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Netherlands

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This report should be read in conjunction with the Food and Agricultural Import Regulations and Standards (FAIRS) – Country Report written by the U.S. Mission to the EU in Brussels, Belgium, GAIN E80065. The report focuses on the import regulations and standards that are not harmonized in the EU or where the Netherlands varies. For updates of the information provided in this report check the USEU/FAS website www.usda-eu.org.

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DISCLAIMER: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in The Hague, the Netherlands for U.S. exporters of domestically produced food and agricultural products. **This report should be read in conjunction with the Food and Agricultural Import Regulations and Standards (FAIRS) – Country Report written by the U.S. Mission to the EU in Brussels, Belgium, GAIN E80065.**

While every possible care was taken in the preparations 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 buyers, who are in the best position to research such matters with local authorities, before any goods are shipped. Final approval of any product is subject to the importing country's rules and regulations as interpreted by border officials at the time of product entry.

Section I. Food Laws

The Netherlands

The Netherlands, as a member of the EU, conforms to all EU regulations and directives. Regulation (EC) 178/2002 (General Food Law) is the harmonized regulation which sets out the general principles and requirements of EU harmonized food law. Exporters should be aware that there may also be some variation among Member States in applying EU harmonized legislation.

The Dutch Food and Drugs Law is called "Warenwet". This Warenwet provides the Dutch regulatory framework for all food and non-food products. It applies to domestically produced and imported products. Revisions of the Dutch Food and Drugs Law are published in the "Staatscourant". The Food and Drugs Law and revisions can be found on <http://wetten.overheid.nl/zoeken/>. At this website all other Dutch legislation can be found as well. (NOTE: website is in Dutch).

The task of the Netherlands Food and Consumer Product Safety Authority (NVWA) is to protect human and animal health. It monitors food and consumer products to safeguard public health and animal health and welfare. The Authority controls the whole production chain, from raw materials and processing aids to end products and consumption. The NVWA is an independent agency in the Ministry of Economic Affairs and a delivery agency for the Ministry of Health, Welfare and Sport. The three main tasks of the NVWA are: supervision, risk assessment and risk communication.

The Netherlands Food and Consumer Product Safety Authority (Nederlandse Voedsel- en Warenautoriteit NVWA)
PO Box 8433
3503 RK Utrecht, the Netherlands
Phone: +31-(0)88-223 3333
Fax: +31-(0)88-223 3334
Email: info@vwa.nl
Website: www.vwa.nl

The Plant Protection Service (PD) is the body within NVWA that is responsible for the phytosanitary inspections on imported products. An overview of plant products that are subject to inspection can be found at <http://www.vwa.nl/onderwerpen/meest-bezocht-a-z/dossier/import-plantmateriaal/certificaat-en-inspectieplichtige-producten-bij-import>.

This website is updated regularly. For more information or questions for the PD, contact:
NVWA's Plantenziektenkundige Dienst (PD)
Postbus 9102
6706 EA Wageningen
Phone: +31 (0)317-496911
Fax: +31 (0)317-421701
Email: pd.info@minlnv.nl
Website: www.vwa.nl

The phytosanitary inspection tasks have been transferred to the following 4 inspection bodies (see Appendix II): NAK (Netherlands General Inspection Service for Agricultural Seeds and Seed potatoes), NAK-tuinbouw (Netherlands Inspection Service for Horticulture), BKD (Flower Bulb Inspection Service) and KCB (Quality Control Bureau for Vegetables and Fruit). These four agencies carry out import inspections to detect plant diseases, as well as quality control inspections on fruit and vegetables. The Ministry of Economic Affairs retains ultimate responsibility for these matters.

Section II. Labeling Requirements

A. General requirements

In the Netherlands, the labeling requirements have been laid down in the Warenwetbesluit etikettering van levensmiddelen and can be found at <http://wetten.overheid.nl>. Since the Netherlands follows EU legislation, standard U.S. labels fail to comply with Netherlands labeling requirements.

Compulsory information:

7) The date of minimum durability:

	In the Netherlands:
For a shelf-life up to 3 month after the date of production	Tenminste houdbaar tot (best before) Day, Month, (Year)
For a shelf-life between 3 and 18 months	Tenminste houdbaar tot einde (best before end) Month, year

For a shelf-life longer than 18 months

Tenminste houdbaar tot einde
(best before end)

Year

For Highly perishable foodstuffs

Te gebruiken tot
(use by)

Day, Month, (Year)

In addition to the date, the instructions for storage have to be mentioned as well

14) Treatments:

Any foodstuff which has been treated with ionising radiation must bear one of the following indications:

- "doorstraald";
- "door straling behandeld";
- "met ioniserende straling behandeld";

Language requirements:

Labeling has to be in Dutch, the official language of the Netherlands. Multi-language is allowed.

Stick-on labels:

The Netherlands accept stick-on labels.

Samples:

Samples of products that are not approved to export to the EU for research purposes or to be handed out at trade shows can in some cases be exported to the Netherlands. This process can be expensive and burdensome. An application form to ask for an exemption can be requested at:

The Food and Consumer Product Safety Authority
Division PRIMEX Department TVE Import
import@vwa.nl

Exceptions:

At the ministry of economic affairs an exception to the existing labeling regulations can be granted. The granting of an exception would however be very rare.

Section III. Packaging and Container Requirements

B. Packaging waste management

Member States are required to take measures to reduce packaging waste and must introduce systems for reuse, recovery and recycling of packaging materials (Council Directive 94/62/EC). The Netherlands introduced in this context NEDVANG; more information can be found on www.nedvang.nl.

Point of contact in the Netherlands:

Nedvang Waste tool
Postbus 8724
3009 AS Rotterdam

Phone: +31 (0)10 420 6161
Fax: +31 (0)10 420 1702
Email: info@nedvang.nl

C. Material in contact with food stuffs

A summary of national legislation can be downloaded from the European Commission website at http://ec.europa.eu/food/food/chemicalsafety/foodcontact/sum_nat_legis_en.pdf.

Point of contact in the Netherlands:
Ministry of Health, Welfare and Sport (WVS)
PO Box 20350
2500 EJ The Hague, The Netherlands
Phone: +31 (0)70 340 7911
Fax: +31 (0)70 340 7834

Section IV. Food Additive Regulations

All food additive regulations are harmonized within the EU.

Section V. Pesticides and Contaminants

A. Pesticides

The Netherlands together with Belgium, Czech Republic, Germany, Ireland, Luxembourg, Hungary, Austria, Poland, Romania, Slovenia, Slovakia and the United Kingdom fall in Zone B – Centre.

Section VI. Other Regulations and Requirements

A. Product inspection and registration

In the Netherlands the NVWA is responsible for inspections.

Criteria for laboratories conducting food controls have been harmonized but it is the Member States' responsibility to designate laboratories that are allowed to perform analyses. A list of laboratories designated by the Netherlands to perform analysis can be found at the following internet link, www.rva.nl. Different laboratories are accredited for the different type of controls.

Dutch Accreditation Council (RVA)
P.O. Box 2768
3500 GT Utrecht, the Netherlands
T: +31 (0)30 23 94 500
F: +31 (0)30 23 94 539
postmaster@rva.nl

B. Certification and documentation requirements

Composite products that have more than 50 percent of animal origin products require a certificate for composite products. Of those products, it is only possible to ship products that only contain dairy and egg products. For the latest accurate information, check with your Dutch importer or contact FAS in The Hague at +31-70-3102305 or PinckaersM@state.gov.

Section VII. Other Specific Standards

F. Dietetic or special use foods

Specific directives on foods and beverages for sports people or on foods intended for diabetics are still subject to Member State legislation. The marketing of dietetic foods for which no specific rules have been established must be notified to the Member State where the food is sold. The competent authority for the Netherlands is the Food and Consumer Product Safety Authority.

Point of contact in the Netherlands:

Food and Consumer Product Safety Authority (NVWA)

Mrs. Yvonne Huigen

P.O. Box 19506

2500 CM The Hague, The Netherlands

Phone: + 31 70 448 4806

Fax: + 31 70 448 4061

E-mail: yvonne.huigen@vwa.nl

N. Irradiated foodstuffs

Harmonization of EU rules on food irradiation has been slow and only a few products have so far received EU-wide approval. Until the EU positive list is expanded, national authorizations continue to apply.

Point of contact in the Netherlands:

De Nederlandse Gezondheidsraad

Postbus 16052

2500 BB Den Haag

+31 (0)70-340 75 20

info@gr.nl

www.gezondheidsraad.nl

Section VIII. Copyright and/or Trademark Laws

A. Trademarks

Trademark registration in the Netherlands is based on Benelux legislation. Registration can be obtained for all 3 Benelux countries (Belgium, Netherlands and Luxembourg) through one process. Applications for trademark registration in the Benelux can be sent to:

Benelux Merkenbureau (Benelux Trademark Office)

Bordewijklaan 15

2591 XR The Hague, the Netherlands

Phone: +31-(0)70-349 1111.

www.boip.int

www.bmm.nl

Section IX. Import Procedures

B. Import duties

It is possible to obtain Binding Tariff Information (BTI) from a member state's customs authority to get the proper product classification. Through this system, traders know in advance the tariff classification of the goods they intend to trade. BTI is legally binding in all the member states. Information on how to obtain a BTI can be downloaded from the European Commission's Taxation & Custom's website at

http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/classification_goods/index_en.htm.

More information on the Netherlands customs authorities can be found at

http://www.belastingdienst.nl/wps/wcm/connect/bldcontentnl/belastingdienst/douane_voor_bedrijven/index.html.

Customs authorities designated for the purpose of receiving applications and issuing binding tariff information:
Belastingdienst Douane Regio Rotterdam Rijnmond Team Bindende Tariefinlichtingen
Postbus 3070, 6401 DN Heerlen, the Netherlands.

Customs provides information of imports from which the NVWA selects the lots for further inspection.
Regulation 2004/882/EC sets out the standards for control of compliance with the General Food Law.

The Import Process:

- **Pre-announcement:** by Common (Veterinary) Entry Document (CVED or CED), issued by the agent;
- **Documentary Check:** examination of the original required documents that accompany the consignment based on model certificate according to EU legislation, carried out by Customs based on an agreement between Ministry of Economic Affairs and Ministry of Finance;
- **Identity Check:** to ascertain that the products correspond to the information given in the accompanying certificates or documents. All veterinary goods undergo an Identity Check. The ID check is conducted by comparing the seal number of the container with the seal number mentioned on the Health Certificate. If no seal number is mentioned on the Health Certificate, the veterinary authorities will need to open the shipment to conduct the Identity Check.
- **Physical check:** check on the product itself to verify compliance with food or feed law;

More information about the Dutch import regulations and standards can be obtained by contacting FAS/The Hague:

U.S. Embassy
Marcel Pinckaers
Office of Agricultural Affairs
Lange Voorhout 102
2514 EJ The Hague, The Netherlands
+31-(0)70-3102305
PinckaersM@state.gov

Appendix I. Government Regulatory Agency Contacts

1) Ministry of Economic Affairs
P.O. Box 20401
2500 EK The Hague, The Netherlands
Phone: +31 (0)70 378 6868
<http://www.rijksoverheid.nl/ministeries/ez>
<http://www.rijksoverheid.nl/themas/landbouw-natuur-en-voedsel>

2) Ministry of Health, Welfare and Sport
P.O. Box 20350
2500 EJ The Hague, The Netherlands
Phone: +31 (0)70 340 7911
www.minvws.nl

3) The Dutch Food and Consumer Product Safety Authority (Nederlandse Voedsel- en Warenautoriteit NVWA)
Head office:
Catharijnesingel 59
3511 GG Utrecht, the Netherlands

PO Box 8433
3503 RK Utrecht, the Netherlands
Phone: +31-(0)88-223 3333
Fax: +31-(0)88-223 3334
www.nvwa.nl
info@nvwa.nl

4) NVWA's National Plant Protection Service (PD)
Geertjesweg 15
Postbus 9102
6706 EA Wageningen
Phone: +31 (0)317-496911
Fax: +31 (0)317-421701
pd.info@minlnv.nl
www.nvwa.nl

Appendix II. Phytosanitary Inspections

BKD

Zwartelaan 2, 2161 AL, Lisse
P.O. Box 300, 2160 AH, Lisse
+31 (0)252 41 91 01
+31 (0)252 41 78 56
info@bkd.eu
www.bkd.eu

KCB

Platinaweg 10, 2544 EZ, The Hague
PO Box 43133, 2504 AC, The Hague
+31 (0)70 30 88 00 0
+31 (0)70 30 88 00 1
kcb@kcb.nl
www.kcb.nl

NAK

Randweg 14, 8304 AS, Emmeloord
P.O. Box 1115, 8300 BC, Emmeloord
+ 31 (0)527 63 54 00
+ 31 (0)527 63 54 11
nak@nak.nl
www.nak.nl

NAKTuinbouw

Sotaweg 22
P.O. Box 40, 2370 AA, Roelofarendsveen
+31 (0)71 332 62 62
+31 (0)71 332 63 63
www.naktuinbouw.nl