

Required Report: Required - Public Distribution

Date: December 23, 2022

Report Number: NL2022-0062

Report Name: Food and Agricultural Import Regulations and Standards
Export Certificate Report

Country: Netherlands

Post: The Hague

Report Category: FAIRS Export Certificate Report

Prepared By: Bob Flach

Approved By: Christopher Riker

Report Highlights:

The Netherlands, as a Member State of the European Union (EU), conforms to all EU regulations and directives. However, rules for the certification of imports are complicated and, in practice, are not always harmonized across EU Member States. This report lists the recent developments related to Dutch import requirements for the certification of agricultural and food imports.

DISCLAIMER: This report was prepared by the Office of Agricultural Affairs in The Hague (FAS/The Hague) for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO THE IMPORTING COUNTRY’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Table of Contents

Executive Summary 2

Section I List all the Export Certificates required by Government 3

Section II Purpose of Specific Export Certificate(s) 3

Section III Specific Attestations Required on Export Certificates(s) 4

Section IV Government Certificate Legal Entry Requirements 4

Section V Other Certification/Accreditation Requirements to ensure market entry 4

 New EU Animal Health Certificate Requirements 4

 New EU Requirements for Composite Products..... 4

 Dating Certificates 5

 Seal Number..... 5

 E-Certification..... 5

APPENDIX I Electronic Copy, scanned copy, or Outline of Each Export Certificate..... 6

Executive Summary

The Netherlands is a Member State of the European Union (EU). Accordingly, we strongly recommend that this report be read in conjunction with the [EU Food and Agricultural Import Regulations and Standards \(FAIRS\) Export Certificate Report](#). Ports in the Netherlands function as the major entry point for agricultural exports to Northwestern Europe. FAS/The Hague regularly assists in releasing shipments from the United States. The most frequent reasons for detainment are: the shipper using the wrong/old certificate model, the absence of a certificate, the certificate was issued after the date of departure, or missing statements or references in the certificate. The most frequent products which are detained are meat, dairy, and composite products.

Following an update of the EU’s Animal Health Law ([Regulation \(EU\) 2016/429](#)), which entered into force on April 21, 2021, the EU has updated all required health certificates for products of animal origin.

Models for the new certificates were published in [Commission Implementing Regulation \(EU\) No 2020/2235](#), as amended by [Commission Implementing Regulation \(EU\) 2021/1471](#). In early August 2021, the European Commission (EC) extended the transition period for the acceptance of the pre-existing certificates.

Section I List all the Export Certificates required by Government

The Netherlands, as a Member State of the EU, conforms to all EU regulations and directives. We therefore recommend that this report be read in conjunction with the [EU Food and Agricultural Import Regulations and Standards \(FAIRS\) Export Certificate Report](#), published October 28, 2022. This report and other related FAIRS reports can be found on the FAS website at: <https://gain.fas.usda.gov/#/>

Please note that between two and three percent of all shipments entering Europe through the Netherlands are detained. The most frequent products which are detained are meat, dairy, and composite products. The main reasons provided for detained shipments from the United States are generally as follows, in order of prevalence:

- the certificate was issued after the date of departure;
- incorrect strike outs of standard text in certificates;
- missing or incorrect statements or references in the certificate;
- the shipper using the wrong/old certificate model,
- the certificate is absent;
- there were typographical errors (such as the wrong EU plant approval number);
- missing stamps (on one or more pages) or stamp/initials missing by strike outs (all strike outs must be initialed and stamped);
- page number or certificate number is missing (must both be present on all pages);
- missing information such as HS code, packaging, batch number, place of loading or vessel name;
- the number of packages listed on health certificate does not match the number of packages shipped;
- selection of the wrong Harmonized System (HS) code (in box I.19) and/or incorrect description of the goods (in box I.28); and,
- the shipment was not registered in the EU's Trade Control and Expert System (TRACES).

Additionally, changing EU legislation and the resulting changes in import requirements are often a reason for errors, such as issuance of the incorrect certificate model (e.g., using the old model), typos, and/or incorrect strike outs. Please keep these in mind when shipping to the Netherlands.

If a container with U.S. product is detained in the Netherlands, Denmark, Sweden, Norway, Finland, or Iceland, FAS/The Hague may be able to serve as a resource. If you require assistance, please contact us by e-mail at: AgTheHague@state.gov.

Section II Purpose of Specific Export Certificate(s)

Please read the [EU FAIRS Export Certificate Report](#).

Section III Specific Attestations Required on Export Certificates(s)

Please read the [EU FAIRS Export Certificate Report](#).

Section IV Government Certificate Legal Entry Requirements

Please read the [EU FAIRS Export Certificate Report](#).

Section V Other Certification/Accreditation Requirements to ensure market entry

New EU Animal Health Certificate Requirements

Following an update of the EU's Animal Health Law ([Regulation \(EU\) 2016/429](#)), which entered into force on April 21, 2021, the EU updated all required certificates for products of animal origin. Models for the new certificates for foods of animal origin were published by the EU and implemented by U.S. agencies. Several amendments to the new certificates were made since their first publication. They are available online in [Commission Implementing Regulation \(EU\) 2020/2235 \(consolidated version July 14, 2022\)](#). FAS cooperates closely with the regulatory agencies to ensure that their export libraries are up-to-date and that the applicable versions of the certificate are made available to exporters. The Implementing Regulation also defines the general requirements for certificates, including signatures, stamps, initials, page set-up, language, and other requirements.

For more information see FAS GAIN Report – [EU FAIRS Export Certificate Report Annual](#), published on October 28, 2022, by the USEU.

New EU Requirements for Composite Products

[Regulation \(EU\) 2019/625](#) defines composite products as foodstuffs intended for human consumption that contain processed products of animal origin and ingredients of plant origin. Composite products include a wide variety of products, including cheesecakes, high protein food supplements, pizza, and lasagnas. U.S. exports of “composite products” continue to be restricted by burdensome certification requirements. While the United States is eligible to ship hormone-free meat, dairy products, egg products, and fishery products separately, it is often not possible to ship the composite products that combine these eligible ingredients.

Exporters should be aware that in parallel with the changes to the attestation on animal health in the composite product certificate, the EU also made changes to the categories of composite products that require U.S. Government-issued health certificates. The system is no longer based on the percentage of ingredients of animal product in the final product, as was the case until April 21, 2021. The current system that went into effect on April 21, 2021, establishes three categories of composite products: (1) non-shelf stable composite products, (2) shelf stable composite products that contain meat, and (3) shelf stable composite products that do not contain meat. All processed products of animal origin must be sourced from EU-approved establishments. The EU continues to require composite product certificates for all non-shelf stable products and for shelf stable composite products with a meat ingredient. A

private company attestation will be required for shelf stable products not containing meat. It should be noted that this attestation is not issued by the U.S. Government but by the representative of the importing company.

More information on the import conditions for composite products is available on the European Commission's [website](#). This website also includes a compilation of [Questions & Answers](#) intended to clarify a multitude of practical questions that have been raised on the new rules.

Dating Certificates

One of the EU's requirements (Regulation (EU) 2020/2235 art. 5) is that: "(t)he certificate must be issued before the consignment to which it relates leaves the control of the competent authority of the country of dispatch." This means that the health certificate must be issued and signed before the shipment leaves the United States. Although this is an EU-wide requirement, FAS/The Hague notes that errors in certificate dates have led to detained shipments in the past in the Netherlands.

Seal Number

To conduct an identity check of a shipment, the Dutch NVWA requires the seal number of the container to be on the health certificate. A seal number on the Bill of Lading is not sufficient as these can easily be re-issued by private companies. If a seal number is not present on the health certificate, a physical check is necessary to verify the identity of the shipment. If there is a broken seal, the port official will conduct an open-container check to verify the health marks, count the boxes, verify the weight, and/or open the boxes to ensure that the product in the container matches what is listed on the export documentation.

E-Certification

U.S. regulatory agencies and the NVWA continue to promote the use of e-certification for both exports and imports. Some advantages of e-certification are that the document check can be performed at an earlier stage, issues can be identified and rectified, and the paper certificates will not get lost. Ultimately, e-certificates will cut down on the administrative burden and save costs.

TRACES (the acronym for TRAde Control and Expert System) is the European Commission's online platform for sanitary and phytosanitary certification required for the importation of animals, animal products, food and feed of non-animal origin and plants into the European Union, intra-EU trade, and EU exports of animals and certain animal products.

While U.S. competent authorities apply electronic systems for e-certification, these systems are not currently connected with TRACES. Accordingly, certification of U.S. products to the EU is entirely paper based, except for organic products. On October 19, 2017, the EU began requiring the use of electronic certification through TRACES for certified organic products. A USDA-accredited certifying agent must complete an electronic Certificate of Inspection through TRACES for all USDA organic product exports.

APPENDIX I Electronic Copy, scanned copy, or Outline of Each Export Certificate

Please see the [EU FAIRS Export Certificate Report](#).

Attachments:

No Attachments