of import procedures are related to post and express courier, where the number of articles per case is, of course, much smaller (see section C.9 in Annex C).

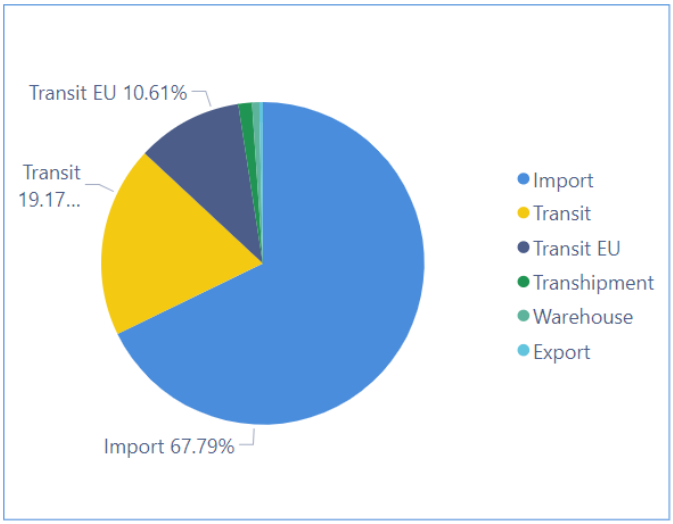


Figure 4-18: Breakdown of articles by customs procedure 2022

4.9. Comparison of detentions at EU borders and imports

Data on the quantity or estimated value of the reported detentions of counterfeit products at the EU border is more revealing when compared with other available trade data. Goods detained can be compared with the total imports of equivalent goods from third countries across the same border.

Indeed, as illustrated in Figure 4-19 below, the goods reported as detained at the EU borders following an infringement of IP rights are just a fraction of the goods that circulate inwards through those borders. Globally speaking, goods crossing the EU border and entering EU territory are recorded as imports from third countries.

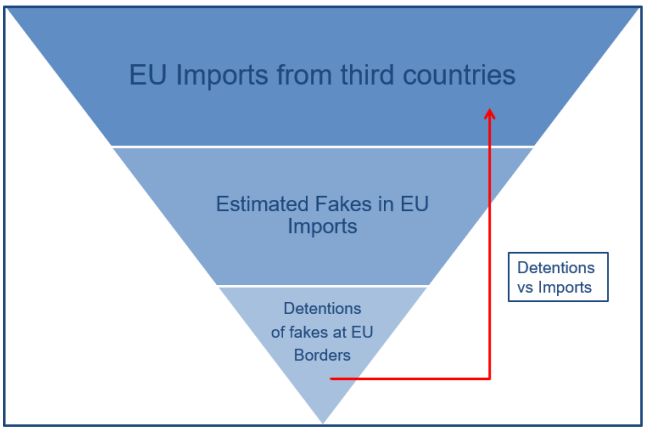


Figure 4-19: Putting reported volumes of detentions of counterfeit products in relation to other trade figures

The purpose of this section is therefore to compare the absolute numbers of reported detentions of counterfeit goods at EU borders with the numbers of total imports of comparable goods from third countries crossing those borders. In a sense, the series (historical or geographical) of this ratio show **whether the detentions are in line with the total trade in the goods concerned**. A stable ratio over the years should be the norm and would indicate that the rhythm of detentions of counterfeits follows that of trade. The ratio of detentions of counterfeits versus total trade may increase (possibly within a certain universe: a class of products, the EU as a whole, an importing MS, …) due to a higher priority for law enforcement authorities, or because counterfeiters are more interested in IP

crime as a crime with lower penalties or because of a higher consumer demand for cheaper counterfeits or for all of these reasons (and any or all of them within that universe).

Annex G describes in detail the issues and challenges arising and the statistics on EU imports used when comparing EU detentions at EU borders with imports, in particular due to the unavailability of complete and detailed series of EU import data. In this sense, it should be noted that the data on detentions to be used is their estimated value in euro and that the subcategories *mobile phones accessories* (6b), *recorded CDs/DVDs* (8a) and *other goods* (12h) cannot be included in the analysis. **Moreover, one of the main conclusions to be drawn from the methodology is that the breakdown of the indicator by Member State in no way reflects the performance of the enforcement authorities of that Member State in controlling their part of these borders.**

4.9.1. Detentions versus imports at EU level: overall data

Considering the categories and subcategories of detained goods for which the analysis is consistent ([47]), the estimated value of detained goods at EU borders due to the infringement of IP rights corresponded to 0.44 ‰ ([48]) of the imports of equivalent products from third countries in 2022 (see Table 4-2 below).

	2019	2020	2021	2022	Total
Value of items detained	0.34bn€	0.46bn€	0.41bn€	0.43bn€	**1.65bn€**
Value of imports (adjusted)	698bn €	678bn €	820bn €	977bn €	**3,173bn €**
Ratio detentions vs imports	0.49‰	0.68‰	0.50‰	0.44‰	**0.52‰**

Table 4-2: Value of detentions, imports of similar products and ratio of detentions/imports at EU level

[47] In summary, considering the **detentions** of counterfeit products:
- in custom procedures of import, transit to EU and warehouse,
- not leading to the release of the detained goods,
- destined for one of the EU27 Member States;

but excluding those detentions:
- of goods belonging to subcategories 6b (mobile phone accessories), 8a (recorded CDs/DVDs) and 12h (other goods),

and compared with the **imports** of equivalent goods:
- from third countries
- destined for one of the EU27 Member States.

[48] Attention shall be paid to the fact that the ratio of this section shows the value in EUR of detentions of counterfeits per EUR 1 000 of imports. Therefore the symbol '‰' (per thousand) has been used. Moreover, the correction coefficient for a year described at the end of section G.1.3.3 in Annex G, varies in each series of four consecutive years, as data gaps

As shown in Figure 4-20 below, the ratio of detentions to imports shows an increase over the period 2019-2020, followed by a decrease in the following two years 2021 and 2022.

These decreases in recent years are due to the combination of comparatively stable values of the goods detained at the EU border considered in this analysis during these years (see footnote 47) with substantial increases in the value of imports of the equivalent categories of goods (see again Table 4-2).

Figure 4-20: Ratio of detentions/imports at EU level

4.9.2. Detentions versus imports at EU level: data per subcategory of products

The analysis of the ratio 'detentions to total imports' per subcategory of goods over the period considered shows clear differences between the categories. However, as explained in section G.1.3 of Annex G, there is a degree of discretion in the selection of EUROSTAT categories of goods containing equivalent products to those falling under the DG TAXUD subcategories. As a result, the comparison of the historical trends of this ratio within each category is much more relevant than the comparison between categories. Several trends can be identified from this first analysis:

appear and disappear in the four-year series as the historical series evolve. This variation means that, for a given year, the ratios in this section are not constant from report to report.

- the unstable trend observed in the *tobacco products* (10) ratio (a result of the sawtooth shape of the detentions in this category, which may indicate that the 'importance' of counterfeiting in this category of goods varies from year to year);
- *foodstuffs, alcoholic and other beverages* (1) and *clothing accessories* (3b) and, to a lesser extent, *bags, wallets; purses* (5b) and *electrical/electronic and computer equipment* (7) show an upward trend (thus the detentions of counterfeits in these categories are becoming more important in the overall trade, and hence may somehow indicate an increasing 'importance' in trade of counterfeits of these goods); and
- *sunglasses* (5a), *shoes* (4) and *toys, games and sporting articles* (9) show a decreasing trend (thus the number of detentions of counterfeits in these categories is diminishing compared to the total trade, and hence may indicate a decreasing 'importance' in trade of counterfeits of these goods).

The ratios for the remaining product categories show either stable or unclear trends.

Categories	2019	2020	2021	2022	Trend
Foodstuffs, alcoholic and other beverages	**0.00‰**	**0.04‰**	**0.03‰**	**0.08‰**	
Body care items	**2.43‰**	**2.23‰**	**2.98‰**	**0.60‰**	
Clothing and accessories	**0.80‰**	**1.92‰**	**1.23‰**	**1.17‰**	
Clothing	0.78‰	2.16‰	1.31‰	1.11‰	
Clothing accessories	0.92‰	0.75‰	0.85‰	1.51‰	
Shoes	**2.98‰**	**2.49‰**	**1.87‰**	**1.32‰**	
Sport shoes	7.32‰	4.65‰	3.05‰	3.24‰	
Non-sport shoes	1.86‰	1.91‰	1.58‰	0.86‰	
Personal accessories	**4.93‰**	**8.96‰**	**5.76‰**	**4.78‰**	
Sunglasses	6.43‰	3.25‰	1.11‰	0.33‰	
Bags, wallets, purses	3.74‰	11.75‰	7.48‰	8.49‰	
Watches	17.00‰	28.31‰	17.14‰	11.99‰	
Jewellery	0.55‰	1.41‰	1.52‰	1.02‰	
Mobile phones	**0.09‰**	**0.17‰**	**0.14‰**	**0.11‰**	
Electrical/electronic and computer equipment	**0.08‰**	**0.08‰**	**0.08‰**	**0.16‰**	
CDs, DVDs, cassettes, game cartridges		**0.00‰**	**0.20‰**		
Unrecorded CDs/DVDs		0.00‰	0.20‰		
Toys, games and sporting articles	**0.99‰**	**0.87‰**	**0.73‰**	**0.70‰**	
Tobacco products	**19.95‰**	**1.90‰**	**23.84‰**	**0.80‰**	
Medical products	**0.00‰**	**0.01‰**	**0.04‰**	**0.01‰**	
Other	**0.06‰**	**0.05‰**	**0.08‰**	**0.03‰**	
Machines/tools	0.02‰	0.00‰	0.00‰	0.01‰	
Vehicle accessories	0.06‰	0.04‰	0.10‰	0.01‰	
Office stationery	0.11‰	0.04‰	0.26‰	0.02‰	
Lighters	4.69‰	17.47‰	0.37‰	0.43‰	
Labels, tags, stickers	1.76‰	3.94‰	3.96‰	2.72‰	
Textiles	0.12‰	0.03‰	0.31‰	0.09‰	
Packaging material	0.19‰	0.44‰	0.38‰	0.30‰	
Total	**0.49‰**	**0.68‰**	**0.50‰**	**0.44‰**	

Table 4-3: Ratio of EU border detentions/imports at EU level per product category

4.9.3. Detentions versus imports per Member State

The methodology used to calculate the ratio of 'detentions at the EU borders of goods infringing IP rights compared to the total imports of the same category of products passing the EU external border', the results of which are presented in section 4.9.1, shows limitations when broken down at Member State level.

These limitations are related to the non-alignment between the Member State at whose border the counterfeit goods have been detained (which is the one accounting for the detention) and the Member State of destination of these goods (the one accounting for the imports). The limitations, with their consequences, impediments and remedies currently applied, are described in detail in section G.2 of Annex G. The main remedy, very much dependent on the accuracy of the data registered in the corresponding 'Country of destination' field, lies in grouping the detentions of counterfeit goods by the Member State of destination of the goods, instead of by the Member State detaining them. **A direct consequence of this change is that the resulting ratio does not depend in any way on the performance of the customs authorities of the Member State concerned.** At most, it could be an indication of whether the detentions at the EU borders of fake goods destined for that Member State keep pace with the trade towards that Member State and, in some way, whether counterfeits destined for that Member State have become more or less 'important' ([49]).

Despite these limitations and considering all the detained product categories and subcategories at stake (see again footnote 47), the estimated value of the goods infringing IP rights detained at the EU border destined for a given Member State in 2022 varied between 0.03 ‰ (destined for Finland) and the 3.54 ‰ (destined for Portugal) of the total imports into that Member State in the same year (see Table 4-4 below), somehow suggesting different degrees of 'importance' of counterfeits in the trade with these Member States.

Moreover, the trends in the historical series (see again Table 4-4) show detention rates increasing, and thus indicating an increasing 'importance' of counterfeiting in terms of trade, towards Belgium,

([49]) Not to be forgotten that the 'importance' of counterfeits may be either due to the priority for law enforcement authorities, or due to the interest of counterfeiters in IP crime as a crime with lower penalties or due to the demand of cheaper counterfeits by consumers or due to all of them.

Italy and Luxembourg, and a decrease towards Bulgaria, Ireland, Latvia and Portugal. The other Member States do not show any clear trend.

Member State	2019	2020	2021	2022	Trend
Belgium	0.31‰	0.33‰	0.45‰	0.54‰	
Bulgaria	4.96‰	4.13‰	1.49‰	0.65‰	
Czechia	0.47‰	0.95‰	0.32‰	0.23‰	
Denmark	0.88‰	2.13‰	0.62‰	0.71‰	
Germany	0.40‰	0.44‰	0.45‰	0.42‰	
Estonia	0.61‰	3.47‰	0.08‰	0.10‰	
Ireland	0.46‰	0.35‰	0.32‰	0.16‰	
Greece	0.78‰	6.84‰	1.28‰	1.63‰	
Spain	0.62‰	0.42‰	0.50‰	0.61‰	
France	0.41‰	0.64‰	0.67‰	0.42‰	
Croatia	0.26‰	0.71‰	3.92‰	0.70‰	
Italy	0.11‰	0.23‰	0.29‰	0.28‰	
Cyprus	0.81‰	0.44‰	0.82‰	0.86‰	
Latvia	8.67‰	1.95‰	3.36‰	0.44‰	
Lithuania	0.73‰	0.36‰	1.26‰	0.31‰	
Luxembourg	0.10‰	0.37‰	0.63‰	1.00‰	
Hungary	1.22‰	2.78‰	1.18‰	0.51‰	
Malta	0.55‰	9.02‰	0.46‰	2.59‰	
Netherlands	0.19‰	0.54‰	0.27‰	0.35‰	
Austria	0.51‰	0.32‰	0.57‰	0.22‰	
Poland	0.53‰	0.52‰	0.72‰	0.48‰	
Portugal	10.83‰	8.68‰	4.11‰	3.54‰	
Romania	0.68‰	0.55‰	1.39‰	0.43‰	
Slovenia	0.19‰	0.16‰	0.22‰	0.07‰	
Slovakia	1.34‰	0.38‰	0.06‰	0.35‰	
Finland	0.01‰	0.06‰	0.01‰	0.03‰	
Sweden	0.42‰	1.05‰	0.26‰	0.34‰	
Total	**0.49‰**	**0.68‰**	**0.50‰**	**0.44‰**	

Table 4-4: Ratio of EU border detentions/imports by destination Member State

Map 4-1 below graphically illustrates the variation of the average ratio per destination Member State over the period 2019-2022 ([50]).

Map 4-1: Ratio of EU border detentions/imports by destination Member State for the period 2019-2022

([50]) The average of the values in Table 4-4. The darker the colour and the bigger the bubble, the higher the ratio.

5 Results in the EU internal market

As in 2021, the total number of items detained in the EU internal market increased in 2022 compared to the previous year. However, the estimated value of the items detained decreased, reaching the second lowest value in the last 11 years. Indeed, in terms of value, the figures for 2022 continued the downward trend of the 2020 and 2021 results.

At this point, it is important to bear in mind the main constraints and limitations on the availability of detentions data reported by the EU internal market's enforcement authorities as explained in Annex B and, in particular, in its section B.2.

5.1. Number of articles and estimated value

As explained previously (see section 2), the IP Enforcement Portal (IPEP) gives an overview of the detentions of counterfeit products reported to the EUIPO by the internal market enforcement authorities of the EU Member States (see Table A-1 in Annex A for the composition of the IPEP community). According to the information reported and included in the database, the number of fake items detained in the EU internal market in 2022 amounted to some 67 million items, an increase of almost 26 % (over 13.5 million items) compared to 2021 (see Figure 5-1).

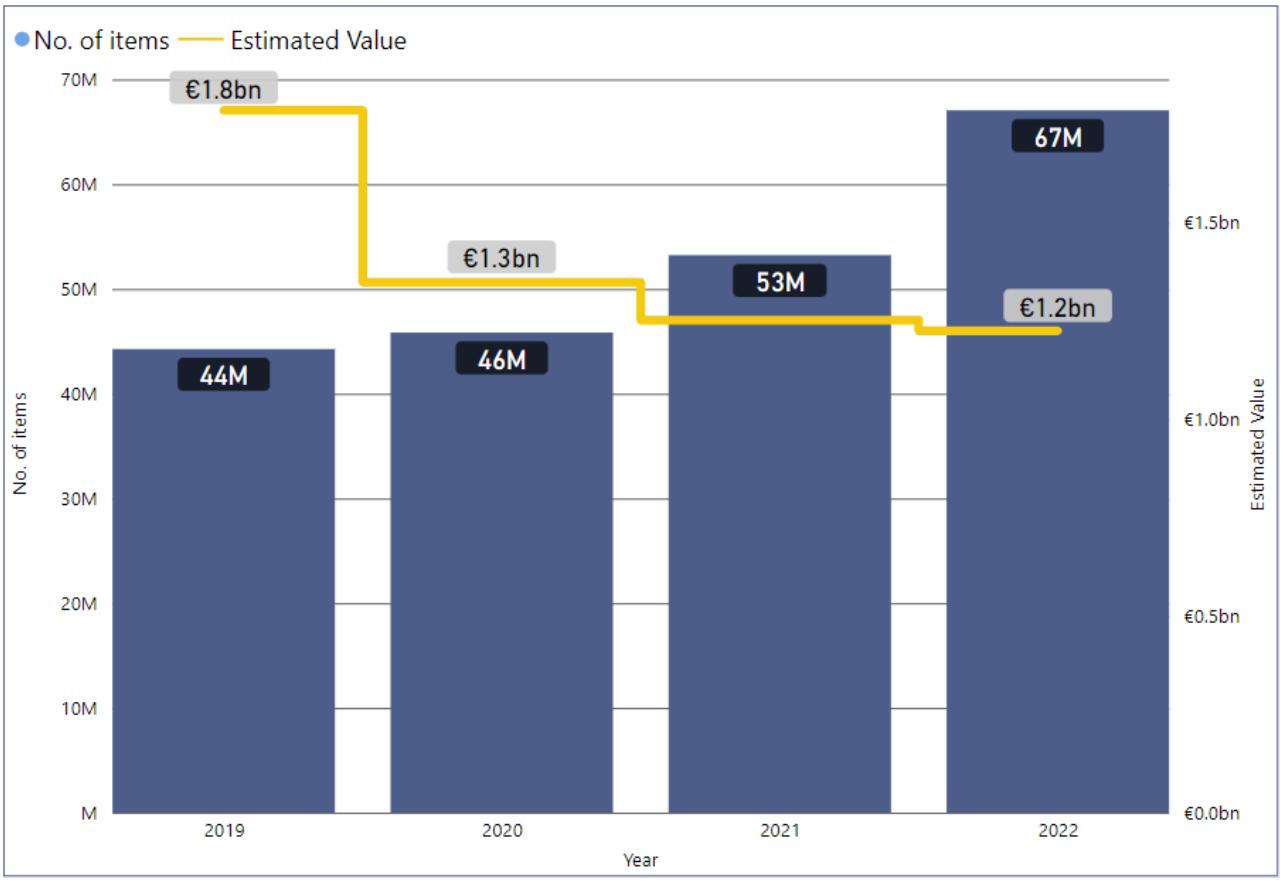


Figure 5-1: Reported quantity and estimated value of detained items in the EU internal market

Despite the increase in the number of items compared to the previous year, the estimated value of these detained fake items amounted to EUR 1 226 million, which means a slight decrease of around 2 % when compared with 2021 (see also Figure 5-1 above).

The shift in the composition of the basket of the detained subcategories towards cheaper categories than those in the basket of 2021 led to a decrease in the estimated value of counterfeit goods detained in the EU internal market in 2022, despite the huge increase in the number of items detained (very close to 26 %, as mentioned above) and also despite a slight increase in unit values.

As will be seen in the next section, the overall figures for the two measured dimensions, number of items and estimated value, were dominated by the weight of the top six reporting Member States.

5.2. Data per Member State

In the breakdown by Member State (see Figure 5-2 below) the figures reflect that, as regards the number of counterfeit goods detained, only six Member States (Italy, France, Bulgaria, the Netherlands, Spain and Hungary) accounted for almost 97 % of the total reported items detained in 2022 in the EU internal market.

A comparison with the figures from 2021 shows that five of the above-mentioned Member States (Spain, France, Italy, Hungary and the Netherlands) remain in the top six ranking. Between 2021 and 2022, the two main changes within these five Member States in the top six ranking were the moves by France (upwards) and the Netherlands (downwards). Italy, Spain and Hungary remained in the same position.

Moreover, Bulgaria came back to the top six (with a significant jump upwards) and replaced Portugal.

For another year, Italy has continued to solidly lead the list, as has been the case since 2008([51]).

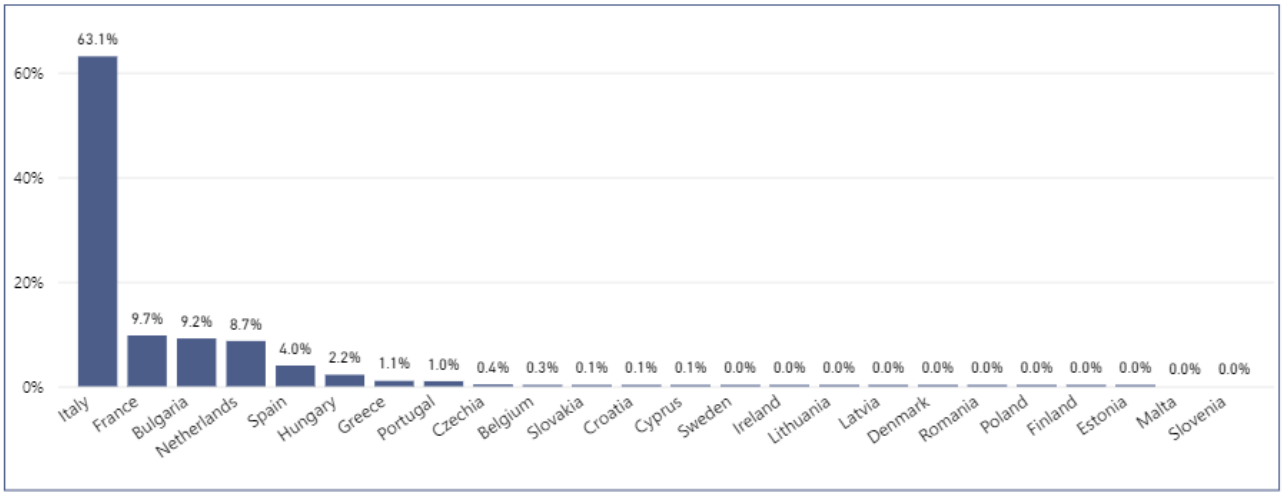


Figure 5-2: Share of reported detentions by Member State (number of items) in 2022

([51]) When statistics on the results of the enforcement of intellectual property rights in the internal market via IPEP were initiated.

A very similar scenario is shown by the figures of the reported estimated value of the goods detained (see Figure 5-3). These show that the top six Member States (Italy, France, Spain, Greece, the Netherlands and Hungary) account for 93 % of the total value of the detentions in 2022, with Italy firmly in the lead.

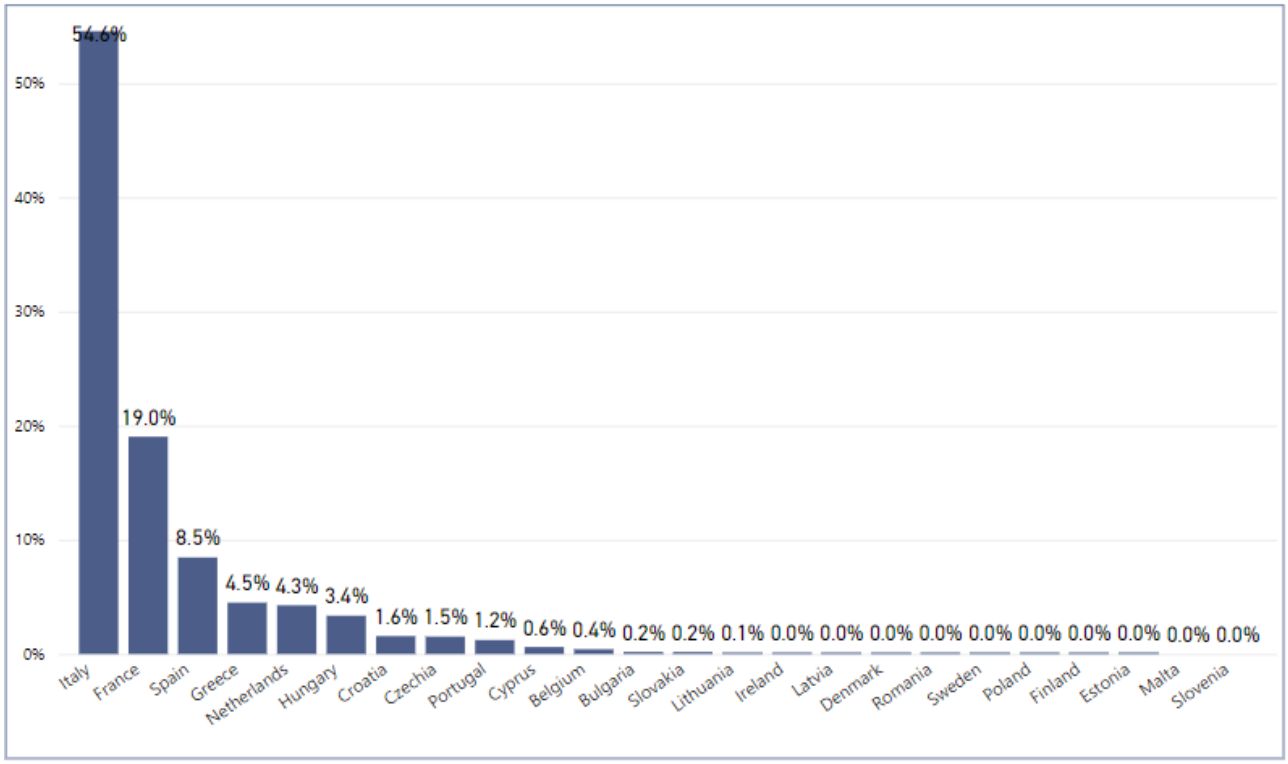


Figure 5-3: Share of reported detentions by Member State (estimated value of items) in 2022

When comparing the top six Member States by, respectively, the number of fake items detained (Figure 5-2) and their estimated value (Figure 5-3), Bulgaria and Greece appear in one ranking but not in the other. However, the other Member States in the top six - Spain, France, Italy, Hungary and the Netherlands - appear in both rankings (see Table D-1 in section D.1 of Annex D for more details).

5.3. Data per product subcategory

The products most detained in the internal market in 2022 belonged to the subcategories of *games* (9b), *cigarettes* (10a), *packaging material* (12g), *toys* (9a) and *recorded CDs/DVDs* (8a) (see Figure 5-4 below) when looking at the number of items detained.

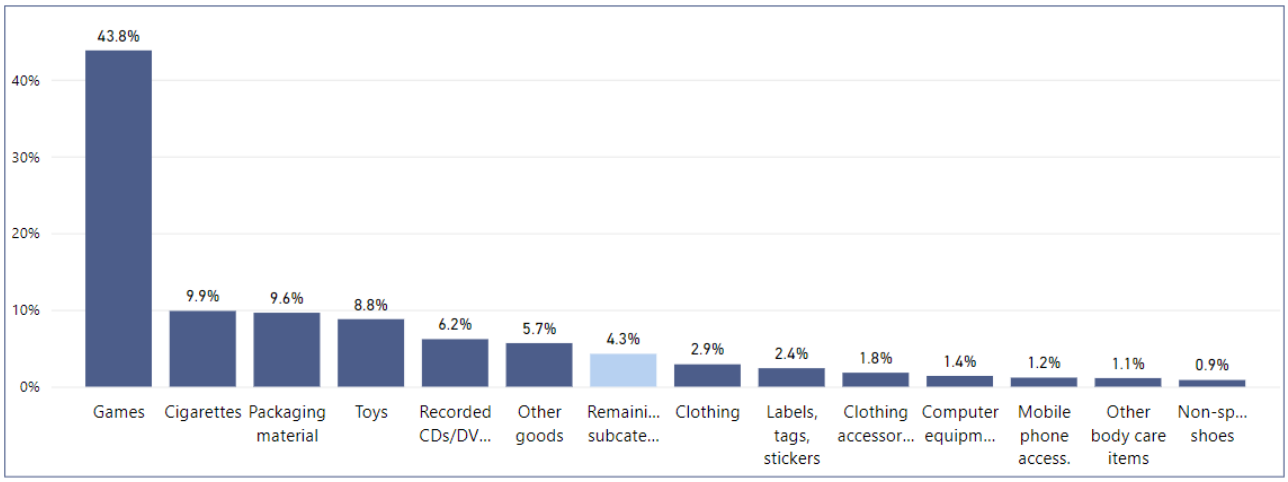


Figure 5-4: Share of reported detentions by subcategory of goods (number of items) in 2022

Compared to the 2021 figures, five new subcategories of identified goods appear on the list: *games* (9b), *recorded CDs/DVDs* (8a), *computer equipment* (7d), *mobile phones accessories* (6b) and *other body care items* (2b), replacing *audio/video apparatus* (7a), *textiles* (12f), *foodstuffs* (1a) ([52]), *machine and tools* (12a) and *perfumes and cosmetics* (2a), besides some moves up or down in the top 12.

The most important change to highlight is the remarkable rise of the subcategory *games* (9b), historically out of the top 12 (never higher than 18th position) that surprisingly reached 1st position in 2022 with 43.8 % of the detained items. However, these results could be– at least partly – the

([52]) Despite of the existence of joint international operations as Operation OPSON XI, coordinated by Europol, supported by the EUIPO, involving law enforcement authorities from 26 countries in total, targeting food fraud and leading to an increased number of seizures of fake food and beverages across Europe, this subcategory left the top positions of detained fake goods in the rank.

result of joint enforcement operations such as Ludus II or Pokemon ([53]). A huge number of products in this subcategory detained in Italy (25 million items) and in France (3.5 million items) are the main reasons for this increase.

The goods of the subcategory *labels, tags, stickers* 12e) reduce their (negative) relevance with their drop from the 3rd to the 8th position. The potential multiplier effect of this subcategory for producing more counterfeit products by just labelling them with fake labels, tags or stickers is well known. Unfortunately, the hoped-for reduction in this share in 2022 is counterbalanced by the rise from 12th to 3rd position of the subcategory *packaging material* (12g), which has the same potential negative multiplier effect.

Indeed, the potential multiplier effect of the two above-mentioned subcategories is mentioned in the Operation Fake Star analysis report, which confirmed that incoming loose parts were detected. This was an indication that the assembly phase of the products sometimes took place in the country of destination. As the authorities described, they have detected that criminals buy unlabelled 'white goods', and then add the counterfeit features to these products. In this way, the criminals assemble the IPR infringing product in the country of destination and not in the country of origin ([54]).

Also relevant is the considerable drop of the subcategory *other goods* (12h) in the ranking of categories by number of items, from 1st position in 2021 to 6th position in 2022, corresponding to a reduction in its share of almost 27 percentage points. This reduction in the share of *other goods* (12h), which has historically been in first or second position, is a good sign of better identification of the counterfeit goods detained.

Regarding the share of estimated value of the counterfeit goods detained per subcategory, the ranking is led by *games* (9b) with 17.2 %, *jewellery* (5d) with 15.8 %, *bags, wallets and purses* (5b) with 10.9 %, *clothing* (3a) with 10.5 % and *non-sport shoes* (4b) with 7 % (see Figure 5-5). A comparison of the top 13 subcategories in 2021 and 2022 shows that, with the exception of the leading category *games* (9b), which belongs to the group of cheaper than average categories, the

([53]) Operation Ludus II was led by Spanish and Romanian enforcement authorities and involved law enforcement authorities from 21 countries in total. The European Union Intellectual Property Office (EUIPO) also supported the operation. The Operation Pokemon, led by French authorities, was part of the Operation Ludus.

([54]) Operation FAKE STAR analysis report. Sections 5.5 Detected modus operandi (MO) and 5.6 Counterfeiting trends identified (p. 21 – 22).

usually more expensive subcategories (*jewellery* (5d), *bags, wallets and purses* (5b), *clothing* (3a) and *non-sport shoes* (4b)) are again in the top five ranking. The shares of the next eight categories are quite homogeneous with a range of less than three percentage points (see again Figure 5-5).

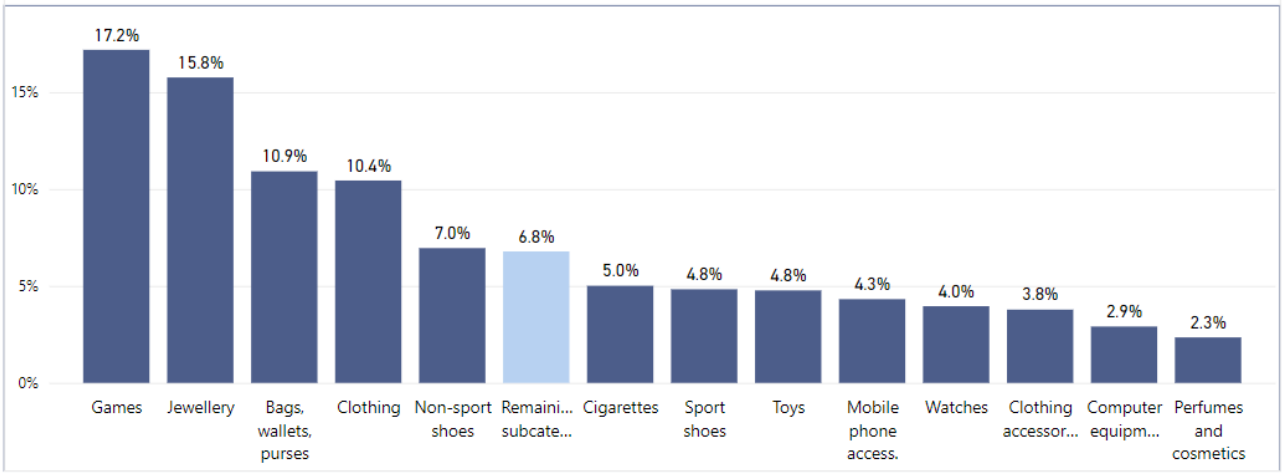


Figure 5-5: Share of reported detentions by subcategory of goods (estimated value of items) in 2022

As mentioned in section 5.1, the basket of the identified detained subcategories in 2022 is clearly composed of cheaper products than in 2021. The increase in the share of many cheap subcategories ([55]) is complemented by the decrease in the share of expensive products ([56]). The shift in the composition of the basket of detained products towards cheaper ones explains the decrease of approximately 2.2 % in the global estimated value of counterfeit goods detained in the EU internal market, despite the considerable increase in the number of items detained and the modest increase in their individual estimated value. As a result of the changes in the composition of the basket and of the unit value of its categories, the average unit value of an item detained in the internal market decreased in 2022 (EUR 18.28 per item) compared to 2021 (EUR 23.54 per item).

([55]) *Games* (9b) has moved from 0.05 % of the total number of items detained in 2021 to 43.82 % in 2022, *packaging material* (12g) moved from 0.72 % to 9.64 %, *recorded CDs/DVDs* (8a) from 0.03 % to 6.19 % and *toys* (9a) moved from 4.35 % to 8.80 %.

([56]) Such as *audio/video apparatus* (7a) moving from 4.83 % of the total number of items detained in 2021 to only 0.24 % in 2022, *clothing* (3a) decreasing from 5.81 % to 2.92 %, *textiles* (12f) from 3.52 % to 0.03 %, *non-sport shoes* (4b) from 1.32 % to 0.87 % or *mobile phones* (6a) from 0.19 % to 0.09 %.

5.4. Data per intellectual property right

To analyse the data on detentions in the EU internal market from the perspective of the IPRs allegedly infringed ([57]), it is important to highlight that the total number of infringed IPRs in those detentions reported in the IPEP exceeded the number of detained items for the EU internal market. This is because a detention may relate to different IPRs as a single item may infringe one or more trade marks, designs, patents, etc. of the original item.

The distribution, in terms of the number of items, of the infringed IPRs at the moment of detention shows that trade marks continue to dominate in 2022, although not as clearly as in previous years. As shown in Figure 5-6 below, the difference between trade marks (48.9 %) and copyright (45.4 %) is only three percentage points. The share of designs, although in 3rd position but significantly distanced from the first two in the list, made a considerable jump from 0.7 % in 2021 to 5.2 % in 2022. It should also be noted that only 0.01 % of all detentions did not specify the type of infringed IPR.

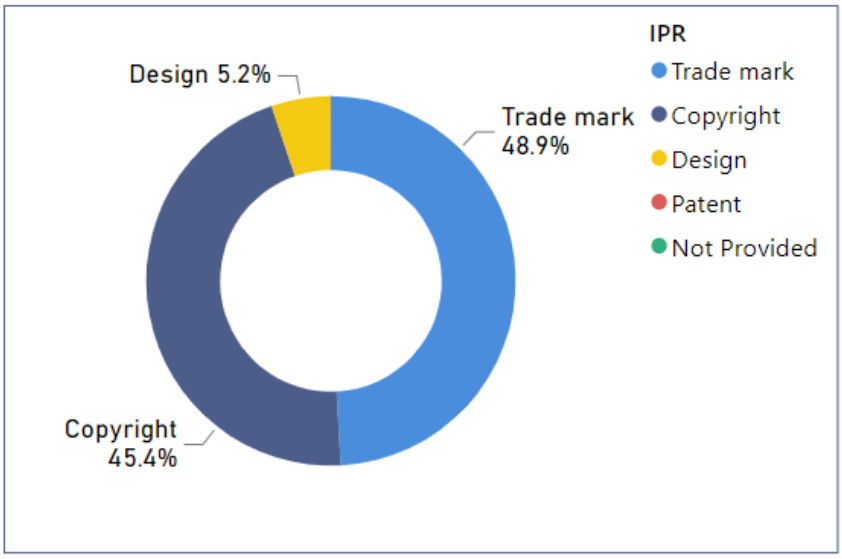


Figure 5-6: Share of reported detentions by type of IPR (number of items) in 2022

A comparison with the 2021 data shows that the weight of trade marks as an infringed IPR has remarkably decreased (by more than 44 percentage points) in terms of the number of items detained

([57]) Hereinafter referred to as 'infringed IPRs'.

in the EU internal market in 2022. Conversely, the weight of copyrights has increased by almost 39 percentage points. The share of designs shows a more modest increase of 4.5 percentage points. There is also a very slight increase in the share of patents as infringed IPRs in 2022 (0.03 %) ([58]) compared to 2021 (0.01 %).

Trade marks as infringed IPR still dominate across subcategories. They are infringed in over 90 % of detained items in 24 of the 41 subcategories with detention data and in over 80 % of detained items in a further seven subcategories. It is however worth mentioning that copyrights are infringed in over 83 % of the detained items belonging to the category *games* (9b) but also in almost 100 % of those belonging to *recorded CDs/DVDs* (8a). The high ratio of infringed copyrights in these two subcategories, together with the high number of detained items belonging to them, has brought the total share of copyrights as an infringed IPR type close to that of trade marks in 2022.

Designs were mainly infringed by goods belonging to the subcategories *memory cards/sticks* (7b) and *mobile phones* (6a) (about 36 % and 25 % respectively of the fake items detained in these subcategories). The subcategory *mobile phones accessories* (6b) is where patents were most declared as infringed IPRs (but only in 1.1 % of the detained counterfeits belonging to this subcategory).

However, in all the subcategories, with the exception of *illegal streaming/downloading* (15a) and *computer equipment* (7d) and, as previously mentioned, of *games* (9b) and *recorded CDs/DVDs* (8a) where copyrights prevailed, trade marks were still the main infringed IPR in terms of number of items.

However, from the point of view of estimated value, the weight of the different types of IPRs infringed during 2022 ([59]) has substantially remained unchanged from the previous year, even that of copyrights ([60]). The reason why the estimated value of copyrights did not increase in 2022 in parallel with the increase in the number of items is that the number of detained items belonging to another

([58]) Again, percentages total more than 100 % because, both in COPIS and on the IPEP, there can be several infringed IPRs in the same record.

([59]) Fake goods infringing trade marks represented around 71 % of the total estimated value of 2022 detentions, those infringing copyright, around 20 % of that value and those infringing designs, almost 7 %, see Figure 5-7.

([60]) Fake goods infringing trade marks represented around 79 % of the total estimated value of 2021 detentions, those infringing copyright, around 14 % of that value and those infringing designs, around 6 %.

subcategory, *audio/video apparatus* (7a), fell in the same year and copyright infringements in this same subcategory almost disappeared in 2022. Indeed, the high volume and value of *audio/video apparatus* (7a) detentions, together with an important weight of copyright in the detentions of goods in this subcategory, pushed up the figures for copyright in 2021. This factor disappeared in 2022 and, as a consequence, the substantial increase in the value of items infringing copyrights generated by the copyright-intensive, high-volume subcategory of *games* (9b) detained in 2022 was mainly counterbalanced by the decrease in the subcategory of *audio/video apparatus* (7a).

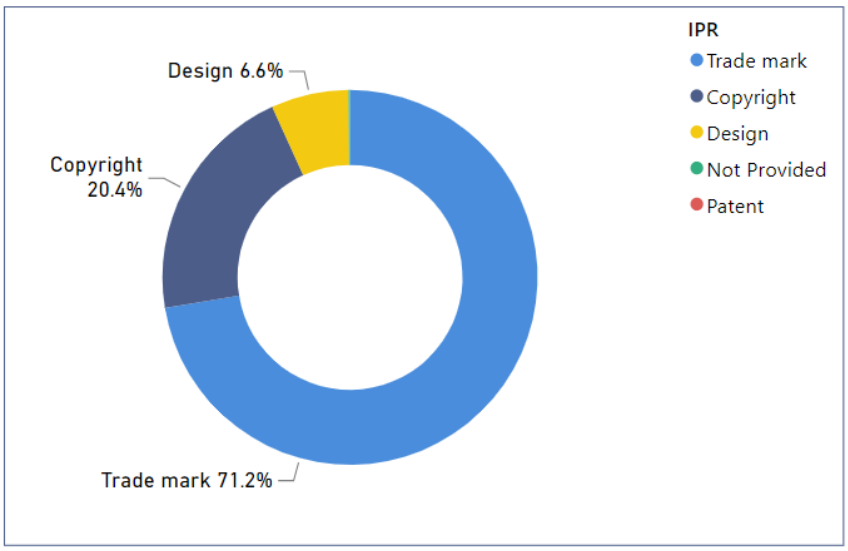


Figure 5-7: Share of reported detentions by type of IPR (estimated value of items) in 2022

6 Overall results

This section looks at the overall picture of the detentions of fake products both at the EU border and inside the EU Single market, in order to provide a better overview of the global scale of the problem ([61]). This data is reported by both customs and the competent law enforcement authorities and recorded together in the IP Enforcement Portal (IPEP).

In terms of quantity of detained items, the figures of the overall detentions by all reporting enforcement authorities in 2022 (around 86 million) decreased slightly in comparison with 2021 but still remained higher than in 2020 and 2019. Despite the decrease in the number of items, the estimated value of these detained counterfeit items (over EUR 2 billion) increased slightly compared to the previous year.

It is particularly important to stress that the data on overall detentions presented in this section does not correspond exactly with the data on detentions at the EU border analysed in section 4 and those on detentions in the national markets of EU Member States described in section 5. This is because the counterfeit goods detained at the EU border but later released do not appear in the overall results analysed in this section (see further explanation in the fourth bullet point of Annex B) ([62]).

6.1. Number of articles and estimated value

Although the number of fake goods reported as detained differed greatly depending on the subcategory of products, the measurement of the counterfeit goods detained gives an idea of the results of the work carried out by the different national enforcement authorities in the field of IPR protection.

([61]) To understand some of the limitations on the analysis caused by the availability of data, see Annex B. In particular, the limitations and issues of availability of data on detentions in the EU internal market, referred to in that Annex, produce a bias in this section's conclusions similar to that referred to in section 4.9.

([62]) Overall, 92 % of the detention procedures at the EU border (those corresponding to not released goods) are included in the 2022 overall perspective. Therefore, wherever in this section there is a reference to 'detained articles/items/products', it should be understood as 'detained and not released articles/items/products'.

In 2022 the two main overall figures were almost identical to those in 2021. The number of fake goods detained in the EU in 2022 was around 86 million, showing a very slight decrease of 1.6 % compared with the 2021 figure of over 87 million ([63]) (see Figure 6-1 below). Moreover, the proportion of fake goods detained in the EU internal market in 2022 reached over 78 % of the total, while the share of border detentions accounted for the remaining almost 22 %. In 2021, the proportion of fake goods detained in the EU internal market represented around 61 % of all IPR infringement related detentions.

It is relevant to mention that the growing weight of the share of the EU internal market figures, which reached its highest level in a decade in 2022, clearly drives the results and the analysis of the overall figures for this year, as will be seen in more detail in the following sections 6.3 and 6.4.

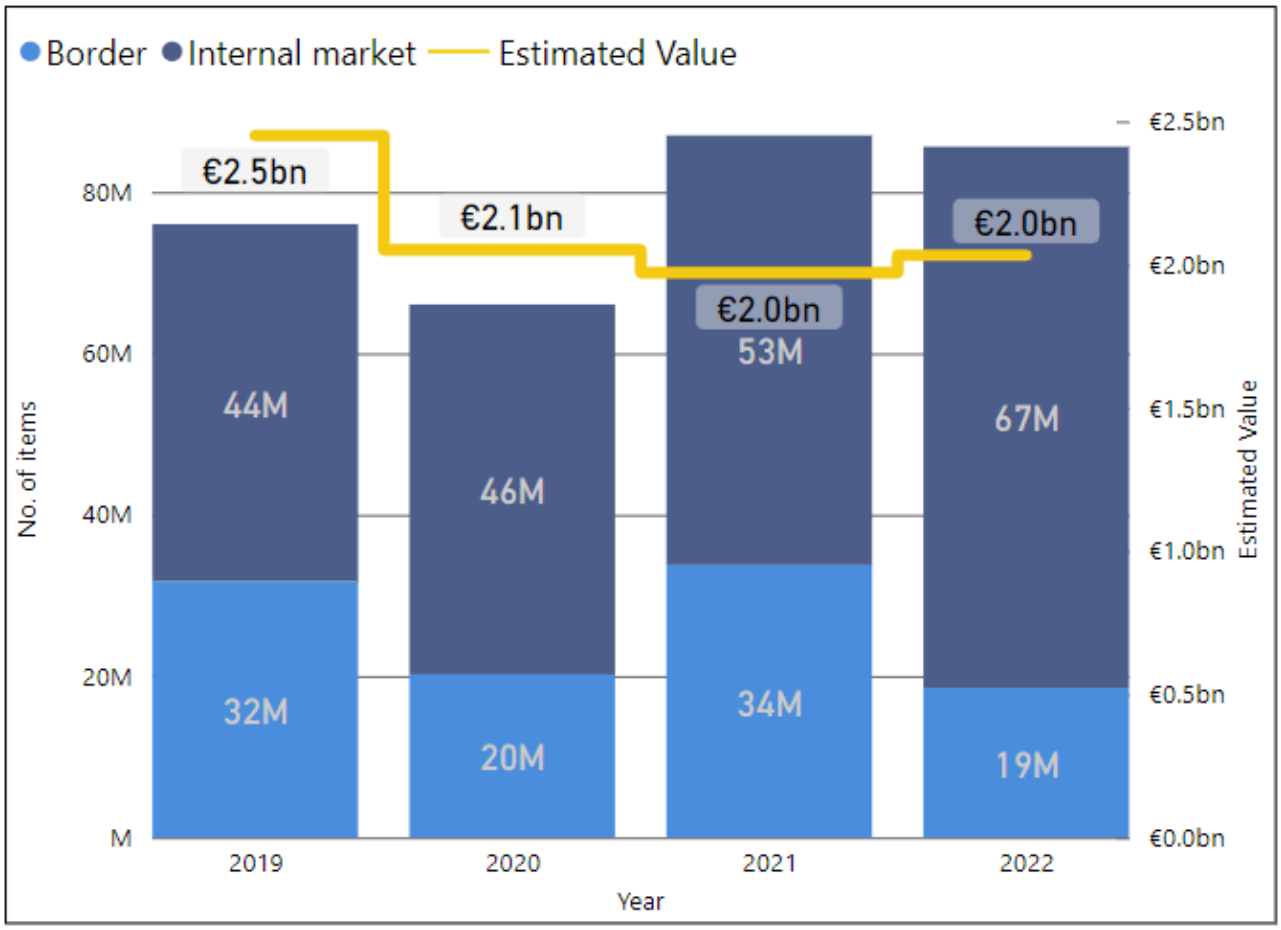


Figure 6-1: Reported quantity and estimated value of items detained in 2022

([63]) See footnote 1.

The estimated value of the fake goods detained in the EU in 2022 was over EUR 2.03 billion, compared to EUR 1.97 billion in 2021 (see Figure 6-1). The counterfeit goods detained in the EU internal market represented over 60 % of the estimated value of the overall items detained, with almost 40 % corresponding to fake goods detained at the EU border. This distribution was similar in 2021. Surprisingly, in 2022 the proportion of the detentions in the internal market in the overall detentions of fakes is, in terms of the estimated value, the lowest in a decade, whereas, as mentioned before, the analogous proportion in terms of number of items is the highest in a decade. The obvious explanation for this paradox is that the unitary estimated value of the items detained in the internal market in 2022 (€18.3 per item) is among the lowest of the decade and far below that of the items detained at the EU border and not released in the same year (€43.5 per item, which is, in turn, the highest in a decade). As we will see in section 6.5, this gap in the unitary estimated values between the two universes is very much related to the different composition of the basket of categories detained in each one of them but also to the difference in the average unitary estimated values of the same categories of goods detained in one universe and the other.

6.2. Data per Member State

The distribution of the share of fake goods detained in 2022 by Member State, in terms of the number of articles detained, can be seen in Figure 6-2 below. The same distribution, but in terms of the estimated value of the detentions, is shown in Figure 6-3.

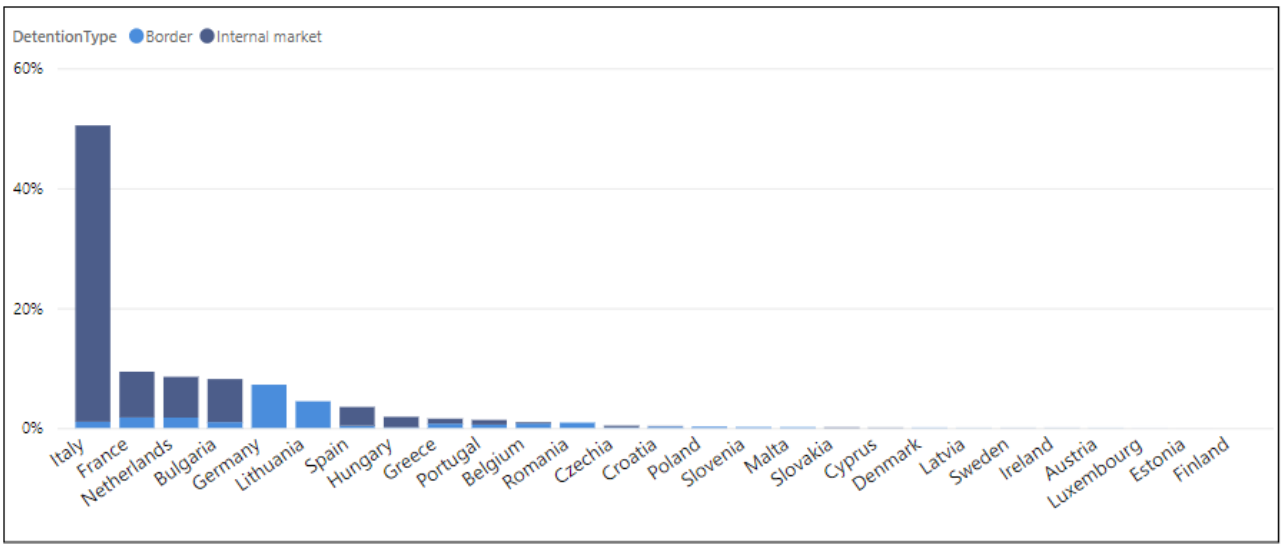


Figure 6-2: Share of reported not released detentions by Member State and type of detention (number of items) in 2022

The cumulated share of fake goods detained by the top 10 Member States in 2022 corresponds to over 96 % of the articles detained (the highest ever) and over 94 % of their estimated value.

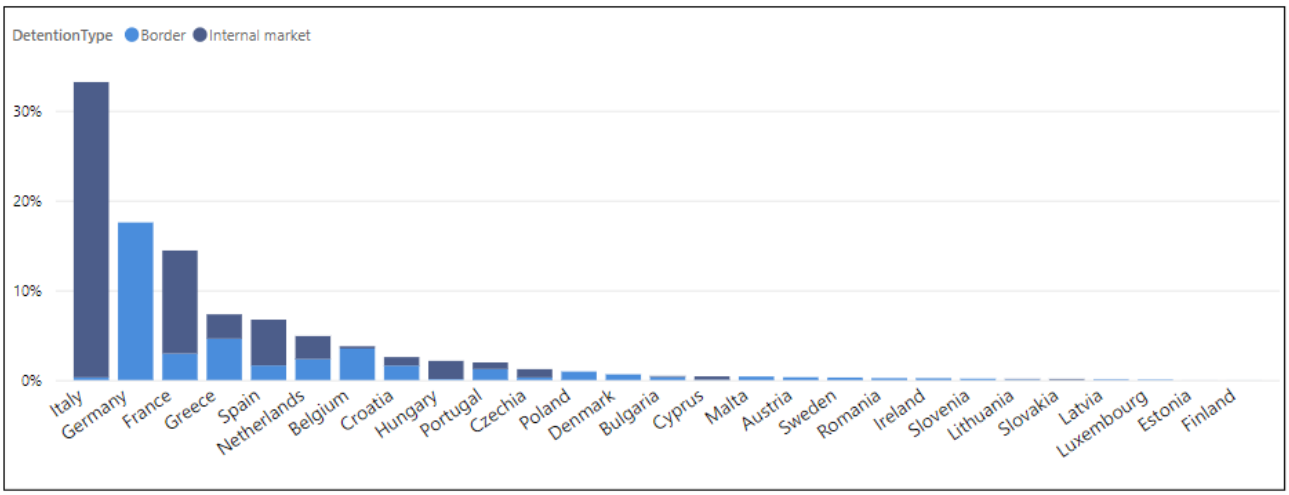


Figure 6-3: Share of reported not released detentions by Member State and type of detention (estimated value of items) in 2022

Furthermore, as shown in Figure 6-2 and Figure 6-3 above, only the Italian enforcement authorities in the internal market (and in particular, this year, the Guardia di Finanza) reported almost 50 % of the articles detained in the EU and almost 33 % of their total value.

Germany, France and Italy appear in the 2022 top five from the perspective of both the number of items and their estimated value. Finally, it is worth mentioning that Germany is in 5th position from the perspective of the overall number of items detained and not released and in 2nd position regarding their estimated value on the basis of the detentions performed at the EU border only (since this Member State does not report on internal market detentions).

6.3. Data per product subcategory

Data on the number of items detained by identified subcategory of products (see Figure 6-4) shows that the top five subcategories of identified goods in terms of the number of fake items detained in 2022 are *games* (9b), *packaging material* (12g), *toys* (9a), *cigarettes* (10a) and *recorded CDs/DVDs* (8a).

A comparison with the same top five in 2021 reveals that *packaging material* (12g) and *cigarettes* (10a) appeared quite consistently in the previous annual top ranking per number of items and *labels, tags, stickers* (12e) and *clothing* (3a) dropped a few positions but remained within the top 8 (they were also in the top 5 in 2020). *Games* (9b) and *toys* (9a) climbed in the ranking, unevenly compared to their positions in 2021 (20th and 6th respectively).

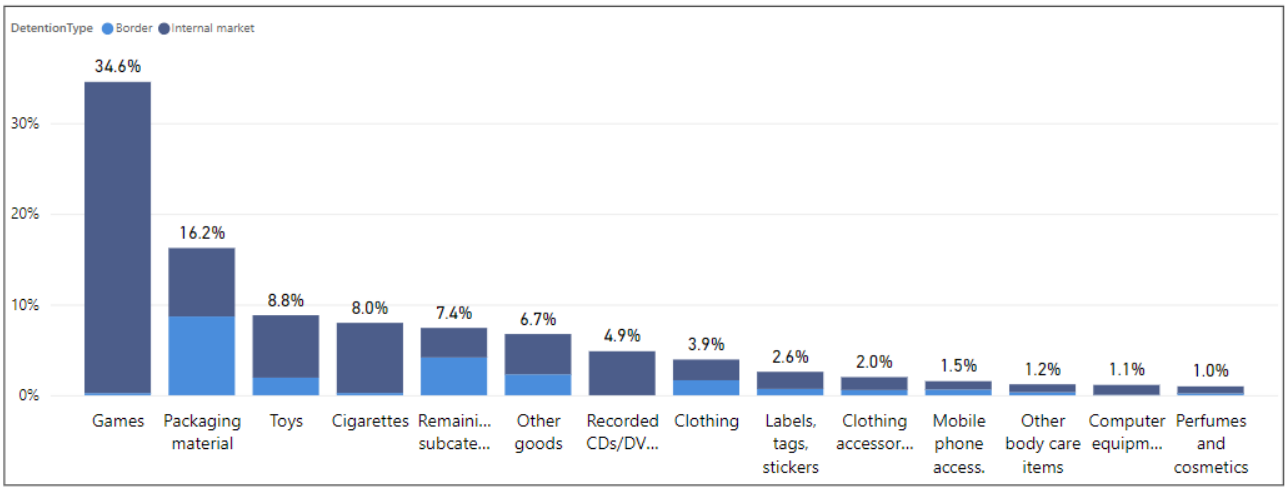


Figure 6-4: Share of reported not released detentions by subcategory of goods and type of detention (number of items) in 2022

Moreover, the recurrent appearance of *packaging material* (12g) and *labels, tags, stickers* (12e) in the top 10 identified subcategories in terms of quantity for another year deserves appropriate attention. Both subcategories are normally used for the production of fake goods within the internal market and to extend the availability of counterfeit products in the internal market ([64]), thus having a multiplier effect. These categories already occupied 1st and 3rd positions in the ranking of subcategories identified in 2021, 2nd and 4th positions in the ranking of subcategories identified in 2020 and 2nd and 8th positions in 2019.

Finally, among the top 12 identified subcategories per number of fake goods detained, ten of them appear both in 2021 and 2022, with some fluctuations in the ranking. The subcategories, *games* (9b), *recorded CDs/DVDs* (8a) and *computer equipment* (7d) appeared in the top 12 in 2022 replacing *audio/video apparatus* (7a), *textiles* (12f) and *foodstuffs* (1a).

The share in terms of volume of unidentified products classified as *other goods* (12h) (6.7 %) has significantly decreased in 2022, dropping to 5th position in the overall ranking. This is a far cry from the average of the last ten years, when *other goods* (12h) accounted for around 25 % of all goods detained in 2021 and around 23 % in 2020.

([64]) See footnote 54.

Data on the estimated value of items detained by subcategory of products (see Figure 6-5 below) shows *watches* (5c), *clothing* (3a), *bags, wallets and purses* (5b), *jewellery* (5d) and *games* (9b) as the top five subcategories in 2022.

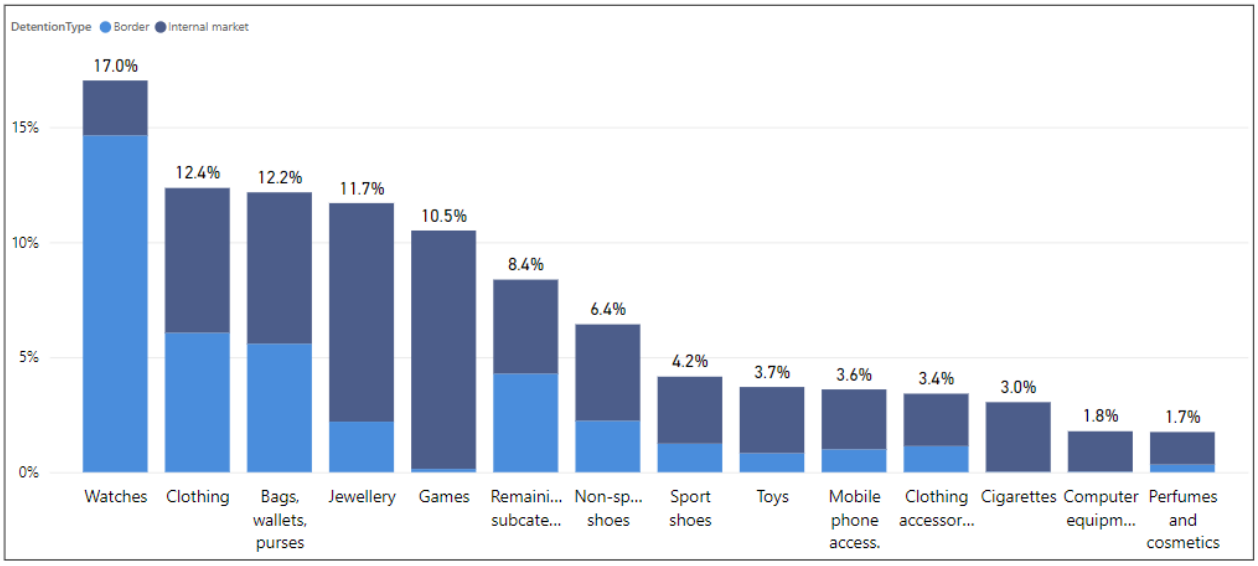


Figure 6-5: Share of reported not released detentions by subcategory of goods and type of detention (estimated value of items) in 2022

Of those top five subcategories, the first four belong to the type of subcategory with a high unit value: *watches* (5c), *clothing* (3a), *bags, wallets, purses* (5b) and *jewellery* (5d). The fifth – *games* (9b) – does not, and its inclusion in the list is due to the already mentioned high number of detained articles in the EU internal market, as shown in Figure 6-4.

Finally, the subcategories *watches* (5c), *clothing* (3a), and *bags, wallets, purses* (5b) appear quite consistently in the annual top rankings of overall detentions by estimated value.

6.4. Data per intellectual property right

The 2022 distribution of the infringed IPRs at the time of detention shows that trade marks continue to be the predominant right infringed but not as predominant as in previous years. In 2022, 58.9 %

of the counterfeit goods detained ([65]) infringed at least one trade mark. Since overall statistics on the results of the enforcement of intellectual property rights in the internal market via IPEP were initiated, this share had never been lower than 76 % (2020). Trade marks were followed by copyright in 36.6 % of the counterfeit goods detained. This share of copyrights infringed is the highest ever since 2008 ([66]). Finally, designs accounted for 4.7 % (see Figure 6-6 below ([67])).

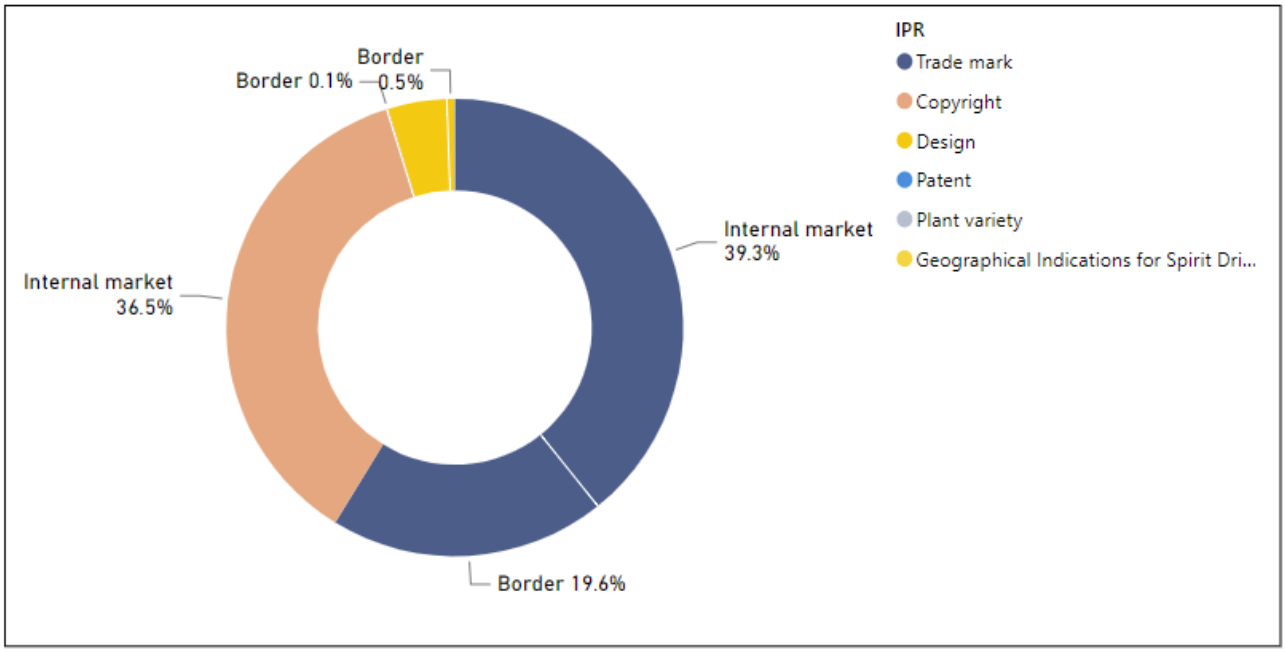


Figure 6-6: Share of reported not released detentions by type of IPR and type of detention (number of items) in 2022

In 2022, 82.0 % of the value of detentions related to procedures where at least one trade mark was infringed, again followed by copyright with 12.7 % and designs with 5.9 % (see Figure 6-7). The trend in terms of the estimated value of items for 2022 aligns with the usual distribution in the previous years.

([65]) And where at least one IPR was identified.

([66]) The reasons are explained in section 5.4 on Results in the EU internal market, which, as advanced, drive the overall figures of this section.

([67]) Once again, percentages total more than 100 % because, both in COPIS and on the IPEP, there can be several infringed IPRs in the same record.

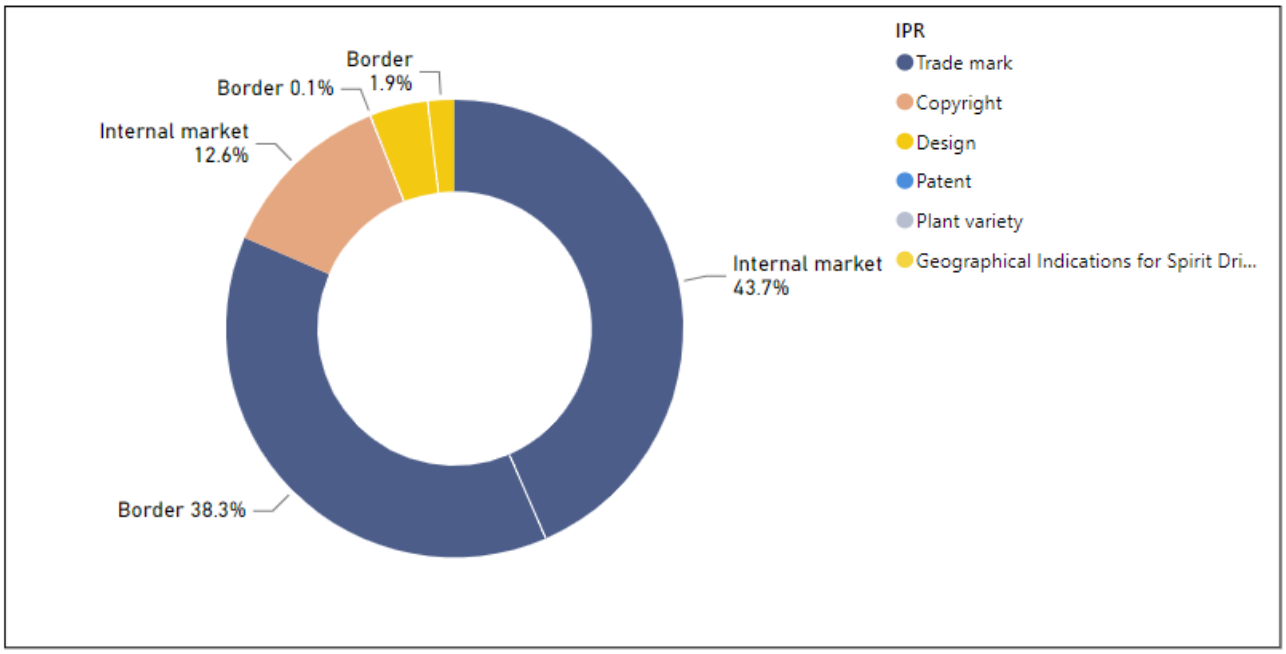


Figure 6-7: Share of reported not released detentions by type of IPR and type of detention (estimated value of items) in 2022

It is also interesting to look at the type of IPR infringed by type of product. Driven by what happened in terms of detentions of counterfeit goods in the EU internal market, the weight of designs as an infringed IPR in the whole EU in 2022 was among the highest in the product subcategories of *audio/video apparatus* (7a), *mobile phones* (6a), *sunglasses* (5a) and *jewellery* (5d). Copyrights appear to be most infringed in *recorded CDs/DVDs* (8a), *computer equipment* (7d) and *games* (9b) whereas patents are most often declared as infringed IPR in the subcategory *mobile phones accessories* (6b). However, in all these subcategories, trade marks are still the predominant infringed IPR, except for *recorded CDs/DVDs* (8a), *computer equipment* (7d) and *games* (9b) where copyrights are predominant.

6.5. Comparison of detentions at the EU border and in the EU internal market

The purpose of this section is to highlight the main differences between the subcategories of products predominantly detained by customs at the EU border on the one hand and by competent enforcement authorities in the internal market on the other hand. These predominant subcategories were independently described in the previous sections 4.3 and 5.3 but not compared between them.

The methodology used, described in detail in Annex H, is based on the difference between the share that a subcategory of products represented in the detentions at the EU border and the share that the same products represented in detentions in the EU internal market. The shares were calculated for those Member States in which the EU border and internal market data were solidly available in 2022 ([68]). This difference, or delta, is called '$\Delta Share$'. The larger the delta, the larger the difference in the results of detentions of such products at the EU border versus in the EU internal market for the selected subset. Positive differences or deltas mean that the share of detentions of those subcategories of goods is higher at the EU border than in the EU internal market, and vice versa.

The subcategories for which these deltas were higher than 2 % in 2022 are shown below: Figure 6-8 shows data by number of items and Figure 6-9 by estimated value.

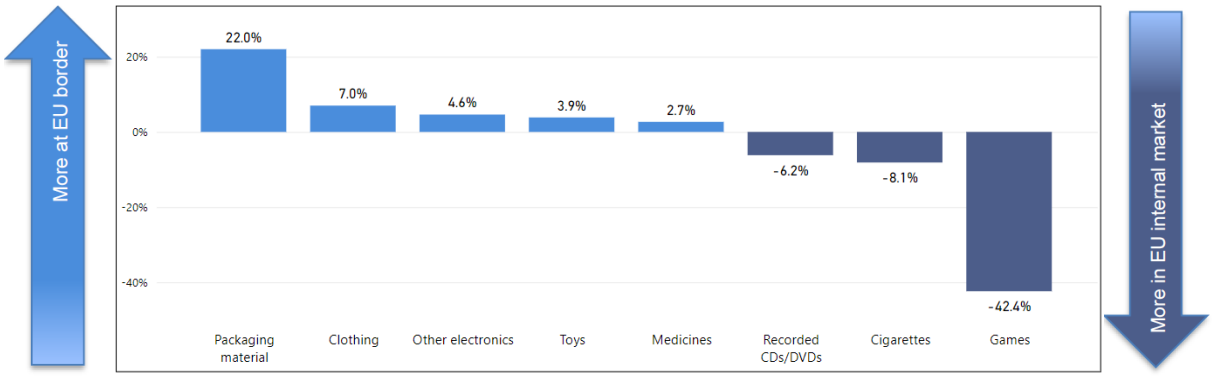


Figure 6-8: Difference in the share of detentions not released at the EU border versus in the EU internal market by number of items for the selected subset in 2022

([68]) This subset contains detentions in 2022 in all the EU Member States except Germany, Austria, and Luxembourg, because of the absence of data on their national market detentions.

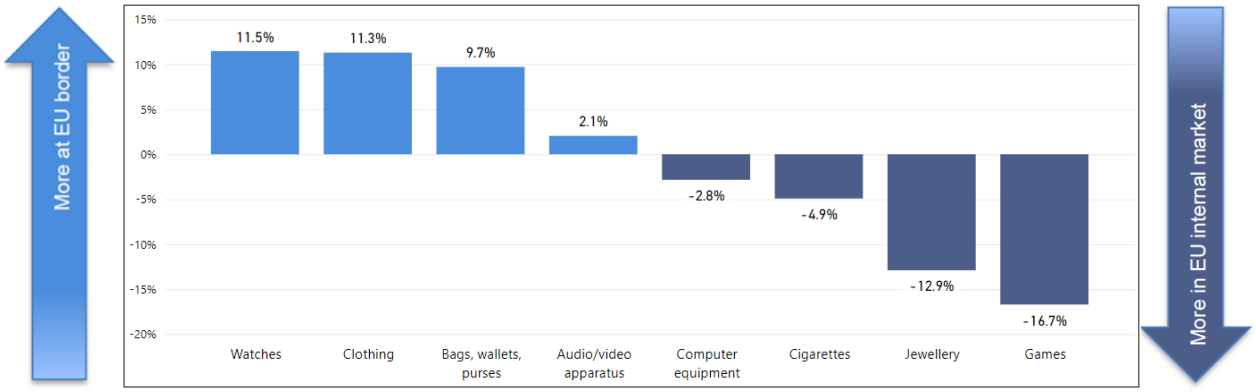


Figure 6-9: Difference in the share of detentions not released at the EU border versus in the EU internal market by estimated value of items for the selected subset in 2022

The in-depth look into this delta by subcategory of products, in terms of both quantity of items and their estimated value, shows that the enforcement authorities acting in the EU internal market and those acting at the EU border detained different types of goods in 2022.

The differences in the composition of the basket of categories detained, combined with the differences in the unitary estimated value of the same categories in the two instances, justify the paradox that in the year when the detentions at the EU border represented the lowest share of the overall detentions in terms of number of items, they also represented the largest share in terms of estimated value.

The reason for this is the sharp difference between the average unitary estimated value of the items detained in the internal market (€18.3 per item) and at the EU border (€43.5 per item).

The presence of higher shares of the most valuable categories ([69]) and of lower shares of the less valuable categories ([70]) in the basket of EU border detentions justifies almost 60 % of this difference.

([69]) E.g. *clothing* (3a) 7.62 % of items in EU border detentions versus 2.92 % in those of the internal market; *bags, wallets and purses* (5b), 0.97 % versus 0.52 %; *jewellery* (5d), 0.54 % versus 0.28 %.

([70]) In particular *recorded CDs/DVDs* (8a), 0.00 % of items in EU border detentions versus 6.19 % in those of the internal market and *games* (9b),1.09 % versus 43.82 %.

The remainder is due to the higher unitary value at the EU border of some categories that are equally present in both baskets ([71]) ([72]).

([71]) E.g. *watches* (5c), €5 655 per item at the EU border versus €2 311 per item in the internal market; *mobile phones* (6a), €224 per item versus €83 per item.

([72]) To understand the reasons behind these differences, attention should be paid to the limitations in estimating the domestic retail value used to calculate the unitary value in each detention, as explained in the third bullet point of Annex B.

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Annexes

Annex A. Enforcement Authorities

A.1. EU BORDER

In the EU border scenario, the enforcement authorities are the customs offices that regularly report data on detentions of goods allegedly infringing IPRs, through one reporting authority per Member State and using COPIS.

More than 500 different customs offices were behind the detentions reported in 2022 by the Member States' customs reporting authorities. The distribution of these customs offices by Member States shows, however, a substantial difference in terms of geographical concentration (see Figure A-1).

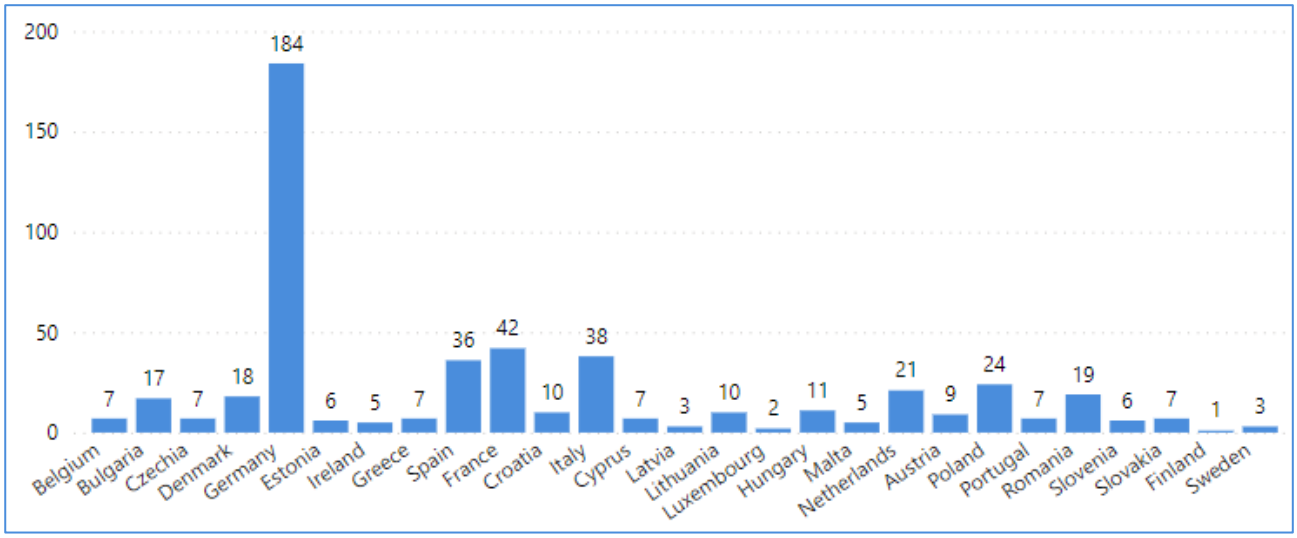


Figure A-1: Number of detaining customs offices in 2022 per Member State

A.2. EU INTERNAL MARKET

In the EU internal market scenario, there are a number of enforcement authorities with legal powers to detain counterfeit and pirated goods and to report on those detentions. These are included in Table A-1.

COUNTRY	ENFORCEMENT AUTHORITIES	DISCLAIMERS
Belgium	FSP Economy	
Bulgaria	Ministry of Interior. General-Directorate Combating Organised Crime	The General-Directorate Combating Organised Crime has been in charge of the collection of counterfeit and pirated goods since January 2016.
	Ministry of Interior. Directorate National Police	The Directorate National Police was in charge of the collection of counterfeit and pirated goods until December 2015.
	Customs Intelligence and Investigation Directorate. National Customs Agency	
Croatia	Criminal Police Directorate. High-tech Crime Department	The Criminal Police Directorate does not report item values. Therefore, the item value used for the total detention estimation (EUR) is extracted from the yearly data on detentions of counterfeit goods at the EU border.
	Ministry of Finance. Customs Directorate	
Cyprus	Cyprus Police. Department of Combating Crime	
	Customs and Excise Department. IPR Unit	
Czechia	General Directorate of Customs. Customs Department	
Denmark	State Prosecutor for Serious Economic and International Crime	
Estonia	Estonian Police and Border Guard Board	
Finland	Customs Enforcement Department. Analysis Unit	
France	Gendarmerie Nationale	
	Direction Générale des Douanes et Droits Indirects	
Greece	Directorate of Data Management, Statistical Analysis and E-commerce Supervision. Interagency for Market Control Hellenic Ministry of Development and Investments.	Greek national market enforcement authorities do not report item values. Therefore, the item value used for the total detention estimation (EUR) is extracted from the yearly data on detentions of counterfeit goods at the EU border.

Hungary	Hungarian National Police. Criminal Directorate. Criminal Division	The Hungarian National Police Criminal Directorate is in charge of inland detentions of only medical and pharmaceutical products.
	National Tax and Customs Administration. Department of Enforcement	
Ireland	An Garda Siochana. Intellectual Property Crime Unit / Irish Tax and Customs	Internal market data published by the Irish Tax and Customs authority resulted from the joint enforcement operations
	An Garda Siochana. Intellectual Property Crime Unit	
Italy	Ministero delle Imprese e del Made in Italy. Direzione Generale per la Tutela della Proprietà Industriale- Ufficio Italiano Brevetti e Marchi	The Italian system to aggregate data does not match with that of the IPEP. As a consequence, data on internal detentions of *foodstuffs* and *beverages*, *tobacco products* and *medicine products* is not loaded into the IPEP. The Italian system to define IPR type classifications does not match that of DG TAXUD. For this reason, the Italian data '*IPR Type*' is referred to in the IPEP as NOT PROVIDED with the exception of COPYRIGHT. The published figures on detained items from Carabinieri refer to both counterfeit and pirated goods. The data provided by Carabinieri does not indicate ID numbers of specific cases. Therefore, each row has been taken as a unique case. The figures published on detained items from Polizia di Stato refer to both counterfeit and pirated figures. The data provided by Polizia di Stato does not indicate ID numbers of specific cases. Therefore, each row has been taken as a unique case. The figures published on detained items from Polizia Municipale refer to both counterfeit and pirated goods. Although each Italian municipality has their own local police force, all the inland detentions issued by them will be available in the IPEP under the general heading 'POLIZIA MUNICIPALE'.
Latvia	State Latvian Police	The State Latvian Police does not report item values. Therefore, the item value used for the total detention estimation (EUR) is extracted from the yearly data on detentions of counterfeit goods at the EU border.
Lithuania	State Patent Bureau	
Luxembourg	Public Prosecutor's office	The Public Prosecutor's office does not report item values. Therefore, the item value used for the total detention estimation (EUR) is extracted from the yearly data on detentions of counterfeit goods at the EU border.
Malta	Malta Police Force. Economic Crime Unit	
Netherlands	Ministry of Finance. FIOD CT Midden	According to the Dutch instruction for IPR fraud, in cases of danger to the public's health/safety, large-scale trading

		or indications of a criminal organisation recidivism, the investigative authorities in the Netherlands can start a criminal investigation (including inland seizures). The FIOD (the fiscal information and investigation service of the Dutch Tax and Customs Administration) and the police are the investigative authorities in the Netherlands.
Poland	National Police	The Polish National Police does not report item values. Therefore, the item value used for the total detention estimation (EUR) is extracted from the yearly data on detentions of counterfeit goods at the EU border.
Portugal	National Industrial Property Institute	
Romania	Romanian Police	
Slovakia	Financial Directorate	
Slovenia	Criminal Police Directorate. Sector for Economic Crime	Since the number of IPR infringement cases is not considered problematic, the Slovenian Police does not collect separate data on inland cases for statistical purposes. Therefore, this means that the number of detentions in Slovenia is residual.
Spain	State Patent and Trade Marks Office	
Sweden	Swedish Police Authority	
	Swedish Prosecution Authority	

Table A-1: EU internal market reporting enforcement authorities

As described in Annex B, the data on detentions used for the present document was validated and published online in IPEP until the end of 2022.

Annex B. Availability, quantity and quality of data

- The quality of the results of the analysis, and of all data, graphs, tables and rankings presented in this document, is conditioned by the quality of the data stored in the COPIS system and of the data published on IPEP by, or on behalf of, the different reporting authorities.

- IPEP, like DG TAXUD's reporting system, collects data on infringements of physical goods. Therefore, no data is provided on infringements related to intangible goods, such as online piracy([73]), and it was not possible to solidly incorporate this type of infringement into the document.

- DG TAXUD systematically collects the estimated total value of detentions at the EU border of goods infringing IPRs. As mentioned in section 4.3 'Data per product subcategory', the standard value for reporting by Member States at the EU border is the domestic retail value (DRV), which is the retail price at which the goods would have been sold on the Member State's market, had they been genuine. For reasons of consistency, the reporting in IPEP of the estimated value of items detained in the EU internal market is also based on the estimated retail value of the genuine product, as reported by the corresponding reporting authorities.

  Consequently, the products' estimated retail values may vary from one Member State to another or from one moment in time to another. Therefore, the collected estimated retail values assigned to the detained products are influenced and conditioned by the characteristics of the equivalent genuine products.

  Moreover, and as also mentioned in section 4.3, the DRV method, particularly in the subcategories of luxury products, may lead to inflated estimated values of the goods detained, compared to alternative valuation methods. Indeed, in these subcategories (e.g. luxury watches), the retail price of the genuine product is much higher than, for example, the price of

([73]) With the sole exception of some Italian internal market enforcement authorities, see Table A-1 in section A.2 of Annex A.

the fake product in the secondary markets([74]) or, alternatively, than its cost. These are two alternative valuation methods that could also have been chosen.

However, the estimated value per item is not a mandatory field to be recorded in the IPEP by EU internal market enforcement authorities. Where no estimated value per item is provided, figures on the economic value of the counterfeit goods are estimated, based on 'economic indicators'. These economic indicators are calculated based on the 'value per item' of similar products contained in the DG TAXUD annual data on EU border detentions. Assigning an estimated value to a detention on the basis of economic indicators introduces an additional limitation to the accuracy of the data on detentions in the EU internal market and, hence, to the total number of detentions.

- The set of data on detentions at the EU border used for the analysis in section 6 (overall detentions), does not coincide with that used in section 4 on detentions of goods infringing IPRs at the EU border. Indeed, after suspending the release of items suspected of infringing IPRs, customs authorities can either release them later, have them destroyed, or keep them under supervision for as long as the procedures for determining the infringement run. Only the last two situations, which both result in the goods very likely to be 'fake', were reported in the IPEP. Therefore, in the past, the IPEP only contained a subset of COPIS data. Consequently, the number of procedures registered in the IPEP was lower than those registered in COPIS by Member States' customs authorities. Since 2021, the set of COPIS data is completely gathered in the IPEP. Progressively, the legacy of COPIS data will be updated in the IPEP until its total completion. However, for the sake of coherence, the figures on overall detentions continue to include only those detentions at the EU border resulting in the goods very likely to be 'fake', therefore excluding the procedures leading to the release of the goods detained.

  Moreover, the fields recorded in COPIS for a detention procedure referring to the itinerary of the goods detained (countries of provenance and destination, etc.) and to the result of the detention (destruction under standard procedure or procedure for small consignments, release, etc.) have not been systematically stored in the IPEP. This is because the equivalent

([74]) Markets in which the buyers are completely aware that the products are counterfeits and in which they would therefore never pay the DRV.

information for detentions in the EU internal market is rarely, if ever, available (see section B.2 in Annex B), or the information is too specific to detentions at the EU border.

- Only two common parameters, used by all the EU internal market reporting enforcement authorities, can be exploited for the analysis and comparison in the overall results: the number of detained items and their estimated value. The number of cases and the number of procedures are not parameters that can be used in the analysis of the set of internal market detentions and, as a consequence, in the set of overall data since, in most of the cases, EU internal market reporting enforcement authorities aggregate in their reports the results of several procedures or cases into one monthly or even yearly record.

- Finally, due to the unavailability of values in some fields in the data of the detentions in Member States' national markets, an analysis from some angles, in particular those related to routes and transport, cannot be done for the internal market detentions nor for the overall detentions.

B.1. EU BORDER DETENTIONS DATA

B.1.1. *Availability of records*

Records on reported detentions at EU Member State borders are usually available for 100 % of the Member States both in COPIS and, subsequently, in the IPEP. However, the set of data on 2019 detentions from United Kingdom enforcement authorities, who, moreover, did not report on detentions at their part of the EU border during 2020, has been removed from the whole analysis.

Moreover, the Greek 2021 border dataset, missing in the previous report, was subsequently updated by the Greek Customs enforcement authority and reported to DG TAXUD, that provided it to the EUIPO for this year's report ([75]). It should be mentioned that the timely completion of the historical series by all Member States avoids the disturbing caveats in the analysis resulting from gaps in the national datasets, caveats that were so present in last year's report.

([75]) In practice this means that the totals for 2021 (in particular those in Figure 4-1, Figure 4-2, Figure 4-3: and Figure 4-4) as well as Greek detentions data (inexistent in 2021) do not coincide with those presented in 2021's report.

B.1.2. *Description, availability and quality of fields*

The most important measurable fields (cases, procedures, articles and value) are available in 100 % of the records of COPIS. Moreover, most of the fields related to the itinerary of the goods detained (countries of provenance and destination, etc.), to the result of the detention (destruction under standard procedure or procedure for small consignments, release, etc.) and to the means of transport engaged are quite systematically available.

Certain statistics, such as those on results, a product category or a given IPR, are provided per procedure instead of per case, as the figure per procedure can differ. Other statistics remain per infringement case, for example, customs procedures or transport mode, as the figure is only relevant per case.

There are 36 subcategories used to describe the types of products detained at the EU border, classified under 12 main categories, (see Table E-1 and Table E-2 in Annex E).

The evolution of the use of the subcategory *other goods* (12h) in EU border detentions would argue for the development of additional categories and subcategories, since the initial set of products usually assigned to this subcategory ([76]) has varied and led to the expansion of the range of counterfeit products in this subcategory over time. Moreover, the lack of detailed product descriptions, although partially offset by the existence of the CN tariff ([77]), limits the possibility of a deeper intelligence analysis based on the type of product and would argue in favour of the exhaustive filling in all of the fields providing those detailed product descriptions such as the systematic mandatory filing of the CN tariff, as is the case.

([76]) Matches, lighters, pellets, batteries, glue, etc. and the ones defined as various.

([77]) Combined Nomenclature set up to meet the requirements of the Common Customs Tariff, whose code is present in over 81 % of the products in 2022.

B.2. EU INTERNAL MARKET DETENTIONS DATA

As far as the data on detentions of counterfeit products in the EU internal market is concerned, the IPEP is a living and dynamic tool, into which IPR enforcers may upload data in several bulks, and may further update the information, since the Portal is used by a number of them as their own reporting tool. Consequently, an EU internal market enforcement authority could continue to load marginal bulks of detention data or to enter updates after the extraction for the analysis of a given period has been carried out. However, no other additional data on previous years' sets of detentions in the internal market was uploaded after the data had been extracted for the analysis of the last EUIPO report published in December 2022.

The main constraints on the availability of detentions data, reported in particular by the EU internal market enforcement authorities, can be summarised as follows.

B.2.1. *Availability of records*

Different degrees of availability of records on the reported detentions for all EU Member States' national markets exist in the IPEP, as shown in Table B-1 in the following section.

Records on national markets detentions are systematically unavailable from Austrian and German enforcement authorities, the first because their regulations do not allow the Police to execute *ex officio* seizures of counterfeit or pirated goods in their national market, and the latter because they have not yet joined the data provision network.

At the moment of drafting this document, data for 2022 detentions in the EU internal market is still missing from Luxembourg, although this absence does not modify at any point the global picture of the trends.

Similarly, the information provided by those enforcement authorities of Belgium, Croatia, Hungary, Ireland and Italy ([78]) participating in the exercise, is estimated to cover between 90 % and 95 % of the national market detentions made in the whole country.

B.2.2. *Description, availability and quality of fields*

Table B-1 summarises the availability of records from the different internal market national enforcement authorities ([79]).

([78]) As per information provided by the Ufficio Italiano Brevetti e Marchi. Direzione Generale per la Tutela della Proprietà Industriale. Divisione III – Politiche e progetti per la lotta alla contraffazione, the Polizia Municipale, the Carabinieri and the Polizia di Stato were not able to send their figures in time to be included in this document. However, this has only a marginal impact on the overall figures for Italy.

([79]) The percentage of availability of data includes the estimate of the percentage of volume of detentions made in the EU internal market of a given Member State by the enforcement authorities of those Member States participating in the reporting exercise.

Country	2021	2022
Belgium	90%	90%
Bulgaria	100%	100%
Czechia	100%	100%
Denmark	100%	100%
Germany	0%	0%
Estonia	100%	100%
Ireland	92%	95%
Greece	100%	100%
Spain	100%	100%
France	98%	100%
Croatia	90%	90%
Italy	86%	90%
Cyprus	100%	100%
Latvia	100%	100%
Lithuania	100%	100%
Luxembourg	0%	0%
Hungary	95%	95%
Malta	100%	100%
Netherlands	100%	100%
Austria	0%	0%
Poland	100%	100%
Portugal	100%	100%
Romania	100%	100%
Slovenia	0%	100%
Slovakia	100%	100%
Finland	100%	100%
Sweden	0%	100%
United Kingdom (before Brexit)	0%	0%

Table B-1: Availability of records of the EU internal market detentions per Member State and year

Moreover, despite the IPEP being ready to accommodate fields informing about the itinerary used (country of origin, country of shipment, country, city and type of place of detention and country of destination), about the means of transport engaged and about whether the products detained were made in the EU or not, most of these fields were not completed by the EU internal market enforcement authorities in 2020, 2021 or 2022.

There are 44 subcategories used to describe the types of products detained in the internal market, 36 corresponding to the goods detained at the EU border plus eight more added (however, one of them is '*not provided* (16a)'). The subcategories are classified under the same 12 main categories within the classification used for goods detained at the EU border plus another four main categories, defined to accommodate the eight additional subcategories previously mentioned. The additional categories and subcategories can be seen in Table F-1 and Table F-2 in Annex F.

Similarly to the EU border detentions, the evolution of the use of the subcategory *other goods* (12h) by internal market enforcement authorities would argue for the development of additional categories and subcategories.

Annex C. Annexes to the results at the EU border

C.1. OVERVIEW OF CASES AND ARTICLES DETAINED PER MEMBER STATE

	Number of cases			Number of articles		
Member State	2021	2022		2021	2022	
Belgium	20 231	21 516	6%	2 006 442	1 050 224	-48%
Bulgaria	1 563	674	-57%	3 930 300	2 940 469	-25%
Czechia	728	518	-29%	243 008	94 099	-61%
Denmark	3 484	5 923	70%	59 796	55 361	-7%
Germany	18 326	11 343	-38%	18 248 857	8 034 657	-56%
Estonia	144	159	10%	49 393	7 629	-85%
Ireland	5 189	2 966	-43%	33 825	21 110	-38%
Greece	143	128	-10%	707 109	636 756	-10%
Spain	2 504	2 620	5%	1 223 685	457 934	-63%
France	772	607	-21%	2 905 291	1 684 853	-42%
Croatia	510	537	5%	213 606	248 497	16%
Italy	4 921	4 469	-9%	1 009 499	892 099	-12%
Cyprus	132	109	-17%	3 106	13 454	333%
Latvia	254	208	-18%	177 421	27 012	-85%
Lithuania	468	666	42%	133 874	3 867 479	2789%
Luxembourg	99	281	184%	2 730	8 215	201%
Hungary	694	837	21%	214 855	125 388	-42%
Malta	91	240	164%	1 728 114	121 343	-93%
Netherlands	2 152	2 640	23%	1 474 191	1 563 704	6%
Austria	8 210	3 978	-52%	317 814	28 316	-91%
Poland	533	570	7%	1 373 158	253 906	-82%
Portugal	1 264	1 067	-16%	225 847	840 464	272%
Romania	356	194	-46%	5 782 087	979 783	-83%
Slovenia	504	322	-36%	585 176	148 784	-75%
Slovakia	1 109	359	-68%	12 672	6 840	-46%
Finland	7	48	586%	251	200	-20%
Sweden	443	295	-33%	17 712	49 607	180%
Total	**74 831**	**63 274**	**-15%**	**42 679 819**	**24 158 183**	**-43%**

Table C-1: Evolution of the number of cases and number of articles detained per Member State

C.2. BREAKDOWN PER PRODUCT SECTOR OF NUMBER OF PROCEDURES, ARTICLES AND RETAIL VALUE

Product sector	Number of procedures	Number of articles (*)	Retail value original goods
Foodstuffs, alcoholic and other beverages	**78**	**1 879 291**	**9 867 554 €**
1a - Foodstuffs	20	426 046	526 047 €
1b - Alcoholic beverages	25	339 739	8 746 225 €
1c - Other beverages	33	1 113 506	595 282 €
Body care items	**3 458**	**946 151**	**18 610 031 €**
2a - Perfumes and cosmetics	3 380	560 479	16 623 928 €
2b - Other body care items (razor blades, shampoo, deodorant, toothbrushes, soap, etc.)	78	385 672	1 986 103 €
Clothing and accessories	**38 544**	**2 343 087**	**176 815 154 €**
3a - Clothing (ready-to-wear)	32 827	1 823 907	147 559 445 €
3b - Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	5 717	519 180	29 255 709 €
Shoes, including parts and accessories	**23 180**	**705 721**	**96 732 887 €**
4a - Sport shoes	16 010	315 287	32 377 198 €
4b - Non-sport shoes	7 170	390 434	64 355 689 €
Personal accessories	**22 196**	**529 494**	**505 790 477 €**
5a - Sunglasses and other eye-glasses	2 279	80 865	9 314 645 €
5b - Bags including wallets; purses; cigarette cases and other similar goods that can be carried in a person's pocket/bag	12 850	255 296	129 932 741 €
5c - Watches	3 455	75 528	310 231 240 €
5d - Jewellery and other accessories	3 612	117 805	56 311 851 €
Mobile phones, including parts and technical accessories	**2 176**	**628 273**	**31 685 042 €**
6a - Mobile phones	380	42 672	9 604 198 €
6b - Parts and technical accessories for mobile phones	1 796	585 601	22 080 844 €
Electrical/electronic and computer equipment	**1 185**	**949 567**	**30 634 383 €**
7a - Audio/video apparatus including technical accessories and parts	868	254 868	26 041 922 €
7b - Memory cards/sticks	46	56 364	1 056 061 €
7c - Ink cartridges and toners	2	337	6 780 €
7d - Computer equipment (hardware), including technical accessories and parts	120	42 637	1 056 836 €
7e - Other equipment, including technical accessories and parts (household machines, electric razors, hair straighteners, etc.)	149	595 361	2 472 784 €
CDs, DVDs, cassettes, game cartridges	**15**	**2 485**	**61 519 €**
8a - Recorded (music, film, software, game software, etc.)	15	2 485	61 519 €
Toys, games (including electronic game consoles) and sporting articles	**1 817**	**2 230 884**	**27 394 069 €**
9a - Toys	1 428	1 970 565	21 635 807 €
9b - Games (including electronic game consoles)	264	235 028	3 624 905 €
9c - Sporting articles (including leisure articles)	125	25 291	2 133 357 €
Tobacco products	**40**	**250 108**	**869 846 €**
10a - Cigarettes	25	224 609	622 580 €
10b - Other tobacco products (cigars, cigarette paper, electronic cigarettes and refills, etc.)	15	25 499	247 266 €
Medical products	**1 833**	**405 792**	**1 981 908 €**
11a - Medicines	1 833	405 792	1 981 908 €
Other	**4 014**	**13 287 330**	**42 946 742 €**
12a - Machines and tools	86	95 285	3 902 942 €
12b - Vehicles including accessories and parts	979	167 261	3 771 260 €
12c - Office stationery	48	14 136	89 516 €
12d - Lighters	22	31 470	209 682 €
12e - Labels, tags, stickers	346	652 036	1 450 030 €
12f - Textiles (towels, linen, carpet, mattresses, etc.)	688	410 579	9 526 093 €
12g - Packaging materials	607	7 458 330	3 041 174 €
12h - Other goods	1 238	4 458 233	20 956 045 €
Total	**98 536**	**24 158 183**	**943 389 610 €**

Table C-2: Breakdown per product sector of number of procedures, articles and retail value 2022

(*) Unless otherwise specified, the number of articles is counted as the number of individual pieces. In the case of articles traded in pairs, such as shoes, socks, gloves, etc., one pair is counted as one article. Category *cigarettes* (10a) is registered in packets of 20 items.

C.3. OVERVIEW PER SECTOR OF NUMBER OF PROCEDURES 2019-2022

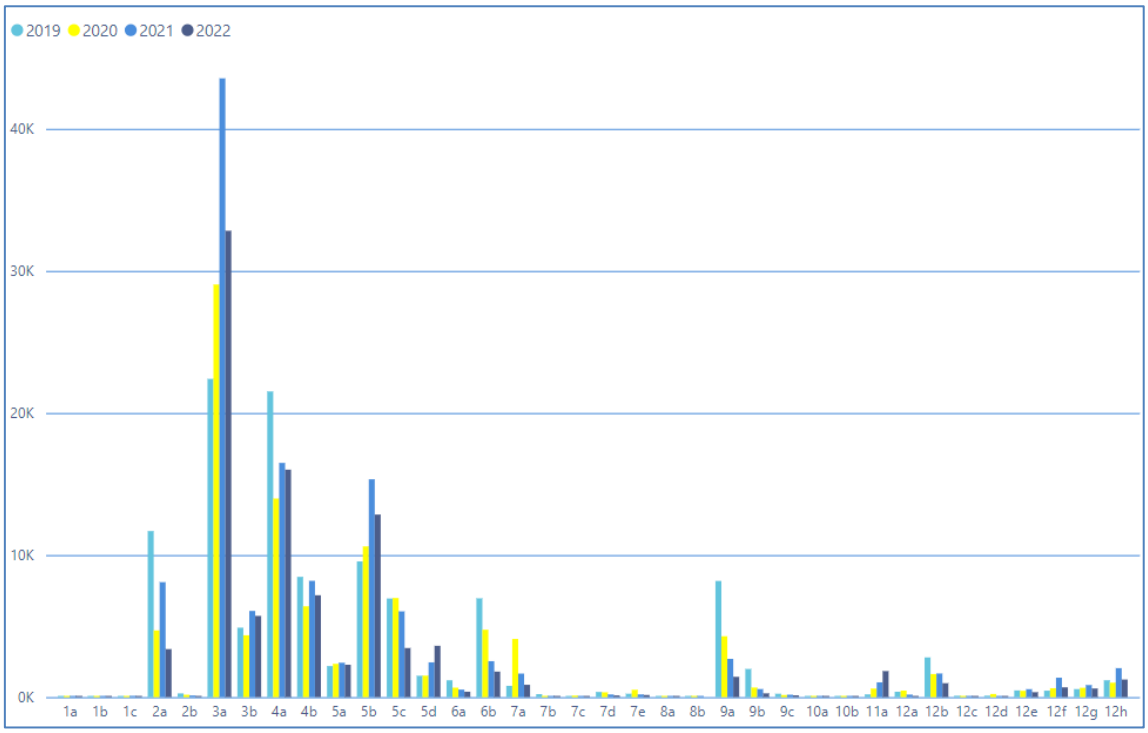


Figure C-1: Overview per product sector of number of procedures 2019-2022

C.4. OVERVIEW PER SECTOR OF NUMBER OF ARTICLES 2019-2022

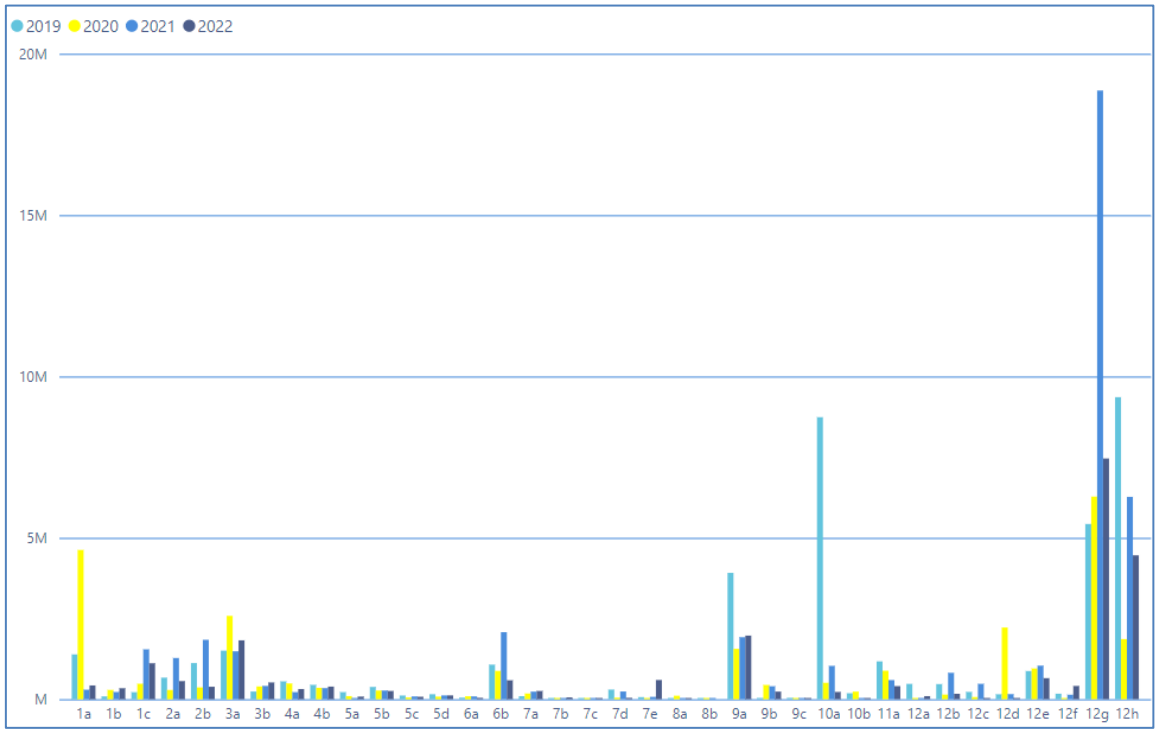


Figure C-2: Overview per product sector of number of articles 2019-2022

C.5. OVERVIEW PER PRODUCT SECTOR OF COUNTRIES OF PROVENANCE

Product sector		Number of articles, not released, in %, according to country of provenance		
Foodstuffs, alcoholic and other beverages				
1a	Foodstuffs	Türkiye 73.80	China 12.49	Iran 10.81
1b	Alcoholic beverages	Georgia 86.06	Türkiye 12.26	Macedonia 1.66
1c	Other beverages	Türkiye 48.94	Vietnam 31.86	Ukraine 17.73
Body care items				
2a	Perfumes and cosmetics	Türkiye 91.64	United Arab Emirates 3.49	China 2.73
2b	Other body care items (razor blades, shampoo, deodorant, toothbrushes, soap, etc.)	China 83.04	Morocco 12.79	Hong Kong, China 4.03
Clothing and accessories				
3a	Clothing (ready-to-wear)	Türkiye 55.23	China 35.45	Hong Kong, China 2.69
3b	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	China 74.21	Türkiye 18.16	Hong Kong, China 3.66
Shoes, including parts and accessories				
4a	Sports shoes	China 75.91	Türkiye 17.62	Hong Kong, China 2.36
4b	Non-sports shoes	China 78.81	Türkiye 10.03	Hong Kong, China 4.67
Personal accessories				
5a	Sunglasses and other eyeglasses	China 88.46	Hong Kong, China 8.48	France 0.81
5b	Bags, including wallets, purses, cigarette cases and other similar goods that can be carried in a person's pocket/bag	China 52.67	Türkiye 24.30	Hong Kong, China 9.37
5c	Watches	Hong Kong, China 52.35	China 38.27	United Kingdom 4.05
5d	Jewellery and other accessories	China 57.51	Hong Kong, China 33.97	Türkiye 3.48
Mobile phones, including parts and technical accessories				
6a	Mobile phones	China 43.21	Hong Kong, China 36.73	Netherlands 18.77
6b	Parts and technical accessories for mobile phones	Hong Kong, China 52.09	China 43.27	Netherlands 1.35
Electrical/electronic and computer equipment				
7a	Audio/video apparatus, including technical accessories and parts	Hong Kong, China 55.38	China 43.42	United Kingdom 0.42
7b	Memory cards/sticks	Hong Kong, China 85.54	China 14.39	United Kingdom 0.07
7c	Ink cartridges and toners	China 100		
7d	Computer equipment (hardware), including technical accessories and parts	China 89.43	Hon Kong, China 8.42	United Arab Emirates 2.14

7e	Other equipment, including technical accessories and parts (household machines, electric razors, hair straighteners, etc.)	China 98.75	Hong Kong, China 1.23	Poland 0.01
CDs, DVDs, cassettes, game cartridges				
8a	Recorded (music, films, software, game software)	China 69.59	Hong Kong, China 29.55	United States 0.86
8b	Unrecorded			
Toys, games (including electronic game consoles) and sporting articles				
9a	Toys	China 88.03	Hong Kong, China 7.79	Greece 2.31
9b	Games (including electronic game consoles)	China 58.43	Hong Kong, China 29.28	Taiwan ([80]) 9.21
9c	Sporting articles (including leisure articles)	China 68.60	Hong Kong, China 24.17	United Arab Emirates 6.35
Tobacco products				
10a	Cigarettes	Russia 96.60	Libya 3.08	Türkiye 0.28
10b	Other tobacco products (cigars, cigarette papers, electronic cigarettes and refills, etc.)	China 97.66	United Kingdom 2.34	
Medical products				
11	Medicines and other products (condoms)	Hong Kong, China 71.00	Belgium 21.41	India 4.35
Other				
12a	Machines and tools	China 99.50	Hong Kong, China 0.23	Türkiye 0.21
12b	Vehicles, including accessories and parts	Hong Kong, China 44.26	China 43.40	Türkiye 10.91
12c	Office stationery	China 70.99	Türkiye 18.30	Hong Kong, China 8.20
12d	Lighters	China 99.51	United Arab Emirates 0.39	Türkiye 0.10
12e	Labels, tags, stickers	Senegal 29.74	China 24.95	United States 22.74
12f	Textiles (towels, linen, carpets, mattresses, etc.)	China 52.01	Türkiye 43.98	Pakistan 1.98
12g	Packaging material	China 99.23	Hong Kong, China 0.56	Pakistan 0.07
12h	Other goods	China 81.55	Hong Kong, China 14.24	Türkiye 3.39
	Overall	China 74.28	Türkiye 9.72	Hong Kong, China 8.38

Table C-3: Overview per product sector of identified countries of provenance 2022

([80]) This should not be interpreted as reflecting any official position of the European Union with regard to the legal status of Taiwan.

C.6. TOP THREE COUNTRIES OF PROVENANCE BY NUMBER OF ARTICLES

Top 1	Articles	% of total
China	**13 678 049**	**100%**
Packaging material	7 377 381	54%
Other goods	1 605 164	12%
Toys	1 452 129	11%
Other electronics	580 467	4%
Clothing	485 784	4%
Clothing accessories	355 483	3%
Other body care items	233 745	2%
Mobile phone access.	231 333	2%
Non-sport shoes	194 192	1%
Sport shoes	188 193	1%
Total	**13 678 049**	**100%**

Top 2	Articles	% of total
Türkiye	**1 790 752**	**100%**
Clothing	756 765	42%
Foodstuffs	228 204	13%
Other beverages	158 976	9%
Perfumes and cosmetics	147 227	8%
Textiles	130 883	7%
Clothing accessories	86 997	5%
Other goods	66 806	4%
Sport shoes	43 678	2%
Bags, wallets, purses	42 934	2%
Labels, tags, stickers	30 494	2%
Total	**1 790 752**	**100%**

Top 3	Articles	% of total
Hong Kong, China	**1 542 591**	**100%**
Other goods	280 224	18%
Mobile phone access.	278 468	18%
Medicines	259 364	17%
Audio/video apparatus	133 052	9%
Toys	128 515	8%
Labels, tags, stickers	84 533	5%
Games	59 125	4%
Memory cards/sticks	44 610	3%
Packaging material	41 966	3%
Clothing	36 818	2%
Total	**1 542 591**	**100%**

Table C-4: Top three countries of provenance by number of articles 2022

C.7. TOP THREE COUNTRIES OF PROVENANCE BY VALUE (EQUIVALENT DOMESTIC RETAIL VALUE)

Top 1	Value	% of total
Hong Kong, China	**319 041 159 €**	**100%**
Watches	221 788 998 €	70%
Jewellery	27 638 732 €	9%
Audio/video apparatus	13 475 329 €	4%
Bags, wallets, purses	12 473 906 €	4%
Mobile phone access.	10 863 079 €	3%
Clothing	7 547 607 €	2%
Non-sport shoes	4 154 787 €	1%
Other goods	3 842 149 €	1%
Mobile phones	3 787 237 €	1%
Clothing accessories	2 902 272 €	1%
Total	**319 041 159 €**	**100%**

Top 2	Value	% of total
China	**234 799 835 €**	**100%**
Watches	51 031 714 €	22%
Bags, wallets, purses	34 147 504 €	15%
Non-sport shoes	32 399 357 €	14%
Sport shoes	18 197 574 €	8%
Clothing	17 976 834 €	8%
Toys	14 619 702 €	6%
Jewellery	11 759 823 €	5%
Audio/video apparatus	11 515 575 €	5%
Mobile phone access.	8 395 457 €	4%
Clothing accessories	7 140 426 €	3%
Total	**234 799 835 €**	**100%**

Top 3	Value	% of total
Türkiye	**178 447 227 €**	**100%**
Clothing	78 993 151 €	44%
Bags, wallets, purses	57 038 363 €	32%
Clothing accessories	7 831 047 €	4%
Non-sport shoes	7 146 828 €	4%
Textiles	6 560 995 €	4%
Perfumes and cosmetics	5 459 004 €	3%
Sport shoes	4 439 325 €	2%
Watches	4 412 846 €	2%
Jewellery	2 761 827 €	2%
Alcoholic beverages	1 262 460 €	1%
Total	**178 447 227 €**	**100%**

Table C-5: Top three countries of provenance by value (equivalent domestic retail value) 2022

C.8. OVERVIEW OF PASSENGER TRAFFIC

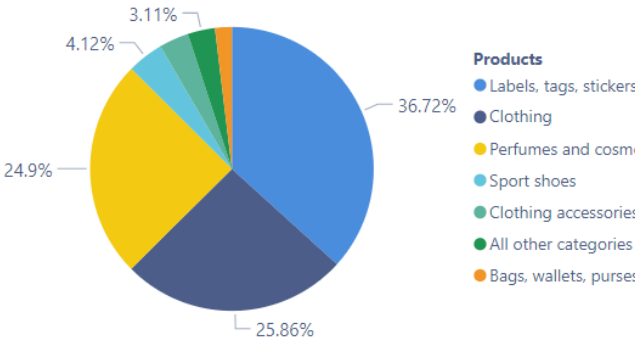


Figure C-3: Articles carried by passengers in percentage of number of products 2022

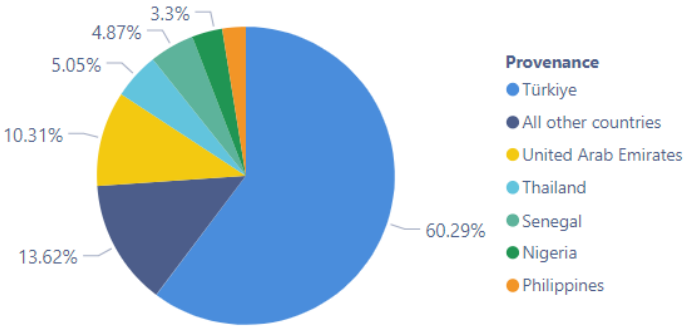


Figure C-5: Countries of provenance in percentage of value 2022

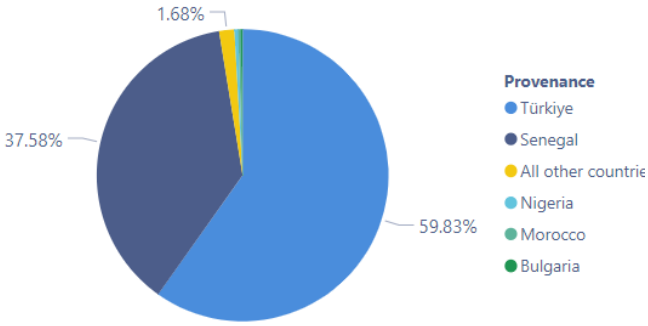
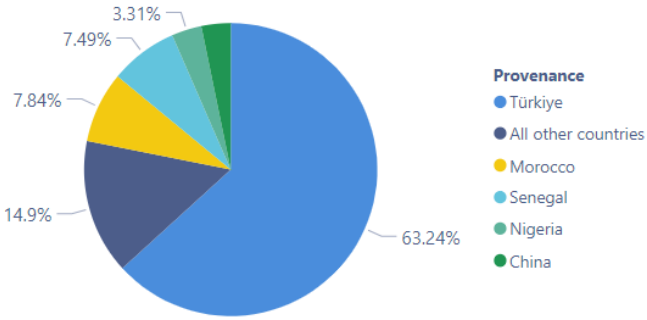


Figure C-4: Countries of provenance in percentage of number of products 2022



Cases with combined released and not released suspected goods counted

Figure C-6: Countries of provenance in percentage of cases 2022

C.9. MEANS OF TRANSPORT IN RELATION TO NUMBER OF CASES, ARTICLES AND RETAIL VALUE

Year	2019		2020		2021		2022	
Transport mean	Cases	%	Cases	%	Cases	%	Cases	%
Air	10 998	12.07%	7 061	10.21%	7 605	10.16%	8 622	13.63%
Express courier	19 784	21.72%	12 801	18.51%	21 200	28.33%	21 145	33.42%
Fixed transport installations							2	0.00%
Own propulsion					2	0.00%	8	0.01%
Post	57 760	63.40%	47 030	68.01%	42 734	57.11%	31 094	49.14%
Rail	27	0.03%	37	0.05%	22	0.03%	14	0.02%
Road	828	0.91%	1 239	1.79%	2 245	3.00%	1 254	1.98%
Sea	1 699	1.87%	979	1.42%	1 022	1.37%	1 133	1.79%
Waterway	3	0.00%					1	0.00%

Year	2019		2020		2021		2022	
Transport mean	Articles	%	Articles	%	Articles	%	Articles	%
Air	2 014 273	5.04%	1 968 274	7.31%	4 018 803	9.42%	1 955 669	8.10%
Express courier	1 251 639	3.13%	1 370 017	5.09%	1 697 379	3.98%	1 982 299	8.21%
Fixed transport installations							3	0.00%
Own propulsion					1 087	0.00%	985	0.00%
Post	568 430	1.42%	783 025	2.91%	1 020 435	2.39%	657 374	2.72%
Rail	523 655	1.31%	917 720	3.41%	41 572	0.10%	31 185	0.13%
Road	6 613 789	16.55%	8 486 416	31.52%	8 209 039	19.23%	3 277 987	13.57%
Sea	28 493 124	71.29%	13 396 721	49.76%	27 691 367	64.88%	16 252 612	67.28%
Waterway	504 120	1.26%					1	0.00%

Year	2019		2020		2021		2022	
Transport mean	Value	%	Value	%	Value	%	Value	%
Air	141 434 666 €	20.22%	131 663 595 €	16.93%	240 403 376 €	28.39%	366 909 465 €	38.89%
Express courier	72 364 413 €	10.34%	101 562 516 €	13.06%	81 611 807 €	9.64%	121 885 799 €	12.92%
Fixed transport installations							1 040 €	0.00%
Own propulsion					945 450 €	0.11%	22 408 €	0.00%
Post	103 972 601 €	14.86%	133 567 639 €	17.18%	120 446 365 €	14.22%	108 338 721 €	11.48%
Rail	6 892 361 €	0.99%	4 965 686 €	0.64%	871 697 €	0.10%	629 727 €	0.07%
Road	30 232 142 €	4.32%	136 117 843 €	17.50%	146 464 222 €	17.30%	162 579 774 €	17.23%
Sea	344 436 301 €	49.23%	269 753 198 €	34.69%	256 068 462 €	30.24%	183 016 721 €	19.40%
Waterway	293 480 €	0.04%					2 555 €	0.00%

Table C-6: Means of transport in relation to number of cases, articles and retail value ([81])

([81]) One additional case in 2022 did not contain information about the transport means used.

C.10. OVERVIEW OF MEANS OF TRANSPORT

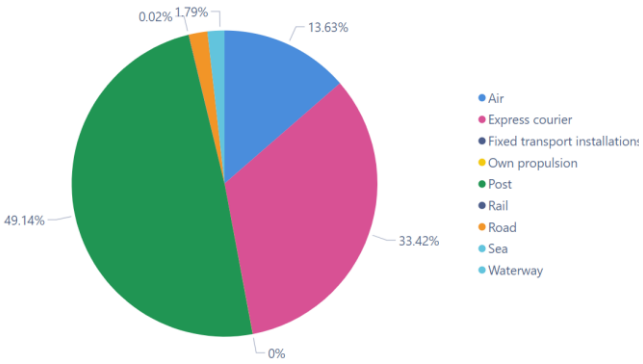


Figure C-7: Cases by means of transport 2022

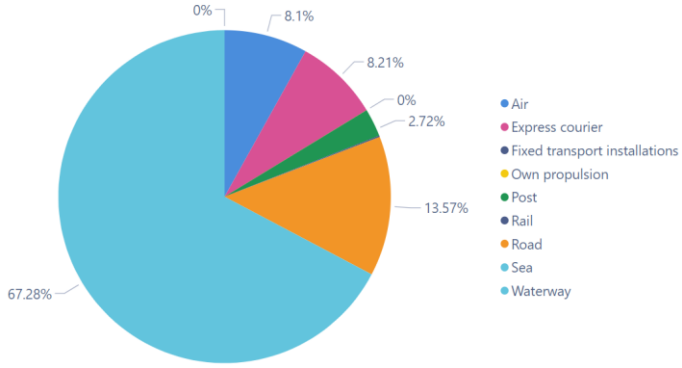


Figure C-8: Articles by means of transport 2022

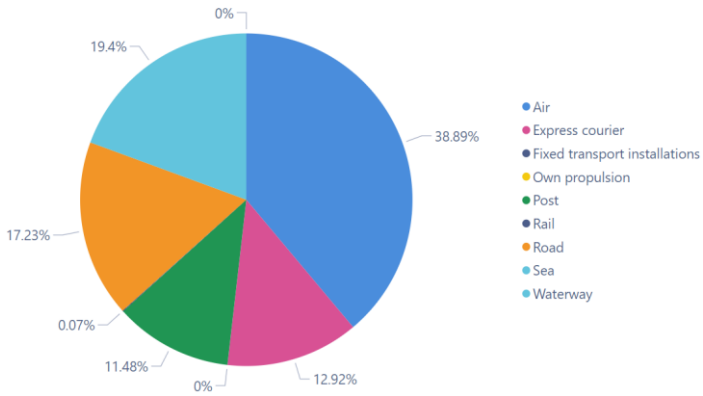


Figure C-9: Value by means of transport 2022

C.11. OVERVIEW OF POSTAL TRAFFIC

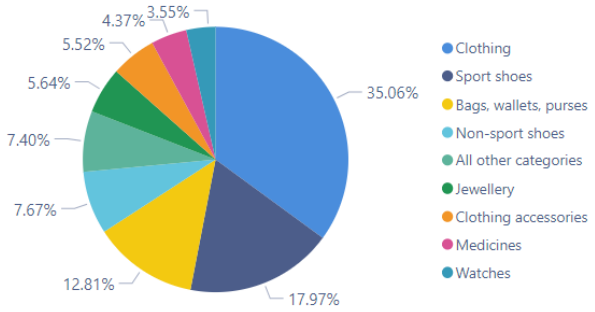


Figure C-10: Number of procedures in postal traffic 2022

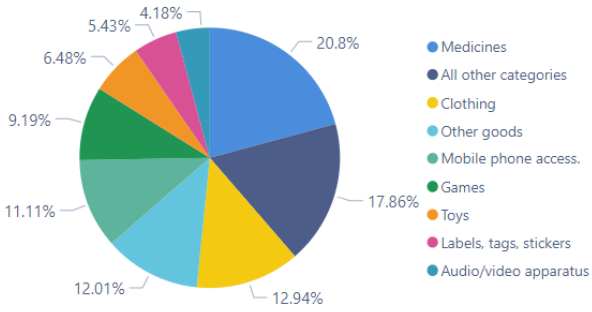


Figure C-11: Number of articles in postal traffic 2022

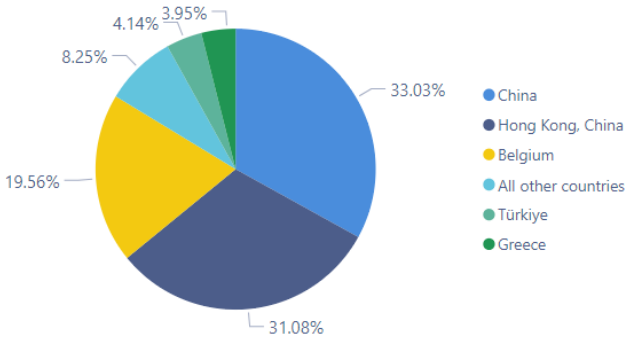


Figure C-12: Top six countries of provenance of articles in postal traffic 2022

C.12. IPR TYPE ABBREVIATION CODE

IPR Type Code	IPT Type Description
CDR	Registered Community Design
CDU	Unregistered Community Design
CGIA	Protected geographical indication
CGIL	Geographical indication listed in Agreements between the Union and third countries
CGIP	Protected geographical indication
CGIS	Geographical Indications for Spirit Drinks
CGIW	Geographical Indications for Wine
CPVR	Community Plant variety rights
CTM	Community Trade mark
EUTM	European Union Trade mark
ICD	International registered Design
ITM	International registered Trade mark
NCPR	National Copyright and related Right
ND	Registered National Design
NGI	National Geographical Indications
NPT	Patent as provided by national law
NPVR	National Plant variety rights
NTM	National Trade mark
NTN	National Trade name
NTSP	National Copyright
NUM	National Utility Models
SPCM	Supplementary Protection Certificate for Medicines
SPCP	Supplementary Protection Certificate
UPT	Patent as provided by Union law

Table C-7: IPR type abbreviation code

Annex D. Annexes to the results in EU internal market

D.1. OVERVIEW OF NUMBER OF ARTICLES DETAINED AND ESTIMATED VALUE PER MEMBER STATE

Year	2021		2022	
Country	No. of items	Estimated value	No. of items	Estimated value
Belgium	104 934	€11,379,689	189 152	€5,084,263
Bulgaria	17 113	€936,625	6 149 280	€2,146,529
Czechia	157 582	€14,340,144	250 279	€18,678,737
Denmark	2 820	€100,361	3 149	€135,853
Estonia	2	€100	2	€100
Ireland	4 256	€99,239	9 443	€225,682
Greece	345 089	€24,349,224	706 969	€55,139,949
Spain	1 773 205	€53,671,680	2 674 848	€103,643,939
France	2 916 518	€185,318,389	6 531 516	€233,270,978
Croatia	25 014	€1,994,444	72 600	€19,225,927
Italy	32 930 147	€794,682,207	42 313 209	€668,696,079
Cyprus	41 404	€5,231,538	53 910	€7,475,164
Latvia	0	€0	3 393	€171,462
Lithuania	13 610	€680,500	5 363	€1,125,947
Hungary	747 270	€29,910,625	1 490 933	€41,104,989
Malta	85	€60,293	0	€0
Netherlands	11 365 745	€106,219,025	5 824 436	€52,230,164
Poland	757	€37,850	1 038	€23,608
Portugal	2 742 427	€21,652,471	668 129	€14,994,495
Romania	1 440	€71,807	1 175	€58,702
Slovenia			0	€0
Slovakia	35 054	€2,105,465	97 069	€2,073,153
Finland	0	€0	256	€450
Sweden			10 900	€34,500
Total	**53 224 472**	**€1,252,841,677**	**67 057 049**	**€1,225,540,668**

Table D-1: Overview of number of articles detained and estimated value per Member State

D.2. BREAKDOWN PER PRODUCT SUBCATEGORY OF NUMBER OF ITEMS AND RETAIL VALUE

Year	2022	
Main category	No of items	Esimated value
01 Foodstuffs, alcoholic and other beverages	**90 153**	**€150,228**
Foodstuffs	50 341	€76,385
Alcoholic beverages	2 031	€17,180
Other beverages	37 781	€56,663
02 Body care items	**1 412 873**	**€31,294,899**
Perfumes and cosmetics	661 272	€28,790,410
Other body care items	751 601	€2,504,489
03 Clothing and accessories	**3 176 841**	**€174,370,498**
Clothing	1 954 964	€128,011,257
Clothing accessories	1 221 877	€46,359,241
04 Shoes including parts and accessories	**1 087 033**	**€144,491,444**
Sport shoes	502 870	€59,225,215
Non-sport shoes	584 163	€85,266,229
05 Personal accessories	**614 242**	**€381,853,343**
Sunglasses	55 140	€6,350,338
Bags, wallets, purses	349 020	€133,809,080
Watches	20 993	€48,518,479
Jewellery	189 089	€193,175,447
06 Mobile phones including parts and technical accessories	**851 521**	**€57,976,429**
Mobile phones	60 241	€5,003,466
Mobile phone access.	791 280	€52,972,963
07 Electrical/electronic and computer equipment	**1 180 942**	**€38,785,012**
Audio/video apparatus	162 989	€750,182
Memory cards/sticks	5 426	€74,354
Ink cartridges	1 888	€12,140
Computer equipment	942 047	€35,667,181
Other electronics	68 592	€2,281,155
08 CD, DVD, cassette, game cartridges	**4 152 733**	**€14,462,927**
Recorded CDs/DVDs	4 152 733	€14,462,927
09 Toys, games (including electronic game consoles) and sporting articles	**35 284 617**	**€269,212,188**
Toys	5 900 064	€58,506,330
Games	29 384 030	€210,657,268
Sporting articles	523	€48,590
10 Tobacco products	**6 620 256**	**€61,445,582**
Cigarettes	6 618 334	€61,436,757
Other tobacco	1 922	€8,825

11 Medicines	**363 920**	**€1,083,332**
Medicines	363 920	€1,083,332
12 Other	**12 205 192**	**€48,790,217**
Machines/tools	225 637	€22,700,277
Vehicle accessories	63 565	€3,722,011
Office stationery	2 648	€20,298
Lighters	7 209	€33,696
Labels, tags, stickers	1 615 162	€3,478,911
Textiles	20 605	€1,444,339
Packaging material	6 462 426	€2,949,110
Other goods	3 807 940	€14,441,575
13 Furniture	**70**	**€32,821**
Home furniture	18	€571
Other furniture	52	€32,250
14 Construction materials and machinery	**21**	**€179**
Construction machinery	21	€179
15 Online counterfeit and pirate products	**6 059**	**€297,800**
Illegal streaming/downloading	44	€2,420
Online sale/offer of counterfeit products	6 015	€295,380
16 Not Provided	**10 576**	**€1,293,768**
Not provided	10 576	€1,293,768
Total	**67 057 049**	**€1,225,540,668**

Table D-2: Breakdown per product subcategory of number of items and retail value

D.3. OVERVIEW PER PRODUCT SUBCATEGORY OF NUMBER OF ARTICLES BETWEEN 2019 AND 2022

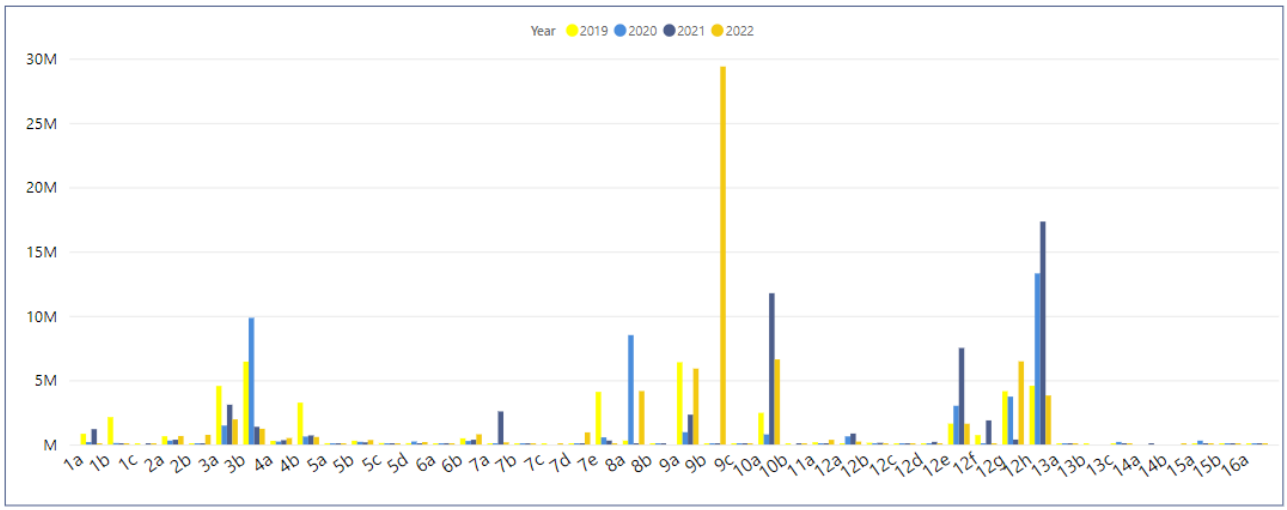


Figure D-1: Overview per product subcategory of number of articles 2019-2022

D.4. OVERVIEW PER PRODUCT SUBCATEGORY OF ESTIMATED VALUE BETWEEN 2019 AND 2022

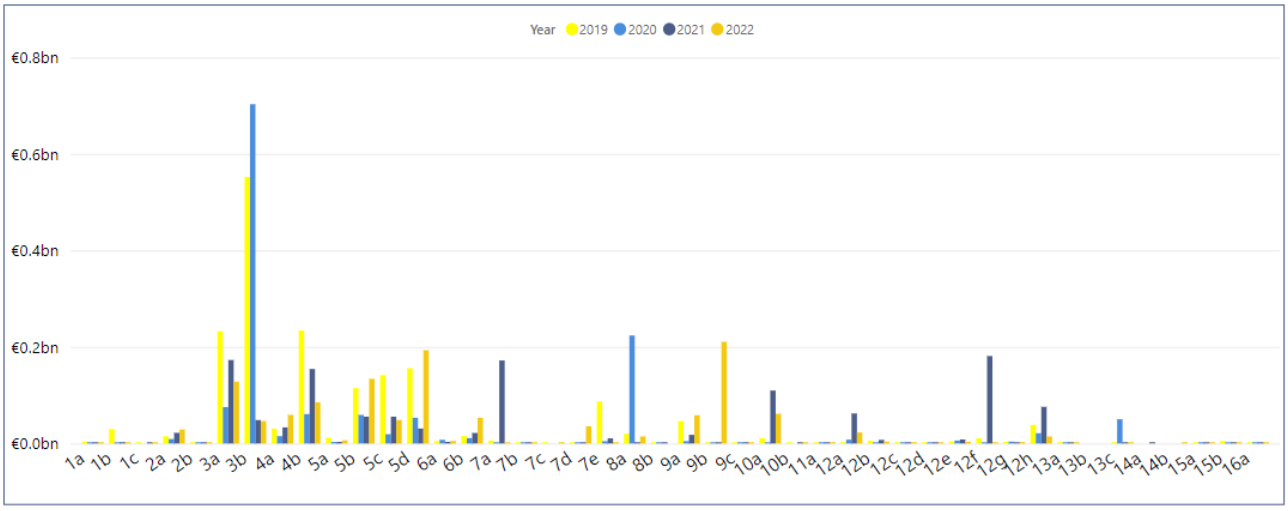


Figure D-2: Overview per product subcategory of estimated value 2019-2022

Annex E. IPR classification of products for detentions at the EU border and in the EU internal market

01 Foodstuffs, alcoholic and other beverages
02 Body care items
03 Clothing and accessories
04 Shoes, including parts and accessories
05 Personal accessories
06 Mobile phones, including parts and technical accessories
07 Electrical/electronic and computer equipment
08 CDs, DVDs, cassettes, game cartridges
09 Toys, games (including electronic game consoles) and sporting articles
10 Tobacco products
11 Medical products
12 Other

Table E-1: Categories of the IPR product classification

Category	Category Short Name
1a - foodstuffs	Foodstuffs
1b - alcoholic beverages	Alcoholic beverages
1c - other beverages	Other beverages
2a - perfumes and cosmetics	Perfumes and cosmetics
2b - other body care items	Other body care items
3a - clothing (ready to wear)	Clothing
3b - clothing accessories	Clothing accessories
4a - sport shoes	Sport shoes
4b - other shoes	Non-sport shoes
5a - sunglasses and other eye-glasses	Sunglasses
5b - bags including wallets; purses; cigarette cases and other similar goods carried in the pocket/bag	Bags, wallets, purses
5c - watches	Watches
5d - jewellery and other accessories	Jewellery
6a - mobile phones	Mobile phones
6b - parts and technical accessories for mobile phones	Mobile phone access.
7a - audio/video apparatus including technical accessories and parts	Audio/video apparatus
7b - memory cards; memory sticks	Memory cards/sticks
7c - ink cartridges and toners	Ink cartridges
7d - computer equipment (hardware) including technical accessories and parts	Computer equipment
7e - other equipment including technical accessories and parts	Other electronics
8a - recorded (music; film; software; game software)	Recorded CDs/DVDs
8b - unrecorded	Unrecorded CDs/DVDs
9a - toys	Toys
9b - games (including electronic game consoles)	Games
9c - sporting articles (including leisure articles)	Sporting articles
10a - cigarettes	Cigarettes
10b - other tobacco products	Other tobacco
11a - Medicines	Medicines
12a - machines and tools	Machines/tools
12b - vehicles including accessories and parts	Vehicle accessories
12c - office stationery	Office stationery
12d - lighters	Lighters
12e - labels; tags; stickers	Labels, tags, stickers
12f - textiles	Textiles
12g - packaging materials	Packaging material
12h - other	Other goods

Table E-2: Subcategories of the IPR product classification

Annex F. Additional classification of products for detentions in the EU internal market

13 Furniture
14 Construction materials and machinery
15 Online counterfeit and pirate products
16 Not Provided

Table F-1: Additional categories of the IPR product classification

13a - Private residence furniture	Home furniture
13b - Office furniture	Office furniture
13c - Other furniture	Other furniture
14a - Construction materials	Construction materials
14b - Construction machinery	Construction machinery
15a - illegal streaming/downloading	Illegal
15b - Online - sale/offer of counterfeit products	Online sale/offer of counterfeit products
16a - not provided	Not provided

Table F-2: Additional subcategories of the IPR product classification

Annex G. Methodological notes for comparing detentions at the EU border with imports from third countries

Detailed historical series of data on imports in the EU as a whole, by country and by type of product are recorded in several databases and following diverse types of merchandise classifications.

In this report, EUROSTAT PRODCOM classification was used ([82]), as it is the only classification allowing the compilation of both production and trade statistics for legitimate goods. The selection of this classification was made bearing in mind the double comparison of detentions at EU borders with the estimate of counterfeit products issued in the 2022 version of this report and of the same type of detentions against the estimate of imports from third countries described in section 4.9.

Detailed statistics on international trade for PRODCOM classification at an eight-digit level are only available for total trade (aggregating both extra- and intra-EU trade for each Member State). However, only imports (extra-EU- trade) are relevant for the analysis in this section. Therefore, imports have also been calculated based on EUROSTAT COMEXT datasets, which include the bilateral trade flows between Member States and their trade partners [(83)]. Moreover, even though the classification of products used in COMEXT is the same as that used in PRODCOM, the level of aggregation of the products in the former is much higher than in the latter. As we will see in section G.1.3 of this annex, this misalignment in the level of aggregation of the products in COMEXT and PRODCOM posed a challenge in obtaining data on imports of equivalent goods to be compared with data on detentions.

G.1. ISSUES ARISING WHEN COMPARING EU DETENTIONS VERSUS IMPORTS AT EU LEVEL

([82]) Indicator 'IMPVAL' in the report: *Sold production, exports and imports by PRODCOM list (NACE Rev. 2) - annual data (ds-056120)* in PRODCOM statistics, available at: https://ec.europa.eu/eurostat/web/prodcom/database.

([83]) COMEXT DB: EU Trade Since 1988 by CPA_2008 (DS-057009), available at: http://epp.eurostat.ec.europa.eu/newxtweb/ (Available datasets" → "INTERNATIONAL TRADE" → EU Trade Since 1988 by CPA_2008 (DS-057009)).

G.1.1. Identity of events in the trade chain

The first issue which arose when trying to compare data from two universes, one (imports into the EU) more global than the other (detentions of counterfeit products at EU borders), is that the two universes refer to the same events in the trade chain.

In particular, since the universe to be compared is imports into the EU, detentions should refer to goods that have been subject to an EU customs import procedure, a transit procedure into the EU or a warehouse procedure and not to goods detained while being, for example, exported outside the EU or in transit to third countries ([84]).

Moreover, it has been considered that the only relevant detentions to be considered for the comparison with imports are those leading to the non-release of the goods detained. Therefore, detentions resulting in the following customs actions are taken into account:

- release of non-original goods – absence of infringement
- identification as original products
- release of goods due to lack of action by the right holder

were not included in the comparison.

Fortunately, the COPIS data provides the necessary details on the number of detentions and allows **the detentions to be filtered:**

- **carried out under one of the three customs procedures mentioned above (import, EU transit or warehouse);**
- **not leading to any of the three customs actions mentioned above (release of non-original goods – no infringement, original products or release of goods due to no action by the right holder)**;
- **destined to one of the 27 Member States**.

G.1.2. Identity of the magnitudes and unit measure

The second issue that arises is the need for the magnitudes being compared to be the same and to be measured in the same units. From this point of view, the statistics on imports provided by EUROSTAT contain a measure of their value in euro. This implies that the magnitude of the

([84]) Existence of certain 'noise' has been noted in the data on detentions of counterfeits, where there are some detentions carried out during **import** procedures where the destination country is, however, not an EU Member State.

estimated value of detentions, also in euro, can be used disregarding the quantity of products detained (whose units of measurement are usually not the same as those used in EUROSTAT figures) or the number of cases or procedures (which do not exist in EUROSTAT statistics). In parallel, EUROSTAT's detailed historical four-year consecutive series of data on imports into the EU, as a whole, by country and by type of product, also in euro, are used ([85]).

G.1.3. Homogenisation of the dimensions to be compared

The third issue is the need to homogenise the dimensions to be compared. There are at least three easily understandable dimensions that can be used to compare data on detentions and imports:

1. chronological breakdown: data on imports and detentions should be available for the same set of time periods, in particular annually for the years 2019-2022;
2. geographical breakdown: data on imports and detentions should be available for the same set of geographical regions, in particular for each of the EU 27 Member States ([86]);
3. product type breakdown: data on imports and detentions should be available for the same or equivalent set of product types.

G.1.3.1. Chronological breakdown

The homogenisation of this first dimension was very easy: both EUROSTAT PRODCOM/COMEXT and COPIS contain data on 'Extra-EU trade' and 'Detentions at EU borders' per year for the period considered in this report (from 2019 to 2022).

G.1.3.2. Geographical breakdown

The homogenisation of this dimension was more laborious: whereas EUROSTAT PRODCOM and COMEXT databases contain data on 'Extra-EU trade to EU' by Member State of destination of the imports, COPIS data on 'Detentions at EU borders' is primarily broken down by Member State

([85]) There are however limitations to the accuracy of data on the value of detentions, see in particular the seventh bullet point in Annex B on the use of domestic retail value in estimating the value of the detained products.

([86]) For the purposes of his analysis, both UK imports and detained counterfeit products destined for the UK have been excluded. However, counterfeit products destined for any of the EU 27 Member States, even if detained in the UK (before 2020), have been included.

performing the detention. As we will see in section G.2 of this annex, the set of additional data included in COPIS has made it possible to homogenise this dimension.

G.1.3.3. Product type breakdown

However, the homogenisation of this last dimension was much more difficult.

The taxonomy of product types used in COPIS and the IP Enforcement Portal is based on a DG TAXUD specific classification of products, shown in Table E-1 and Table E-2 in Annex E, containing 12 categories and 36 subcategories.

Neither production nor import statistics for legitimate goods using the DG TAXUD classification are available in EUROSTAT databases. Consequently, an equivalence table has been developed to link detention statistics with production and trade statistics. As previously mentioned, several possible classifications could be used for this purpose. However, EUROSTAT PRODCOM classification is the only one that allows the compilation of both production and trade statistics for legitimate goods.

EUROSTAT PRODCOM statistics cover about 4 000, eight-digit product classes, based on the statistical classification of products by activity in the European Economic Community (CPA) ([87]).

The equivalence table between DG TAXUD and EUROSTAT PRODCOM classifications was developed manually by EUIPO staff. Considering the scope of the terms in each level of the CPA classification and the level of granularity of the descriptions in those levels, five-to-six-digit level CPA categories were analysed for matching. The main criterion used to match product categories between DG TAXUD and CPA classifications was the closeness of the descriptions in both categories. The equivalence table is product oriented, specifically for products potentially infringing IPRs or seized by customs. According to these criteria, the following types of product categories were excluded from CPA classification:

- services
- subcontracted operations for manufacture

([87]) The eight-digit codes used in the PRODCOM list are based on the six-digit CPA headings and hence the four-digit NACE rev 1.1. From 2008 onwards the PRODCOM code is linked to CPA 2008 and NACE Rev. 2: https://ec.europa.eu/eurostat/cache/metadata/en/prom_esms.htm.

- residues
- downloaded products and services.

Some of the CPA classification categories were considered ambiguous or doubtful for various reasons:

- categories containing products corresponding to more than one DG TAXUD subcategory or vice versa;
- categories containing some products corresponding to a DG TAXUD subcategory and other products not corresponding to any DG TAXUD category;
- doubts about the possibility of some categories infringing IPRs.

In the cases mentioned above, CPA categories were analysed case by case, eventually descending from level 5 to level 6. Doubtful categories were dropped when the products were considered to be out of scope or potentially impossible to seize.

As previously mentioned, in the selection of the CPA five-to-six-digit level equivalent categories, common sense was applied, so as to, for instance, exclude service activities or, in case of doubt, to exclude categories unlikely to be the subject of an IP right infringement. It should be understood, therefore, that there was a **degree of discretion** in the selection of the CPA five-to-six-digit level categories containing products equivalent to those in the DG TAXUD subcategories. In some categories the scope of the equivalence was broader than in others, where narrower equivalences were possible. This degree of discretion hardly influences the results when comparing the historical series of data within the same product category but strongly conditions the comparison of rates between product categories. Moreover, it should be highlighted that, as a consequence, there were no CPA categories identified matching the DG TAXUD subcategory ***recorded CDs/DVDs* (8a)**. Neither were there, for obvious reasons, import statistics for goods equivalent to those in the DG TAXUD subcategory ***Other goods* (12h)** and, therefore, these two DG TAXUD subcategories were not matched. As a result, a total of 34 DG TAXUD subcategories were matched with 320 CPA five-to-six-digit level categories. The resulting equivalence table is presented in Table G-3 at the end of this Annex G.

Once the selected list of CPA five-to-six-digit level categories was established, the statistics of EU imports of all CPA-PRODCOM eight-digit level categories falling under those 320 CPA five-to-six-

digit level categories (totalling 1 998 CPA-PRODCOM eight-digit level categories ([88])) were extracted from the PRODCOM database. However, when searching these EUROSTAT statistics, it was found that, systematically, there were no accurate import statistics for the CPA-PRODCOM eight-digit level category equivalent to the DG TAXUD subcategory ***Mobile phone accessories*** (CPA-PRODCOM code 26303000, '*Parts of electrical telephonic or telegraphic apparatus*'). As a result, out of the 36 DG TAXUD categories described in Annex E, it was only possible to find import statistics for 33 (see Table G-1), through 319 CPA five-to-six-digit level categories (all those in Table G-3 at the end of this Annex G except for CPA code 263030 '*Parts of electrical telephonic or telegraphic apparatus*'), covering 1 998 CPA-PRODCOM eight-digit level categories [(89)].

CODE	SUBCATEGORY SHORT NAME
1A	Foodstuffs
1B	Alcoholic beverages
1C	Other beverages
2A	Perfumes and cosmetics
2B	Other body care items
3A	Clothing
3B	Clothing accessories
4A	Sport shoes
4B	Non-sport shoes
5A	Sunglasses
5B	Bags, wallets, purses
5C	Watches
5D	Jewellery
6A	Mobile phones
7A	Audio/video apparatus
7B	Memory cards/sticks
7C	Ink cartridges
7D	Computer equipment
7E	Other electronics
8B	Unrecorded CDs/DVDs

([88]) This figure, valid for the historical series 2019-2022, may fluctuate in each historical series of 4 consecutive years, depending on the changes in the CPA classification made in EUROSTAT figures.

([89]) See footnote number 88.

9A	Toys
9B	Games
9C	Sporting articles
10A	Cigarettes
10B	Other tobacco
11A	Medicines
12A	Machines/tools
12B	Vehicle accessories
12C	Office stationery
12D	Lighters
12E	Labels, tags, stickers
12F	Textiles
12G	Packaging material

Table G-1: DG TAXUD subcategories selected for comparison with EUROSTAT's imports statistics

Moreover, as mentioned at the beginning of this section, the data on imports in PRODCOM refers to aggregated extra-EU and intra-EU trade, and only extra-EU trade (imports) is relevant for comparison. More detailed data on bilateral trade flows between Member States and their partners is available in the COMEXT database ([90]). From this data, extra-EU trade can be calculated for each Member State, each year and relevant product category. However, the most granular CPA product classification available in COMEXT is at the four-digit CPA code level. A proxy was therefore applied

([90])See footnote number 83.

by calculating, using COMEXT data, the ratio per product type at four-digit CPA code level, Member State and year:

$$\%\ Extra\_EU\ trade_{4digit\ CPA,MS,Yr} = \frac{Extra\_EU\ trade_{4digit\ CPA,MS,Yr}}{Total\ Trade_{4digit\ CPA,MS,Yr}}$$

This ratio was then applied to the aggregated total imports data from PRODCOM at eight-digit levels, so that:

$$Extra\_EU\ trade_{8digit\ CPA\text{-}PRODCOM,MS,Yr} = \%\ Extra\_EU\ trade_{4digit\ CPA,MS,Yr} \times Total\ Trade_{8digit\ CPA\text{-}PRODCOM,MS,Yr}$$

It should be highlighted that the above-mentioned approach introduces an inaccuracy in the calculations, to the extent that it systematically applies the same proportion of extra-EU / intra-EU trade corresponding to a higher level of aggregation of goods (four-digit CPA) to all goods selected at a lower aggregation level (eight-digit CPA-PRODCOM).

Finally, the extraction of the 1 998 CPA-PRODCOM eight-digit level categories ([91]) matching the 33 DG TAXUD product subcategories revealed a drawback: for some of those CPA-PRODCOM eight-digit level categories there is no data available, either in none of the four years of the period in question or in some of them. The gap in CPA-PRODCOM eight-digit level categories is not even 100% homogeneous across Member States: it may be that there is no data for the CPA-PRODCOM eight-digit level category X in year Y in Member State Z, but this gap does not exist for data in the same category and year in another Member State. Nevertheless, although not at 100%, the distribution of gaps across Member States is quite homogeneous.

Of the 1 998 CPA-PRODCOM eight-digit level product categories for the period 2019-2022, 456 are missing data either in all or in some of the years/Member States covered by the analysis. In some cases, the reason is explained in EUROSTAT data (typically with a footnote '1-confidential and suppressed'), whereas in other cases the data is simply not available.

([91]) See footnote number 88.

Despite the significant number of CPAPRODCOM eight-digit level product categories concerned by this problem, the available information on the value of imports included in them represents only 4.44 % of the import values reported by EUROSTAT at EU 27 level for the 1 998 CPAPRODCOM eight-digit level categories of products concerned. However, it affects each DG TAXUD product subcategory differently: most of them are not affected at all (all data for all relevant CPAPRODCOM eight-digit level product categories are available in all 27 Member States in the period 2019-2022), some are partially affected and one of them was so severely affected (DG TAXUD subcategory ***Mobile phone accessories***), that it was excluded from the analysis.

The previously described issue of the availability of data of a certain CPA-PRODCOM eight-digit level product category for only one or a few years of a Member State's historical series, but not for all years, triggers a twofold challenge:

1. if the partially available historical data on imports of this eight-digit level product category is accounted for in the years where it is available, the level of imports of the corresponding DG TAXUD subcategory will be biased upwards in those years in comparison with the years where the data is not available, therefore distorting the historical series of imports for that product;

2. if the partially available historical data on imports of this eight-digit level product category is not accounted for in the years where it is available, the distortion of the historical series for that product, mentioned under point 1, is avoided, but the level of imports of the corresponding DG TAXUD subcategory as a whole is biased downwards as a whole, in comparison with the DG TAXUD subcategories where all the data is available, thereby distorting the comparison of data on imports between products.

The challenge has been solved by applying the method described under point 2 (namely, eliminating, for each Member State, the import data of the subset of the ±456 CPA eight-digit level categories where data is missing for that Member State, either in all or in some of the years under analysis) but introducing a correction coefficient into the resulting import data aimed at restating, globally across years and countries, the effect on the value of imports of the ±456 CPA eight-digit level categories

eliminated ([92]). The resulting value of the correction coefficient is $\frac{1}{0.96903}$ for the import data series over the four years and countries in question. Table G-2 shows the correction coefficient (different from $\frac{1}{1.00000}$) for the import data series by DG TAXUD product subcategories ([93]).

Subcategories	1 / Corrector coefficient
Machines/tools	0.85807
Audio/video apparatus	0.94919
Clothing accessories	0.96280
Foodstuffs	0.98276
Vehicle accessories	0.98855
Toys	0.99960
Alcoholic beverages	0.99960
Computer equipment	0.99964
Medicines	0.99972

Table G-2: Corrector coefficient for extra--EU trade figures across DG TAXUD subcategories

G.2. CHALLENGES IN COMPARING DETENTIONS VERSUS EXTRA-EU IMPORTS AT MEMBER STATE LEVEL

The methodology used for calculating the detentions at EU borders of products infringing IP rights as part of the imports of equivalent products across the same EU borders at EU 27 level, exposed in section G.1.3, presents additional challenges when breaking down the calculation to Member State level.

([92])The correction coefficient for a DG TAXUD subcategory *i* for the Member state *j* was calculated as the inverse of dividing the sum of the accounted for figures of imports made by the Member State *j* for that subcategory *i* by the sum of all available (accounted for or not accounted for historical series) figures of imports for that subcategory and that Member State. This correction coefficient can only restate the value of the volume of imports for those CPA-PRODCOM eight-digit level categories for which EUROSTAT statistics provided a value, but not for those where EUROSTAT data does not provide a value.

([93])As previously mentioned, the distribution of the data gaps, although not at 100%, is quite homogeneous across Member States and therefore the corrector coefficients shown in each subcategory are also quite similar to those broken down by the different Member States.

Since the EU has a single market with free movement of goods, statistics measuring imports at Member State level are less reliable. Even though Member States' statistical offices calculate intra-EU movements of commercial goods (e.g. via VAT clearance), at least two factors distort the picture:

1. private sales/purchases are not registered;
2. the movements of counterfeits within the EU are not registered, because their sale is illegal.

Moreover, entering the market via a specific customs office/border crossing does not mean that the goods are destined for the local/national market where they first enter. Indeed, part of all trade from outside the EU made by a Member State *"A"* (MS_A) has arrived through the borders of the proper MS_A, whereas another part could have crossed the EU border through another Member State's border ([94]). Obviously, the imports of MS_A through the border of any other Member State cannot be the object of detention by the MS_A border enforcement authorities. Reciprocally, any imports from Member States other than A, through the borders of the MS_A, can be the object of detention by the MS_A border enforcement authorities.

It follows that the figures for imports made by the MS_A, include a part (those products imported by MS_A through other Member State borders) which cannot be controlled by the MS_A border enforcement authorities, whereas there are imports from other Member States (those products included in the figures of imports accounted for by other Member States but entering the EU through the MS_A borders) which can indeed be controlled by the MS_A border enforcement authorities.

Or, by analogy, in the figures of detentions issued by the MS_A border enforcement authorities, a part could correspond to imports made by other Member States, whereas there could be detentions issued by other Member State border enforcement authorities, which indeed correspond to imports made by MS_A.

([94]) The notions of 'arrived through the borders of a Member State' or 'crossed the EU borders through a Member State's border' refer in both cases to imported goods which have completed the formalities for entering the EU Single Market in that Member State, thus allowing the border authorities of that Member State to carry out inspections and/or detentions.

Therefore, the rationale behind the ratio $\frac{Detentions\ in\ borders}{Imports}$, applied at the level of a Member State, MS_A, would lead to the need to calculate the following ratio, in order to respect the homogeneity of its two components:

$$\frac{Detentions\ in\ MS_A's\ border\ destined\ to\ MS_A + Detentions\ in\ other\ MS's\ borders\ destined\ to\ MS_A}{Imports\ by\ MS_A}$$

Fortunately, the data on detentions provided by the EU border custom authorities through COPIS includes a specific field recording the country of destination of the goods detained. It is therefore possible to obtain in a unified manner the following ratio:

$$\frac{Detentions\ in\ all\ EU\ border\ destined\ to\ MS_A}{Imports\ by\ MS_A}$$

A direct consequence of this approach is that the resulting ratio **in no way depends on the performance of the custom authorities of the Member State concerned**, since the calculated ratio for that Member State accounts for the detentions of goods destined for that Member State. Indeed, the detentions of counterfeit products whose value is used in the calculation of the ratio for that Member State were made at the borders of any EU Member State, by any of its national customs authorities. The ratio at Member State level only measures whether the detentions of counterfeit goods (at any part of the EU's external border) destined for that Member State keep pace with the trade in goods imported by that Member State.

G.3. TABLE OF EQUIVALENCE OF CATEGORIES DG TAXUD / CPA-PRODCOM

dg_tax_code	DG_TAX_Code_desc	cpa_code	cpa_code_text	CPA_description
1A	Foodstuffs	10111	10.11.1	Meat of bovine animals, swine, sheep, goats, horses and other equines, fresh or chilled
1A	Foodstuffs	10112	10.11.2	Edible offal of bovine animals, swine, sheep, goats, horses and other equines, fresh or chilled
1A	Foodstuffs	10113	10.11.3	Frozen meat and edible offal; other meat and edible offal
1A	Foodstuffs	10114	10.11.4	Pulled wool and raw hides and skins of bovine or equine animals, sheep and goats
1A	Foodstuffs	10115	10.11.5	Fats of bovine animals, sheep, goats or pigs
1A	Foodstuffs	10116	10.11.6	Raw offal, inedible
1A	Foodstuffs	10121	10.12.1	Meat of poultry, fresh or chilled
1A	Foodstuffs	10131	10.13.1	Preserves and preparations of meat, meat offal or blood
1A	Foodstuffs	10201	10.20.1	Fish, fresh, chilled or frozen
1A	Foodstuffs	10202	10.20.2	Fish, otherwise prepared or preserved; caviar and caviar substitutes
1A	Foodstuffs	10203	10.20.3	Crustaceans, molluscs and other aquatic invertebrates, frozen, prepared or preserved
1A	Foodstuffs	10204	10.20.4	Flours, meals and pellets, unfit for human consumption, and other products n.e.c. of fish or of crustaceans, molluscs or other aquatic invertebrates
1A	Foodstuffs	10311	10.31.1	Processed and preserved potatoes
1A	Foodstuffs	10321	10.32.1	Fruit and vegetable juices
1A	Foodstuffs	10391	10.39.1	Processed and preserved vegetables, excluding potatoes
1A	Foodstuffs	10392	10.39.2	Processed and preserved fruit and nuts
1A	Foodstuffs	10411	10.41.1	Animal oils and fats, their fractions, crude
1A	Foodstuffs	10412	10.41.2	Vegetable oils, crude
1A	Foodstuffs	10413	10.41.3	Cotton linters
1A	Foodstuffs	10414	10.41.4	Oil-cake and other solid residues, of vegetable fats or oils; flours and meals of oil seeds or oleaginous fruits
1A	Foodstuffs	10415	10.41.5	Refined oils, except residues
1A	Foodstuffs	10416	10.41.6	Animal or vegetable fats and oils and their fractions, hydrogenated, esterified, but not further prepared
1A	Foodstuffs	10417	10.41.7	Vegetable waxes (excluding triglycerides); degras; residues resulting from treatment of fatty substances or animal or vegetable waxes
1A	Foodstuffs	10421	10.42.1	Margarine and similar edible fats
1A	Foodstuffs	10511	10.51.1	Processed liquid milk and cream
1A	Foodstuffs	10512	10.51.2	Milk in solid forms
1A	Foodstuffs	10513	10.51.3	Butter and dairy spreads
1A	Foodstuffs	10514	10.51.4	Cheese and curd
1A	Foodstuffs	10515	10.51.5	Other dairy products
1A	Foodstuffs	10521	10.52.1	Ice cream and other edible ice
1A	Foodstuffs	10611	10.61.1	Rice, semi- or wholly milled, or husked or broken
1A	Foodstuffs	10612	10.61.2	Cereal and vegetable flour; mixes thereof
1A	Foodstuffs	10613	10.61.3	Groats, meal and pellets and other cereal grain products
1A	Foodstuffs	10614	10.61.4	Bran, sharps and other residues from the working of cereals
1A	Foodstuffs	10621	10.62.1	Starches and starch products; sugars and sugar syrups n.e.c.
1A	Foodstuffs	10711	10.71.1	Bread, fresh pastry goods and cakes
1A	Foodstuffs	10721	10.72.1	Rusks and biscuits; preserved pastry goods and cakes
1A	Foodstuffs	10731	10.73.1	Macaroni, noodles, couscous and similar farinaceous products
1A	Foodstuffs	10811	10.81.1	Raw or refined cane or beet sugar; molasses
1A	Foodstuffs	10812	10.81.2	Beet-pulp, bagasse and other waste of sugar manufacture
1A	Foodstuffs	10821	10.82.1	Cocoa paste, whether or not defatted, cocoa butter, fat and oil, cocoa powder
1A	Foodstuffs	10822	10.82.2	Chocolate and sugar confectionery
1A	Foodstuffs	10831	10.83.1	Processed tea and coffee
1A	Foodstuffs	10841	10.84.1	Vinegar; sauces; mixed condiments; mustard flour or meal; prepared mustard
1A	Foodstuffs	10843	10.84.3	Food-grade salt
1A	Foodstuffs	10851	10.85.1	Prepared meals and dishes
1A	Foodstuffs	10861	10.86.1	Homogenised food preparations and dietetic food
1A	Foodstuffs	10891	10.89.1	Soups, eggs, yeasts and other food products; extracts and juices of meat, fish and aquatic invertebrates
1A	Foodstuffs	10911	10.91.1	Prepared feeds for farm animals, except lucerne meal and pellets
1A	Foodstuffs	10912	10.91.2	Lucerne (alfalfa) meal and pellets
1A	Foodstuffs	10921	10.92.1	Prepared pet foods
1B	Alcoholic beverages	11011	11.01.1	Distilled alcoholic beverages
1B	Alcoholic beverages	11021	11.02.1	Wine of fresh grapes; grape must
1B	Alcoholic beverages	11031	11.03.1	Other fermented beverages (e.g., cider, perry, mead); mixed beverages containing alcohol
1B	Alcoholic beverages	11041	11.04.1	Vermouth and other flavoured wine of fresh grapes
1B	Alcoholic beverages	11051	11.05.1	Beer, except dregs from brewing
1B	Alcoholic beverages	11052	11.05.2	Brewing or distilling dregs
1B	Alcoholic beverages	11061	11.06.1	Malt
1C	Other beverages	11071	11.07.1	Mineral waters and soft drinks
2A	Perfumes and cosmetics	204211	20.42.11	Perfumes and toilet waters
2A	Perfumes and cosmetics	204212	20.42.12	Lip and eye make-up preparations
2A	Perfumes and cosmetics	204214	20.42.14	Powders for cosmetic or toilet use
2A	Perfumes and cosmetics	204215	20.42.15	Beauty, make-up or skin-care preparations (including sun tan preparations) n.e.c.
2B	Other body care	172211	17.22.11	Toilet paper, handkerchiefs, cleansing or facial tissues and towels, tablecloths and serviettes, of paper pulp, paper, cellulose wadding or webs of cellulose fibres
2B	Other body care	172212	17.22.12	Sanitary towels and tampons, napkins and napkin liners for babies and similar sanitary articles and articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibres
2B	Other body care	204131	20.41.31	Soap and organic surface-active products and preparations for use as soap; paper, wadding, felt and non-wovens, impregnated, coated or covered with soap or detergent
2B	Other body care	204213	20.42.13	Manicure or pedicure preparations
2B	Other body care	204216	20.42.16	Shampoos, hair lacquers, preparations for permanent waving or straightening
2B	Other body care	204217	20.42.17	Lotions and other preparations for use on the hair n.e.c.
2B	Other body care	204218	20.42.18	Preparations for oral or dental hygiene (including denture fixative pastes and powders), dental floss
2B	Other body care	204219	20.42.19	Shaving preparations; personal deodorants and antiperspirants; bath preparations; other perfumery, cosmetic or toilet preparations n.e.c.
2B	Other body care	257112	25.71.12	Razors and razor blades, including razor blade blanks in strips
2B	Other body care	257113	25.71.13	Other articles of cutlery; manicure or pedicure sets and instruments
2B	Other body care	329112	32.91.12	Tooth brushes, hair brushes and other toilet brushes for use on the person; artists' brushes, writing brushes and brushes for cosmetics

dg_tax_code	DG_TAX_Code_desc	cpa_code	cpa_code_text	CPA_description
3A	Clothing (ready to wear)	14111	14.11.1	Apparel of leather or of composition of leather
3A	Clothing (ready to wear)	14121	14.12.1	Men's workwear
3A	Clothing (ready to wear)	14122	14.12.2	Women's workwear
3A	Clothing (ready to wear)	14123	14.12.3	Other workwear
3A	Clothing (ready to wear)	14131	14.13.1	Outerwear, knitted or crocheted
3A	Clothing (ready to wear)	14132	14.13.2	Other outerwear, for men and boys
3A	Clothing (ready to wear)	14133	14.13.3	Other outerwear, for women and girls
3A	Clothing (ready to wear)	14141	14.14.1	Underwear, knitted and crocheted
3A	Clothing (ready to wear)	14142	14.14.2	Underwear, not knitted or crocheted
3A	Clothing (ready to wear)	14143	14.14.3	T-shirts, singlets and other vests, knitted or crocheted
3A	Clothing (ready to wear)	14311	14.31.1	Panty hose, tights, stockings, socks and other hosiery, knitted or crocheted
3A	Clothing (ready to wear)	141912	14.19.12	Tracksuits, ski suits, swimwear and other garments, knitted or crocheted
3A	Clothing (ready to wear)	143910	14.39.10	Jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	14192	14.19.2	Babies' garments, other garments and other clothing accessories, of textile fabric, not knitted or crocheted
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	14193	14.19.3	Clothing accessories of leather; garments made up of felt or non-wovens; garments made up of coated textile fabrics
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	14194	14.19.4	Hats and headgear
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	14201	14.20.1	Articles of apparel, clothing accessories and other articles of fur skin, except headgear
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	22196	22.19.6	Articles of apparel and clothing accessories, of vulcanised rubber other than hard rubber
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	22291	22.29.1	Apparel and clothing accessories (including gloves), of plastics
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	141911	14.19.11	Babies' garments and clothing accessories, knitted or crocheted
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	141913	14.19.13	Gloves, mittens and mitts, knitted or crocheted
3B	Clothing accessories (belts, ties, shawls, caps, gloves, etc.)	141919	14.19.19	Other made-up clothing accessories and parts of garments or of clothing accessories, knitted or crocheted
4A	Sports shoes	15202	15.20.2	Sports footwear
4A	Sports shoes	323012	32.30.12	Snow-ski footwear
4B	Other shoes	15201	15.20.1	Footwear other than sports and protective footwear and orthopaedic shoes
4B	Other shoes	15203	15.20.3	Protective and other footwear n.e.c.
4B	Other shoes	15204	15.20.4	Parts of footwear of leather; removable insoles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof
5A	Sunglasses and other eyeglasses	32504	32.50.4	Spectacles, lenses and parts thereof
5B	Bags, including wallets, purses, cigarette cases and other similar goods that can be carried in a person's pocket/bag	151212	15.12.12	Luggage, handbags and the like, of leather, composition of leather, plastic sheeting, textile materials, vulcanised fibre or paperboard; travel sets for personal toilet, sewing or shoe or clothes cleaning
5C	Watches	151213	15.12.13	Watch straps (except metal), watch bands and watch bracelets and parts thereof
5C	Watches	265211	26.52.11	Wrist-watches, pocket-watches, with case of precious metal or of metal clad with precious metal
5C	Watches	265212	26.52.12	Other wrist-watches, pocket-watches and other watches, including stop-watches
5C	Watches	265221	26.52.21	Watch movements, complete and assembled
5C	Watches	265223	26.52.23	Complete watch movements, unassembled or partly assembled; incomplete watch movements, assembled
5C	Watches	265224	26.52.24	Rough watch movements
5C	Watches	265226	26.52.26	Watch and clock cases and parts thereof
5C	Watches	265227	26.52.27	Other clock and watch parts
5D	Jewellery and other accessories	32111	32.11.1	Coins
5D	Jewellery and other accessories	32121	32.12.1	Jewellery and related articles
5D	Jewellery and other accessories	32131	32.13.1	Imitation jewellery and related articles
6A	Mobile phones	263022	26.30.22	Telephones for cellular networks or for other wireless networks
6B	Parts and technical accessories for mobile phones	263030	26.30.30	Parts of electrical telephonic or telegraphic apparatus
7A	Audio/video apparatus, including technical accessories and parts	26301	26.30.1	Radio or television transmission apparatus; television cameras
7A	Audio/video apparatus, including technical accessories and parts	26304	26.30.4	Aerials and aerial reflectors of all kind and parts thereof; parts of radio and television transmission apparatus and television cameras
7A	Audio/video apparatus, including technical accessories and parts	26401	26.40.1	Radio broadcast receivers
7A	Audio/video apparatus, including technical accessories and parts	26402	26.40.2	Television receivers, whether or not combined with radio-broadcast receivers or sound or video recording or reproduction apparatus

dg_tax_code	DG_TAX_Code_desc	cpa_code	cpa_code_text	CPA_description
7A	Audio/video apparatus, including technical accessories and parts	26403	26.40.3	Apparatus for sound and video recording and reproducing
7A	Audio/video apparatus, including technical accessories and parts	26405	26.40.5	Parts of sound and video equipment
7A	Audio/video apparatus, including technical accessories and parts	27902	27.90.2	Indicator panels with liquid crystal devices or light emitting diodes; electric sound or visual signalling apparatus
7A	Audio/video apparatus, including technical accessories and parts	264041	26.40.41	Microphones and stands thereof
7A	Audio/video apparatus, including technical accessories and parts	264042	26.40.42	Loudspeakers; headphones, earphones and combined microphone/speaker sets
7A	Audio/video apparatus, including technical accessories and parts	264043	26.40.43	Audio-frequency electric amplifiers; electric sound amplifier sets
7B	Memory cards/memory sticks	261230	26.12.30	Smart cards
7B	Memory cards/memory sticks	262021	26.20.21	Storage units
7B	Memory cards/memory sticks	262022	26.20.22	Solid-state non-volatile storage devices
7B	Memory cards/memory sticks	268014	26.80.14	Cards with a magnetic strip
7C	Ink cartridges and toners	203024	20.30.24	Printing ink
7D	Computer equipment (hardware), including technical accessories and parts	26201	26.20.1	Computing machinery and parts and accessories thereof
7D	Computer equipment (hardware), including technical accessories and parts	26203	26.20.3	Other units of automatic data processing machines
7D	Computer equipment (hardware), including technical accessories and parts	26204	26.20.4	Parts and accessories of computing machines
7E	Other equipment, including technical accessories and parts (household machines, electric razors hair straighteners, etc.)	27511	27.51.1	Refrigerators and freezers; washing machines; electric blankets; fans
7E	Other equipment, including technical accessories and parts (household machines, electric razors hair straighteners, etc.)	27512	27.51.2	Other electrical domestic appliances n.e.c.
7E	Other equipment, including technical accessories and parts (household machines, electric razors hair straighteners, etc.)	27513	27.51.3	Parts of electric domestic appliances
7E	Other equipment, including technical accessories and parts (household machines, electric razors hair straighteners, etc.)	27521	27.52.1	Domestic cooking and heating equipment, non-electric
7E	Other equipment, including technical accessories and parts (household machines, electric razors hair straighteners, etc.)	27522	27.52.2	Parts of stoves, cookers, plate warmers and similar non-electric domestic appliances
7E	Other equipment, including technical accessories and parts (household machines, electric razors hair straighteners, etc.)	28944	28.94.4	Sewing machines of the household type
7E	Other equipment, including technical accessories and parts (household machines, electric razors hair straighteners, etc.)	282932	28.29.32	Personal and household weighing machines and scales
8B	Unrecorded	268011	26.80.11	Magnetic media, not recorded, except cards with a magnetic stripe
8B	Unrecorded	268012	26.80.12	Optical media, not recorded
9A	Toys	32402	32.40.2	Toy trains and their accessories; other reduced-size models or construction sets and constructional toys
9A	Toys	324011	32.40.11	Dolls representing only human beings
9A	Toys	324012	32.40.12	Toys representing animals or non-human creatures
9A	Toys	324013	32.40.13	Parts and accessories of dolls representing human beings
9A	Toys	324031	32.40.31	Wheeled toys designed to be ridden by children; dolls' carriages
9A	Toys	324039	32.40.39	Games and toys n.e.c.
9B	Games (including electronic games consoles)	26406	26.40.6	Video game consoles (used with a television receiver or having a self-contained screen) and other games of skill or chance with an electronic display
9B	Games (including electronic games consoles)	32404	32.40.4	Other games
9B	Games (including electronic games consoles)	324032	32.40.32	Puzzles

9C	Sporting articles (including leisure articles)	30121	30.12.1	Pleasure and sporting boats
9C	Sporting articles (including leisure articles)	323011	32.30.11	Snow-skis and other snow-ski equipment, except footwear; ice skates and roller skates; parts thereof
9C	Sporting articles (including leisure articles)	323013	32.30.13	Water-skis, surfboards, sailboards and other water-sport equipment
9C	Sporting articles (including leisure articles)	323014	32.30.14	Gymnasium, fitness centre or athletics articles and equipment
9C	Sporting articles (including leisure articles)	323015	32.30.15	Other articles and equipment for sports or outdoor games; swimming pools and paddling poolsOther articles and equipment for sports or outdoor games; swimming pools and paddling pools
9C	Sporting articles (including leisure articles)	323016	32.30.16	Fishing rods, other line fishing tackle; articles for hunting or fishing n.e.c
10A	Cigarettes	120011	12.00.11	Cigars, cheroots, cigarillos and cigarettes, of tobacco or tobacco substitutes
10B	Other tobacco products (cigars, cigarette paper, electronic cigarettes and refills, etc.)	120019	12.00.19	Other manufactured tobacco and substitutes; homogenised or reconstituted tobacco; tobacco extracts and essences
10B	Other tobacco products (cigars, cigarette paper, electronic cigarettes and refills, etc.)	171244	17.12.44	Cigarette paper not cut to size or in form of booklets or tubes
11A	Medicines and other products (condoms)	21101	21.10.1	Salicylic acid, O-acetylsalicylic acid, their salts and esters
11A	Medicines and other products (condoms)	21102	21.10.2	Lysine, glutamic acid and their salts; quaternary ammonium salts and hydroxides; phosphoaminolipids; amides and their derivatives and salts thereof
11A	Medicines and other products (condoms)	21103	21.10.3	Lactones n.e.c., heterocyclic compounds with nitrogen hetero-atom(s) only, containing an unfused pyrazole ring, a pyrimidine ring, a piperazine ring, an unfused triazine ring or a phenothiazine ring system not further fused; hydantoin and its derivatives; sulphonamides
11A	Medicines and other products (condoms)	21104	21.10.4	Sugars, chemically pure, n.e.c.; sugar ethers and esters and their salts n.e.c.
11A	Medicines and other products (condoms)	21201	21.20.1	Medicaments
11A	Medicines and other products (condoms)	21202	21.20.2	Other pharmaceutical preparations
11A	Medicines and other products (condoms)	211051	21.10.51	Provitamins, vitamins and their derivatives
11A	Medicines and other products (condoms)	211052	21.10.52	Hormones, derivatives thereof; other steroids, used primarily as hormones
11A	Medicines and other products (condoms)	211053	21.10.53	Glycosides, vegetable alkaloids, their salts, ethers, esters and other derivatives
11A	Medicines and other products (condoms)	211054	21.10.54	Antibiotics
12A	Machines and tools	25731	25.73.1	Hand tools of a kind used in agriculture, horticulture or forestry
12A	Machines and tools	25732	25.73.2	Hand saws; blades for saws of all kinds
12A	Machines and tools	25734	25.73.4	Interchangeable tools for hand tools, whether or not power-operated, or for machine tools
12A	Machines and tools	26601	26.60.1	Irradiation, electromedical and electrotherapeutic equipment
12A	Machines and tools	27901	27.90.1	Other electrical equipment and parts thereof
12A	Machines and tools	27903	27.90.3	Electrical soldering, brazing and welding tools, surface tempering and hot spraying machines and apparatus
12A	Machines and tools	27904	27.90.4	Other electrical equipment n.e.c. (including electro-magnets; electro-magnetic couplings and brakes; electro-magnetic lifting heads; electrical particle accelerators; electrical signal generators)
12A	Machines and tools	28111	28.11.1	Engines, except aircraft, vehicle and cycle engines
12A	Machines and tools	28112	28.11.2	Turbines
12A	Machines and tools	28113	28.11.3	Parts of turbines
12A	Machines and tools	28114	28.11.4	Parts for engines
12A	Machines and tools	28121	28.12.1	Fluid power equipment, except parts
12A	Machines and tools	28122	28.12.2	Parts of fluid power equipment
12A	Machines and tools	28131	28.13.1	Pumps for liquids; liquid elevators
12A	Machines and tools	28132	28.13.2	Air or vacuum pumps; air or other gas compressors
12A	Machines and tools	28133	28.13.3	Parts of pumps and compressors
12A	Machines and tools	28141	28.14.1	Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like
12A	Machines and tools	28142	28.14.2	Parts of taps and valves and similar articles
12A	Machines and tools	28211	28.21.1	Ovens and furnace burners and parts thereof
12A	Machines and tools	28221	28.22.1	Lifting and handling equipment and parts thereof
12A	Machines and tools	28222	28.22.2	Buckets, shovels, grabs and grips for cranes, excavators and the like
12A	Machines and tools	28231	28.23.1	Typewriters, word-processing and calculating machines
12A	Machines and tools	28232	28.23.2	Office machinery and parts thereof
12A	Machines and tools	28241	28.24.1	Electromechanical tools for working in the hand; other portable hand held power tools
12A	Machines and tools	28242	28.24.2	Parts of power-driven hand tools
12A	Machines and tools	28251	28.25.1	Heat exchange units; non-domestic air conditioning machines, refrigeration and freezing equipment
12A	Machines and tools	28252	28.25.2	Fans, other than table, floor, wall, window, ceiling or roof fans
12A	Machines and tools	28253	28.25.3	Parts of refrigeration and freezing equipment and heat pumps
12A	Machines and tools	28291	28.29.1	Gas generators, distilling and filtering apparatus
12A	Machines and tools	28292	28.29.2	Machinery for cleaning, filling, packing or wrapping bottles or other containers; fire extinguishers, spray guns, steam or sand blasting machines; gaskets
12A	Machines and tools	28294	28.29.4	Centrifuges, calendaring and vending machines
12A	Machines and tools	28295	28.29.5	Dish washing machines, of the industrial type
12A	Machines and tools	28296	28.29.6	Machinery n.e.c. for the treatment of materials by a process involving a change of temperature
12A	Machines and tools	28297	28.29.7	Non-electrical machinery and apparatus for soldering, brazing or welding and parts thereof; gas-operated surface tempering machines and appliances
12A	Machines and tools	28298	28.29.8	Parts of other general-purpose machinery n.e.c.
12A	Machines and tools	28301	28.30.1	Pedestrian-controlled tractors
12A	Machines and tools	28302	28.30.2	Other agricultural tractors
12A	Machines and tools	28303	28.30.3	Soil machinery

dg_tax_code	DG_TAX_Code_desc	cpa_code	cpa_code_text	CPA_description
12A	Machines and tools	28304	28.30.4	Mowers for lawns, parks or sports grounds
12A	Machines and tools	28305	28.30.5	Harvesting machinery
12A	Machines and tools	28306	28.30.6	Machinery for projecting, dispersing or spraying liquids or powders for agriculture or horticulture
12A	Machines and tools	28307	28.30.7	Self-loading or unloading trailers and semi-trailers for agriculture
12A	Machines and tools	28308	28.30.8	Other agricultural machinery
12A	Machines and tools	28412	28.41.2	Lathes, boring and milling machine tools for working metal
12A	Machines and tools	28413	28.41.3	Other machine tools for working metal
12A	Machines and tools	28414	28.41.4	Parts and accessories for metalworking machine tools
12A	Machines and tools	28491	28.49.1	Machine tools for working stone, wood and similar hard materials
12A	Machines and tools	28492	28.49.2	Tool holders
12A	Machines and tools	28911	28.91.1	Machinery for metallurgy and parts thereof
12A	Machines and tools	28931	28.93.1	Machinery for food, beverage and tobacco processing, except parts thereof
12A	Machines and tools	28932	28.93.2	Machines for cleaning, sorting or grading seed, grain or dried leguminous vegetables
12A	Machines and tools	28933	28.93.3	Parts of machinery for food, beverage and tobacco processing
12A	Machines and tools	28941	28.94.1	Machinery for preparing, spinning, weaving and knitting textiles
12A	Machines and tools	28942	28.94.2	Other machinery for textile and apparel production, including sewing machines
12A	Machines and tools	28943	28.94.3	Machinery for working hides, skins or leather or for making or repairing footwear and other articles
12A	Machines and tools	28945	28.94.5	Parts and accessories of machines for weaving and spinning and for machinery for other production of textiles and apparel and for the working of leather
12A	Machines and tools	28961	28.96.1	Machinery n.e.c. for working plastics and rubber or for the manufacture of products from these materials
12A	Machines and tools	28962	28.96.2	Parts for machinery n.e.c. for working plastics and rubber or for the manufacture of products from these materials
12A	Machines and tools	28991	28.99.1	Printing and bookbinding machinery
12A	Machines and tools	28992	28.99.2	Machines and apparatus of a kind used solely or principally for the manufacture of semiconductor boules or wafers, semiconductor devices, electronic integrated circuits or flat panel displays
12A	Machines and tools	28993	28.99.3	Special-purpose machinery n.e.c.
12A	Machines and tools	28994	28.99.4	Parts of printing and book-binding machinery
12A	Machines and tools	28995	28.99.5	Parts of machines and apparatus of a kind used solely or principally for the manufacture of semiconductor boules or wafers, semiconductor devices, electronic integrated circuits or flat panel displays; parts of other special-purpose machinery
12A	Machines and tools	257111	25.71.11	Knives (except for machines) and scissors and blades thereof
12A	Machines and tools	257114	25.71.14	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware
12A	Machines and tools	265132	26.51.32	Drafting tables and machines and other drawing, marking-out or mathematical calculating instruments
12A	Machines and tools	265162	26.51.62	Machines and appliances for testing the mechanical properties of materials
12A	Machines and tools	265166	26.51.66	Measuring or checking instruments, appliances and machines n.e.c.
12A	Machines and tools	281510	28.15.10	Ball or roller bearings
12A	Machines and tools	282931	28.29.31	Weighing machines for industrial purposes; scales for continuous weighing of goods on conveyors; constant weight scales and scales for discharging a predetermined weight
12A	Machines and tools	282939	28.29.39	Other weighing and measuring machinery
12A	Machines and tools	283091	28.30.91	Parts of harvester and threshers n.e.c.
12A	Machines and tools	283092	28.30.92	Parts of soil machinery
12A	Machines and tools	283093	28.30.93	Parts of other agricultural machinery
12A	Machines and tools	283094	28.30.94	Parts of milking and dairy machines n.e.c.
12A	Machines and tools	284111	28.41.11	Machine tools for working metal by removal of material by laser, ultrasonic and the like
12A	Machines and tools	289511	28.95.11	Machinery for paper and paperboard production, except parts thereof
12A	Machines and tools	289512	28.95.12	Parts of machinery for paper and paperboard production
12B	Vehicles including accessories and parts	28152	28.15.2	Other bearings, gears, gearing and driving elements
12B	Vehicles including accessories and parts	28153	28.15.3	Parts of bearings, gearings and driving elements
12B	Vehicles including accessories and parts	29101	29.10.1	Internal combustion engines of a kind used for motor vehicles
12B	Vehicles including accessories and parts	29102	29.10.2	Passenger cars
12B	Vehicles including accessories and parts	29103	29.10.3	Motor vehicles for the transport of 10 or more persons
12B	Vehicles including accessories and parts	29104	29.10.4	Motor vehicles for the transport of goods
12B	Vehicles including accessories and parts	29105	29.10.5	Special-purpose motor vehicles
12B	Vehicles including accessories and parts	29201	29.20.1	Bodies for motor vehicles
12B	Vehicles including accessories and parts	29202	29.20.2	Trailers and semi-trailers; containers
12B	Vehicles including accessories and parts	29203	29.20.3	Parts of trailers, semi-trailers and other vehicles, not mechanically propelled
12B	Vehicles including accessories and parts	29311	29.31.1	Ignition wiring sets and other wiring sets of a kind used in vehicles, aircraft or ships
12B	Vehicles including accessories and parts	29312	29.31.2	Other electrical equipment for motor vehicles and parts thereof
12B	Vehicles including accessories and parts	29313	29.31.3	Parts of other electrical equipment for motor vehicles and motorcycles
12B	Vehicles including accessories and parts	29321	29.32.1	Seats for motor vehicles
12B	Vehicles including accessories and parts	29322	29.32.2	Safety seat belts, airbags and parts and accessories of bodies
12B	Vehicles including accessories and parts	29323	29.32.3	Parts and accessories n.e.c., for motor vehicles
12B	Vehicles including accessories and parts	30911	30.91.1	Motorcycles and side-cars
12B	Vehicles including accessories and parts	30912	30.91.2	Parts and accessories of motorcycles and side-cars
12B	Vehicles including accessories and parts	30913	30.91.3	Internal combustion engines of a kind used for motorcycles

dg_tax_code	DG_TAX_Code_desc	cpa_code	cpa_code_text	CPA_description
12B	Vehicles including accessories and parts	30921	30.92.1	Bicycles and other cycles, not motorised
12B	Vehicles including accessories and parts	30922	30.92.2	Invalid carriages, excluding parts and accessories
12B	Vehicles including accessories and parts	30923	30.92.3	Parts and accessories of bicycles and other cycles, not motorised, and of invalid carriages
12C	Office stationery	172115	17.21.15	Box files, letter trays, storage boxes and similar articles of a kind used in offices, shops or the like, of paper
12C	Office stationery	172311	17.23.11	Carbon paper, self-copy paper and other copying or transfer papers; duplicator stencil and offset plates of paper; gummed or adhesive paper
12C	Office stationery	172312	17.23.12	Envelopes, letter cards, plain postcards and correspondence cards of paper or paperboard; boxes, pouches, wallets and writing compendiums of paper or paperboard, containing paper stationery
12C	Office stationery	172313	17.23.13	Registers, account books, binders, forms and other articles of stationery, of paper or paperboard
12C	Office stationery	172314	17.23.14	Other paper and paperboard, of a kind used for writing or printing or other graphic purposes, printed, embossed or perforated
12C	Office stationery	259922	25.99.22	Paper trays, paper rests, pen trays, office-stamp stands and similar office or desk equipment, of base metal, other than office furniture
12C	Office stationery	259923	25.99.23	Fittings for loose-leaf binders or files, letter clips and similar office articles, and staples in strips, of base metal
12C	Office stationery	329912	32.99.12	Ball point pens; felt-tipped and other porous-tipped pens and markers; propelling or sliding pencils
12C	Office stationery	329913	32.99.13	Indian ink drawing pens; fountain pens, stylograph pens and other pens
12C	Office stationery	329914	32.99.14	Sets of writing implements, pen- and pencil-holders and similar holders; parts thereof
12C	Office stationery	329915	32.99.15	Pencils, crayons, pencil leads, pastels, drawing charcoals, writing or drawing chalks and tailors' chalks
12C	Office stationery	329916	32.99.16	Slates and boards; date, sealing or numbering stamps and the like; typewriter or similar ribbons; ink-pads
12D	Lighters	329941	32.99.41	Cigarette lighters and other lighters; smoking pipes and cigar or cigarette holders and parts thereof
12D	Lighters	329942	32.99.42	Parts of lighters; pyrophoric alloys; articles of combustible materials
12E	Labels, tags, stickers	172911	17.29.11	Labels of paper or paperboard
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13101	13.10.1	Wool grease (including lanolin)
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13102	13.10.2	Natural textile fibres prepared for spinning
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13103	13.10.3	Man-made textile staple fibres processed for spinning
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13104	13.10.4	Silk yarn and yarn spun from silk waste
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13105	13.10.5	Yarn of wool put up or not put up for retail store; yarn of fine or coarse animal hair or of horse hair
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13106	13.10.6	Cotton yarn; cotton sewing thread
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13107	13.10.7	Yarn of vegetable textile fibres other than cotton (including flax, jute, coir and true hemp); paper yarn
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13108	13.10.8	Textile yarn and thread of man-made filaments or staple fibres
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13201	13.20.1	Woven fabrics (except special fabrics), of natural fibres other than cotton
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13202	13.20.2	Woven fabrics of cotton
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13203	13.20.3	Woven fabrics (except special fabrics), of man-made filaments and staple fibres
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13204	13.20.4	Pile fabrics, terry towelling and other special fabrics
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13911	13.91.1	Knitted or crocheted fabrics
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13921	13.92.1	Made-up textile articles for the household
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13931	13.93.1	Carpets and rugs
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13941	13.94.1	Cordage, rope, twine and netting, except waste
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13951	13.95.1	Non-wovens and articles made from non-wovens, except apparel
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13961	13.96.1	Metallised yarn or metallised gimped yarn; woven fabrics of metal thread and woven fabrics of metallised yarn; rubber thread and cord, textile covered and textile products and articles for technical uses
12F	Textiles (towels, linen, carpet, mattresses, etc.)	13991	13.99.1	Tulles, lace and embroidery; gimped yarn and strip; chenille yarn; loop wale-yarn
12F	Textiles (towels, linen, carpet, mattresses, etc.)	15111	15.11.1	Tanned or dressed fur skins
12F	Textiles (towels, linen, carpet, mattresses, etc.)	15112	15.11.2	Chamois leather; patent leather and patent laminated leather; metallised leather
12F	Textiles (towels, linen, carpet, mattresses, etc.)	15113	15.11.3	Leather, of bovine or equine animals, without hair
12F	Textiles (towels, linen, carpet, mattresses, etc.)	15114	15.11.4	Leather of sheep, goat or swine, without hair
12F	Textiles (towels, linen, carpet, mattresses, etc.)	15115	15.11.5	Leather of other animals; composition leather with a basis of leather
12F	Textiles (towels, linen, carpet, mattresses, etc.)	139222	13.92.22	Tarpaulins, awnings and sunblinds; sails for boats, sailboards or landcraft; tents and camping goods (including pneumatic mattresses)
12F	Textiles (towels, linen, carpet, mattresses, etc.)	139223	13.92.23	Parachutes (including dirigible parachutes) and rotochutes; parts thereof
12F	Textiles (towels, linen, carpet, mattresses, etc.)	139224	13.92.24	Quilts, eiderdowns, cushions, pouffes, pillows, sleeping bags and the like, fitted with springs or stuffed or internally fitted with any material or of cellular rubber or plastics
12F	Textiles (towels, linen, carpet, mattresses, etc.)	139229	13.92.29	Other made-up textile articles (including floor cloths, dish-cloths, dusters and similar cleaning cloths, life-jackets and life-belts)
12F	Textiles (towels, linen, carpet, mattresses, etc.)	151219	15.12.19	Other articles of leather or composition leather (including articles used in machinery or mechanical appliances of for other technical uses) n.e.c.

dg_tax_code	DG_TAX_Code_desc	cpa_code	cpa_code_text	CPA_description
12G	Packaging materials	25921	25.92.1	Light metal packaging
12G	Packaging materials	139221	13.92.21	Sacks and bags, of a kind used for the packing of goods
12G	Packaging materials	172112	17.21.12	Sacks and bags of paper
12G	Packaging materials	172113	17.21.13	Cartons, boxes and cases, of corrugated board or corrugated paperboard
12G	Packaging materials	172114	17.21.14	Folding cartons, boxes and cases, of non-corrugated paper or paperboard

Table G-3: Table of equivalence of categories DG TAXUD / CPA-PRODCOM

Annex H. Methodological notes for comparing detentions at the EU border with detentions in the EU internal market

In order to analyse the differences between the types of subcategories of goods most detained in a given year N at the EU border and in the EU internal market, the comparison is based on the share of detentions of a certain type of products, i, represented, in terms of both number of items and value, as a fraction of the total detentions of all types of goods in that year.

That share may show the discrepancies between the type of products detained at the EU border and in the EU internal market in year N.

However, to make an appropriate comparison, it is important to choose a subset of Member States in which there is solid availability of data on detentions both at the EU border and in the EU internal market. Since the data on detentions at the EU border is almost systematically available for all Member States (see section B.1 of Annex B), the solidity of the set of countries to be chosen is determined by the availability of data on detentions in the EU internal market during that year (see section B.2 of Annex B). On the basis of that availability, the analysis described here has to be restricted to the selected subset.

For instance, the share, in terms of quantity of items, of detentions in year N at the EU border of the goods of subcategory i for the selected subset being:

$$QShare_i^{EUborder}$$

(e.g. in 2019 $QShare_{cigarettes}^{EUborder} = 15.92\ \%$).

The share, in terms of quantity of items, of detentions in year N in the EU internal market of the goods of subcategory i for the selected subset being:

$$QShare_i^{EUintmark}$$

(e.g. in 2019 $QShare_{cigarettes}^{EUintmark} = 3.37\ \%$).

The delta between the share, in terms of quantity of items, at the EU border and the share in the EU internal market in year N is defined as the difference between the two, taking 'at the EU border' as the minuend:

$$\Delta QShare_i = QShare_i^{EUborder} - QShare_i^{EUintmark}$$

(e.g. during 2019. $\Delta QShare_{cigarettes} = 15.92\,\% - 3.37\,\% = 12.55\,\%$).

High positive values of $\Delta\mathrm{QShare_i}$ imply that the detentions of goods of subcategory i are, during the year in question and in the selected subset of Member States, proportionally much more voluminous, in terms of quantity of items, at the EU border than in the EU internal market, whereas high negative values of $\Delta\mathrm{QShare_i}$ imply that the detentions of goods of subcategory i are, in the same year and for the selected subset, proportionally much more voluminous, in terms of quantity of items, in the EU internal market than at the EU border.

Analogously, the share, in terms of estimated value, of detentions in year N at the EU border of the goods of subcategory i for the selected subset being:

$$VShare_i^{EUborder}$$

(e.g. in 2019 $VShare_{clothing}^{EUborder} = 24.51\,\%$).

The share, in terms of estimated value, of detentions in year N in EU internal market of the goods of subcategory i for the selected subset being:

$$VShare_i^{EUintmark}$$

(e.g. in 2019 $VShare_{clothing}^{EUintmark} = 10.74\,\%$).

The delta between the share, in terms of estimated value, at the EU border and in the EU internal market during year N is defined as the difference between the two, taking 'at the EU border' as the minuend:

$$\Delta VShare_i = VShare_i^{EUborder} - VShare_i^{EUintmark}$$

(e.g. during 2019 $\Delta VShare_{clothing} = 24.51\,\% - 10.74\,\% = 13.77\,\%$).

High positive values of $\Delta\mathrm{VShare_i}$ imply that the detentions of goods of subcategory i are, in the year in question and in the selected subset of Member States, proportionally much more voluminous, in terms of estimated value, at the EU border than in the EU internal market, whereas high negative

values of $\Delta \mathrm{QShare}_i$ imply that the detentions of goods of subcategory i are proportionally much more voluminous, in terms of value, in the EU internal market than at the EU border, again for the selected subset and year.

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