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**Report Highlights:**

This report should be read in conjunction with the EU-27 Food and Agricultural Import Regulations and Standards (FAIRS) report written by the U.S. Mission to the EU. This report focuses on the import regulations and standards that are not harmonized at the EU-level or where Belgium varies.

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## DISCLAIMER:

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Brussels, Belgium, for U.S. exporters of domestic 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 ([link](#)).**

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.

## Executive Summary

This report provides an overview of food and feed legislation currently in force in Belgium. Although most food legislation is harmonized at the European Union (EU) level, national Member State rules may exist in addition to EU rules or in cases where EU-harmonization is not yet finalized. EU and Belgian requirements for food differ from the ones in the United States and the standard U.S. label fails to comply with EU labeling requirements. This report looks at general requirements for food and feed labels including language requirements and nutrition declaration. It also lists the specific rules in place in Belgium for botanicals, food supplements, and the addition of nutrients to food. More information about EU rules are available in the [EU-27 Food and Agricultural Import Regulations and Standards Country Report](#).

## Section I. General Food Laws

General principles such as the precautionary principle are set out in the European Union (EU)'s [General Food Law Regulation 178/2002](#). Although most food legislation is harmonized at the EU-level, national Member State rules may exist in addition to EU rules or in cases where EU-harmonization is not yet finalized. U.S. exporters should be aware that in such cases, different rules may apply in different Member States. National measures exist, for example, for certain food contact materials, botanical ingredients in food supplements, minimum and maximum levels for vitamins and minerals, country of origin labeling, and for official control fees.

### Belgium

Member State officials are responsible for enforcing EU food legislation. The European Commission monitors Member State compliance with EU law and publishes [an annual report](#) on Member State performance. The European Commission has the authority to initiate legal action in the Court of Justice of the EU against Member States that are not complying with EU Directives and Regulations. “Directives” define the result that must be achieved but leave to each Member State the choice of form and methods to transpose the directive into national laws. Regulations are binding in their entirety and automatically enter into force on a set date in all Member States. Belgium, as a member of the EU, conforms to all EU regulations and directives. There may be some variation among Member States in applying EU harmonized legislation.

The Belgian Food and Drugs Law is called “[Wet betreffende de bescherming van de gezondheid van de gebruikers op het stuk van de voedingsmiddelen en andere produkten / Loi relative à la protection de la santé des consommateurs en ce qui concerne les denrées alimentaires et les autres produits.](#)” This law from 1977 provides the Belgian regulatory framework for all food products. It applies to domestically produced and imported food and other products including tobacco and cosmetic products. The main objective of this law is (1) health protection, (2) product safety, (3) ensuring that consumers have adequate and correct information, and (4) promotion of fair trade. All amendments and supplementary food laws are published in “Het Belgisch Staatsblad/Le Moniteur Belge”, which can be consulted on [www.staatsblad.be](#) (not available in English).

Belgium has a federal political structure. Food policy and safety are regulated at the federal level while agriculture policy is regulated at the regional level (Flanders and Wallonia). The Directorate-General for control of the Belgian Federal Agency for the Safety of the Food Chain (FAVV/AFSCA) has the responsibility for food controls. Laying down implementing and enforcing measures related to food safety, animal health, and plant protection are within the domain of the FAVV/AFSCA. The Federal Public Service (FPS) Health, Food Chain Safety and Environment is in charge of policy and legislation on food product standards, contaminants and animal and plant health. Quality schemes such as geographical indications (GIs) and traditional specialties guaranteed fall under the competence of the FPS Economy, SMEs, Self-Employed and Energy. The Belgian Minister of Agriculture is responsible for the FAVV/AFSCA, the Animal, Plant and Food Directorate General of the FPS Health, Food Chain Safety and Environment. For more information see [www.federal-government.be/en](#).

**Federal Agency for the Safety of the Food Chain (FAVV)**

Administratief Centrum Kruidtuin  
Food Safety Center  
Kruidtuinlaan 55 – 5<sup>th</sup> floor  
B-1000 Brussel, Belgium  
Phone: +32 (0)2 211 8211  
Email: [info@favv.be](mailto:info@favv.be)  
Website: <http://www.afsca.be/>

**Federal Public Service Health, Food Chain Safety and Environment**

Avenue Galilée / Galileelaan, 5 box 2  
1210 Brussels  
Phone: +32 (0)2 524.9797  
Email: [info@health.fgov.be](mailto:info@health.fgov.be)  
Website: <http://www.health.belgium.be/en>

## Section II. Labeling Requirements

### A. General requirements

The standard U.S. label, including the nutrition facts panel, fails to comply with EU labeling requirements. The EU's "[Food Information to Consumers \(FIC\) Regulation 1169/2011](#)" is applicable to all pre-packaged food and drink products marketed in the EU, including those imported from non-EU countries.

For an overview of the EU-harmonized labeling requirements see [EU FAIRS report](#) update. Member State specific requirements are listed below.

#### Language requirements

There are 3 official languages in Belgium: Dutch, French, and German. Belgium has four distinct language areas. The Dutch language area is located in the northern part of Belgium whereas the French language area is located in the south. Brussels, the capital of Belgium, is bi-lingual. Finally, there is a small German language area in the east that borders Germany. Language has been a very sensitive issue for many decades. This language sensitivity is reflected in the labeling requirements. The label has to be in the language or languages of the language area where the product is being marketed.

Considering the size of the market, most food companies only use bi-lingual Dutch/French or tri-lingual Dutch/French/German labels. FAS/Brussels recommends that U.S. exporters adopt the latter option, as it will allow for products to be marketed not only in Belgium but also in France, Germany, The Netherlands, Austria, Switzerland, and Luxembourg, or roughly a third of all EU consumers.

#### Minimum Durability

Annex X to the "[Food Information to Consumers \(FIC\) regulation 1169/2011](#)" sets out rules for the indication of the date of minimum durability, use-by date, and date of freezing. The use-by date must be indicated on individual pre-packed portions. The durability date AND the date of (first) freezing preceded by the words "frozen on" is required on labels of frozen meat, frozen meat preparations, and frozen unprocessed fishery products:

-The date shall be preceded by the words:

‘Best before’  
‘Best before end’

In Belgium :

‘Tenminste houdbaar tot’  
‘Tenminste houdbaar tot einde’

‘A consommer de préférence avant le’  
‘A consommer de préférence avant fin’

‘Mindestens haltbar bis’  
‘Mindestens haltbar bis Ende’

-The ‘use by’ date shall be preceded by the words:

‘Use by’

‘Te gebruiken tot’

‘A consommer jusqu’au’

‘Zu verbrauchen bis’

-The date of freezing or the date of first freezing shall be preceded by the words:

‘Frozen on’

‘Ingevroren op’

‘Produit congele le’

‘Eingefroren am’

## **Nutrition Declaration**

The EU’s [Food Information to Consumers \(FIC\) regulation 1169/2011](#) sets out EU-harmonized rules on nutrition labeling but allows Member States to recommend the voluntary use of additional nutritional labeling schemes.

In August 2018, the Belgian government announced the introduction of the voluntary “Nutri-Score” labeling scheme. Even though the scheme is voluntary, many Belgian retailers require the Nutri-Score for marketing purposes. For detailed information, GAIN report [Belgium adopts Nutri-Score for front of pack nutritional labeling](#).

## **Stick-on labels**

It is allowed in Belgium to use stick-on labels on pre-packed consumer products.

## **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 still in some cases be shipped to Belgium. This process can be expensive and burdensome. An application form to ask for an exemption can be requested at the Federal Agency for the Safety of the Food Chain (FAVV) by sending an email to [import.export@favv.be](mailto:import.export@favv.be).

## Exceptions

The FIC regulation allows Member States to deviate from EU rules. Article 39 of the FIC regulation sets conditions for Member States to adopt additional mandatory national measures such as country of origin labeling requirements. Belgium does not require additional information.

## B. Other Specific Labeling Requirements

### Special Use Foods

On July 20, 2016, the EU's "foods for specific groups" rules set out [in European Parliament and Council Regulation 609/2013](#) became applicable. The scope of this regulation is limited to infant formula, follow-on formula, processed cereal-based food and baby food, food for special medical purposes, and total diet replacement for weight control. Foods that no longer fall within the scope of Regulation 609/2013, such as meal replacements and low-calorie cereal bars will be regarded as "normal" foods and must comply with the Food Information to Consumers Regulation 1169/2011, Nutrition and Health Claims Regulation 1924/2006, and Fortified Foods Regulation 1925/2006.

New EU rules on "total diet replacement for weight control" became applicable on October 27, 2022. [Commission Delegated Regulation 2017/1798](#) sets out specific compositional and labeling requirements as well as a notification procedure under which food business operators are required to send copies of their product labels to the competent authority of each Member State where the product will be marketed.

Point of contact in Belgium:

Federal Public Service Health, Food Chain Safety and Environment  
Animal, Plant and Food Directorate-General  
Service Food, Feed, Other Consumption Products  
Avenue Galilée / Galileelaan, 5 box 2  
1210 Brussels  
Tel: +32 (0)2.524 7362  
E-mail: [apf.food@health.fgov.be](mailto:apf.food@health.fgov.be)

### Wine, Spirits, Beers and Other Alcoholic Beverages

For beverages containing more than 1.2 percent of alcohol by volume (excluding wines), the actual alcoholic strength by volume must be indicated in accordance with Annex XII to FIC regulation 1169/2011. The alcoholic strength must be indicated by a figure with a maximum of one decimal place followed by the symbol "% vol." The alcoholic strength must be given in the same field of vision as the product name and the net quantity.

Alcoholic beverages containing more than 1.2% of alcohol by volume are exempted from the obligation to bear a nutrition declaration and a list of ingredients.

## **Wine**

On December 8, 2023, labeling that includes a nutrition declaration and a list of ingredients will become mandatory for wines. In 2021, the European Union adopted [Regulation 2021/2117](#) which introduces a compulsory nutrition declaration and a compulsory list of ingredients for wines, aromatized wines, and dealcoholized and partially dealcoholized wines. The Regulation leaves producers the option of having the nutrition declaration on the package or on a label limited to the energy value, which may be expressed by using the symbol “E” for energy. In such cases, the full nutrition declaration shall be provided by electronic means identified on the package or on a label attached thereto (e.g. via a QR code). For more information, please see GAIN Report: [European Commission Publishes New EU Labeling Rules for Wines – January 2022](#).

## **Beer**

There is no specific EU-harmonized legislation for beer. Belgium does not have national provisions on beer labeling.

## **Spirits**

[Regulation 2019/787](#) entered into force in May 2021. This Regulation outlines general rules on the definition, description, presentation, and labeling of spirits, as well as on the protection of geographical indications of spirits. It also establishes rules on the use of legal names of spirits in the presentation and labeling of foodstuffs other than spirits drinks and provisions on the use of compound terms for the presentation of spirit drinks.

In February 2022, the European Commission published [Guidelines for the implementation of certain labelling provisions of Regulation \(EU\) 2019/787](#). These guidelines are limited to the practical explanation of labeling provisions applicable to spirit drinks, in particular the use of legal names, compound terms, allusions, mixtures, and blends.

## **Section III. Packaging and Container Regulations**

**A. Size & Content:** see [EU FAIRS report](#) update.

### **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](#)). More information about waste management in Belgium can be found on <https://www.fostplus.be/> and <http://www.pro-e.org/>.

Belgium has adopted a [decree](#) establishing product standards for the naming of compostable and biodegradable materials. It imposes specifications on products that claim to be biodegradable, compostable, or home compostable.

## C. Packaging Sustainability Measures

In May 2018, the European Commission proposed new rules to target the ten single use plastic products most often found on Europe's beaches and seas, as well as lost fishing gear. The ban of certain products could also affect food packaging. Some provisions of Directive (EU) 2019/904, also known as the Single Use Plastics Directive, to reduce the impact of certain plastic products on the environment, such as the ban on single-use plastics, went into effect on July 3, 2021. Other provisions in the Directive, such as the extended producer responsibility, will take effect by the end of 2024. For more information, please see: [GAIN Report European Union Single Use Plastics Directive Enters into Force](#).

The transposition of the Single Use Plastics Directive in Belgium is divided between the federal and regional level.

At the federal level, the Federal Government adopted [a Royal Decree on single-use products and the promotion of reusable products](#) in January 2022. According to this decree, the following products containing plastics cannot be placed on the Belgian market: cutlery, plates, straws (except those sold in pharmacies for people who have difficulty drinking or eating), stirrers, expanded polystyrene food containers and beverage cups, and products made from oxodegradable plastic.

Additionally, beverage cups should display labels informing consumers of the presence of plastic in the product and the harmful effects on the environment. Harmonized marking specifications on single-use plastic product labels are laid down in [EU Regulation 2020/2151](#).



At the regional level, two of the three regions have introduced measures to restrict single use plastics before the adoption of the royal decree.

- In Flanders, drinks may not be served in single use packaging at public events or government buildings since 2020.
- In Wallonia, the ban on the single use plastic items in the scope of Directive 2019/904 entered into force in 2021.

## D. Material in Contact with Food Stuffs

Belgian rules on food contact materials are established in "[Koninklijk besluit van 11 mei 1992 betreffende materialen en voorwerpen bestemd om met voedingsmiddelen in aanraking te komen](#)" / "[Arrêté royal du 11 mai 1992 concernant les matériaux et objets destinés à entrer en contacts avec les denrées alimentaires](#)."

In February 2021, Belgium published a royal decree on release limits for metals and alloys in food contact materials: "[Koninklijk besluit van 17 februari 2021 betreffende materialen en voorwerpen van metaal en legering die bestemd zijn om in aanraking te worden gebracht met voedingsmiddelen](#) / [Arrêté royal du 17 février 2021 concernant les matériaux et objets en métal et alliage destinés à entrer en contact avec les denrées alimentaires](#)." The royal decree calls for materials and objects in metal and

alloy which are intended to be brought into contact with foodstuffs to be accompanied by a written declaration of conformity when they are put on the market at a stage other than sale retail.

Contact information with regard to the submission of applications for authorization can be downloaded from the European Commission website at:

[https://ec.europa.eu/food/safety/chemical\\_safety/food\\_contact\\_materials/authorisations\\_en](https://ec.europa.eu/food/safety/chemical_safety/food_contact_materials/authorisations_en).

Point of contact in Belgium:

FPS Health, Food Chain Safety and Environment  
Directorate-General Animals, Plants and Food  
Office Food, Feed and Other consumption Products  
Avenue Galilée / Galileelaan, 5 box 2  
1210 Brussels  
B-1060 Brussel, Belgium  
Tel.: +32 2 524 73 63

Federal Agency for the Safety of the Food Chain  
CA Botanique - Food Safety Center  
Boulevard du Jardin Botanique 55  
B-1000 Brussel, Belgium  
Tel.: +32 2 211 87 09

Belgian Scientific Institute for Public Health  
Rue Juliette Wytmanstraat 14  
B-1050 Brussel, Belgium  
Tel.: +32 2 642 52 72

Several EU Member States have introduced national bans on the use of Bisphenol-A (BPA) in plastic food contact materials and other materials such as coatings. In September 2012, Belgium passed a ban on the use of Bisphenol-A, or BPA, in the packaging of food products for children less than three years old and also in plastic articles like spoons and plates for the same age group. The ban went into force on January 1, 2013. At the EU-level, [Commission Regulation \(EU\) 2018/213](#) limits the use of bisphenol A in varnishes and coatings intended to come into contact with food.

## Section IV. Food Additive Regulations

**A. Additives:** see [EU FAIRS report update](#)

**B. Flavorings:** see [EU FAIRS report update](#)

### C. Enzymes

EU [Regulation 1332/2008](#) on food enzymes harmonized the rules on food enzymes for the first time in the EU. Food enzymes are in the process of being evaluated for safety by the European Food Safety Authority (EFSA). Until the EU list of food enzymes is drawn up, national rules on the marketing and

use of food enzymes and food produced with food enzymes continue to apply in EU countries. Belgium does not have specific national legislation on food enzymes.

Guidance documents on the use of enzymes can be found on the European Commission's website [http://ec.europa.eu/food/safety/food\\_improvement\\_agents/enzymes/eu\\_rules\\_en](http://ec.europa.eu/food/safety/food_improvement_agents/enzymes/eu_rules_en).

## **D. Processing Aids**

EU harmonized rules exist only for certain categories of processing aids: a list of extraction solvents allowed in the production of foodstuffs and food ingredients, along with their conditions of use has been established in [Council Directive 2009/32/EC](#). Belgian legislation on processing aids is established in "[Koninklijk besluit van 25 november 1991 betreffende bij de productie van voedingmiddelen gebruikte extractiemiddelen](#)" / "[Arrêté royal du 25 novembre 1991 concernant les solvants d'extraction utilisés dans les denrées alimentaires.](#)"

Point of contact in Belgium:

Federal Public Service (FPS) Health, Food Chain Safety and Environment  
Avenue Galilée / Galileelaan, 5 box 2  
1210 Brussels  
Phone: +32 (0)2 524 73 51/52  
Email: [apf.food@health.fgov.be](mailto:apf.food@health.fgov.be)

## **Section V. Pesticides and Other Contaminants**

### **A. Pesticides**

[EU Regulation 1107/2009](#) sets out rules for the authorization of plant protection products. For the authorization or withdrawal of plant protection products, the EU is divided into three zones. Belgium together with The Netherlands, Czech Republic, Germany, Ireland, Luxembourg, Hungary, Austria, Poland, Romania, Slovenia and Slovakia fall in Zone B – Centre (see Annex I to regulation 1107/2009). The authorization of plant protection products falls within the competence of the FPS Health, Food Chain Safety and Environment. For detailed information see <http://fytoweb.be/en>.

**B. Contaminants:** see [EU FAIRS report update](#).

## **Section VI. Other Requirements, Regulations and Registration Measures**

### **A. Facility Registration**

The EU approves establishments to ship products of animal origin based on submissions from U.S. Government agencies. Only products processed in approved establishments may enter the EU. Third country lists per sector and per country are published on the European Commission's website <https://webgate.ec.europa.eu/tracesnt/directory/publication/establishment/index#!/search>

Detailed information on certification of products from approved U.S. establishments is available on our website at [Approved U.S. Establishments - USDA \(usda-eu.org\)](https://www.usda.gov/press-releases/2018/08/08/20180808-usda-eu).

## **B. Product Registration**

The introduction of special use foods needs to be notified to the Member State where the food is sold. Exporters of vitamin-enriched foods or nutritional supplements are especially advised to check for the existence of specific Member State registration or notification requirements.

The competent authority for Belgium:  
FPS Health, Food Chain Safety and Environment  
Department for Foods, Animal Foods  
and Other Consumption Products (DG for Animals, Plants and Foodstuffs)  
Avenue Galilée / Galileelaan, 5 box 2  
1210 Brussels  
Tel: +32(0)2.5247351-52  
E-mail: [apf.food@health.fgov.be](mailto:apf.food@health.fgov.be)

## **C. Inspections**

The [Official Controls Regulation \(EU\) 2017/625](#) sets common rules for official controls to ensure the correct application of food and feed law, rules on animal health and welfare, plant health and plant protection products (Official Controls Regulation - OCR). The main elements of this regulation went into effect on Dec 14, 2019. For more information, please see the [EU FAIRS Certificate Report](#).

In Belgium the Federal Agency for the Safety of the Food Chain (FAVV/AFSCA) is responsible for the inspections. Criteria for laboratories conducting food controls have been harmonized but it is a Member State responsibility to designate laboratories that are allowed to perform analyses. A list of authorized laboratories can be found on FAVV's website at <http://www.favv-afsca.be/laboratoria/>.

## **Section VII. Other Specific Standards**

### **A. Novel Foods**

The new [EU framework regulation 2015/2283 on Novel Foods](#) became applicable on January 1, 2018. For questions relating to the novel food status of a product or ingredient, please contact:

FPS Health, Food Chain Safety and Environment  
Department for Foods, Animal Foods  
and Other Consumption Products (DG for Animals, Plants and Foodstuffs)

E-mail: [novelfood@health.belgium.be](mailto:novelfood@health.belgium.be)

## B. Fortified Foods

EU Regulation 1925/2006 sets out harmonized rules on the addition of vitamins and minerals to food. However, maximum permitted levels of vitamins and minerals are not yet harmonized and still subject to Member States national rules.

Foodstuffs enriched with nutrients are regulated by Royal Decree of 30 May 2021: [KB betreffende het in de handel brengen van nutriënten en van voedingsmiddelen waaraan nutriënten werden toegevoegd / AR concernant la mise dans le commerce de nutriments et de denrées alimentaires auxquelles des nutriments ont été ajoutés](#). This decree lays down the minimum and maximum amounts of vitamins and minerals per daily portion. It also requires a notification procedure before launching products on the market and lays down the requirements for labeling and advertising.

The allowed chemical forms of vitamins and minerals are laid down in Ministerial Decree of [March 4 2022](#) and in [Annex II of Directive 2002/46/CE](#). For fortified foods they are laid down in the [Regulation 1925/2006](#).

## C. Food Supplements

[EU Directive 2002/46/EC](#) only sets out EU-harmonized rules on labeling and vitamins and minerals that may be used in food supplements. Key aspects in the marketing of food supplements such as minimum and maximum levels of vitamins and minerals or the use of other substances such as botanical extracts remain the competence of the Member States. Before marketing food supplements in Belgium, a notification file must be submitted providing the following information:

- A complete qualitative and quantitative list of ingredients
- Nutritional analysis
- Data about the presence and non-toxicity of the active substances
- Product label

Notification files can be submitted to the Belgian competent authority via the online application “FOODSUP”: <https://www.health.belgium.be/en/food/specific-foods/food-supplements-and-enriched-foodstuffs/commercialisation>. For food supplements in the form of capsules, tablets and other forms, containing essential oils of plants, additional data on the safety of the product is necessary. The required data are collected in the [Data Sheet for Essential Oils and Concretes](#) that has to be annexed to the notification file.

Belgium has a long tradition in the use of plants in food supplements. Botanicals in Belgium are regulated since 1997 under a Royal Decree relating to the manufacture and trade in foods composed of or containing plants or plant preparations. Since then, the safety of more than 1000 plants and their parts has been assessed by the Belgian authorities. Exporters of food supplements containing botanicals tend to notify their products in Belgium first because obtaining a Belgian authorization opens the door to other Member State markets under the mutual recognition principle. [GAIN report “Exporting food](#)

[supplements to the European Union”](#) provides a detailed overview of EU-harmonized and non-harmonized rules.

In 2017, Belgium published a revision of its lists of botanicals for use in food and food supplements in the Belgian Official Journal. The Royal Decree, published in [French](#) and [Dutch](#), updates three lists:

- List of plants prohibited for use in food due to their toxicity
- List of edible mushrooms
- List of plants approved for use in food supplements, with conditions

For detailed information, see [GAIN report “Belgian Decree Sets New Conditions for Plants in Food Supplements.”](#)

On November 29, 2018, Belgium published [a decree](#) setting new maximum limits for caffeine, lutein, lycopene, and red yeast rice in food supplements. Products containing red yeast rice must also include a mandatory warning on their packaging concerning the suitability of the product for specific populations.

On May 30, 2021, Belgium adopted a Royal Decree on food supplements and fortified food: [KB betreffende het in de handel brengen van nutriënten en van voedingsmiddelen waaraan nutriënten werden toegevoegd / AR concernant la mise dans le commerce de nutriments et de denrées alimentaires auxquelles des nutriments ont été ajoutés](#). This decree lays down the minimum and maximum amounts of vitamins and minerals per daily portion. It also requires a notification procedure before launching products on the market and lays down the requirements for labeling and advertising.

## **D. Plant-Based Meat and/or Dairy Alternatives**

In the absence of EU-harmonized rules, European food companies have started using the “European V-label,” a labeling scheme launched by the European Vegetarian Union (EVU). For more information see EVU’s website at <http://v-label.eu/about-v-label>.

In July 2017, the European Court of Justice (ECJ) ruled that plant-based products cannot be labeled with dairy names such as “cheese,” “butter” or “milk”. The ECJ based [its ruling](#) on [Regulation 1308/2013](#) setting out definitions and designations that may only be used for the marketing of dairy products. A list of exceptions for non-dairy products that may be labeled with reserved dairy names by language was established by [Commission Decision 2010/791](#):

Exceptions in French:

- Lait d’amande
- Lait de coco
- «Crème ...» used in the description of a soup not containing milk or other milk products or milk or milk product imitations (for example, crème de volailles, crème de légumes, crème de tomates, crème d’asperges, crème de bolets, etc.)
- «Crème ... »used in the description of spirituous beverages not containing milk or other milk products or milk or milk product imitations (for example, crème de cassis, crème de framboise, crème de banane, crème de cacao, crème de menthe, etc.)

- «Crème ...» used in the description of prepared meat products (for example, poultry liver cream, cream pâté, etc.)
- Crème de maïs
- Crème de riz
- Crème d'avoine
- Crème d'anchois
- Crème d'écrevisses
- Crème de pruneaux, crème de marron (cream of other stone fruits)
- Crème confiseur
- Beurre de cacao
- Beurre de cacahouète
- Fromage de tête
- Haricot beurre
- Beurre Hardy

Exception in Dutch:

- Pindakaas
- Hoofdkaas
- Cacaoboter
- Leverkaas
- Hamkaas
- Tongkaas
- Nierkaas
- Kokosmelk
- „... crème” used in the description of soup not containing milk or other milk products or milk or milk product imitations (for example, groentencrème, tomatencrème, aspergecrème, etc.)
- „... crème” used in the description of a spirituous beverage not containing milk or other milk products or milk or milk product imitations (for example, cassiscrème, frambozencrème, cacao-crème, bananencrème, etc.)
- Crèmevulling
- Levercrème
- Boterbonen

Exceptions in German:

- Kokosmilch
- Liebfrau(en)milch
- Fischmilch
- Milchner
- Butterbirne
- Rahmapfel
- Butterbohne
- Butterkohl
- Butterpilz
- Milchbrätling
- Buttersalat
- Erdnussbutter

- Kakaobutter
- Fleischkäse
- Leberkäse
- Käsekleie
- Butterhäuptel
- Butterschnitzel
- Faschiertes Butterschnitzel
- Milchmargarine
- Margarinestreichkäse

## E. 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. A [list of Member State authorizations](#) of food and food ingredients which may be treated with ionizing irradiation is available on the European Commission’s website.

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

- |  |   |
|--|---|
|  | In Dutch:                                 |
|  | - "doorstraald";                          |
|  | - "door straling behandeld";              |
|  | - "met ioniserende straling behandeld";   |
|  | In French:                                |
|  | - “traité par rayonnements ionisants”;    |
|  | - “traité par ionization”;                |
|  | In German:                                |
|  | - “bestrahlt”;                            |
|  | - “mit ionisierenden Strahlen behandelt”; |

## Section VIII. Trademarks, Brand Names and Intellectual Property Rights

### Trademarks

In the EU, trademarks can be registered at the national, regional, or EU-level. Trademarks registered at the national level are protected in the EU Member State of registration only. Applications must be submitted directly to the relevant national Intellectual Property (IP)-office ([full list of national offices](#)). Currently, there is only one regional-level IP office in the EU, i.e. the Benelux Office which registers trademarks for three Member States: Belgium, the Netherlands, and Luxembourg. Detailed information on the registration of trademarks is available on the [website of the European Union Intellectual Property Office \(EUIPO\)](#).

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.

## **Section IX. Import Procedures**

### **A. Import duties**

Information on Belgium's customs authorities can be found at [https://finance.belgium.be/en/customs\\_excises](https://finance.belgium.be/en/customs_excises)

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 import. 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 [https://ec.europa.eu/taxation\\_customs/business/union-customs-code/ucc-guidance-documents\\_en#binding\\_tariff\\_information](https://ec.europa.eu/taxation_customs/business/union-customs-code/ucc-guidance-documents_en#binding_tariff_information).

For more information about the BTI in Belgium, please see: [https://finance.belgium.be/en/customs\\_excises/binding-tariff-information#q6](https://finance.belgium.be/en/customs_excises/binding-tariff-information#q6)

Applications for BTIs should be addressed to:  
Centrale administratie der douane en accijnzen Dienst Nomenclatuur (Tarief),  
Landbouw en Waarde Cel BTI  
North Galaxy – Building A – 8<sup>th</sup> Floor  
Koning Albert II-laan 33  
1030 Brussel, Belgium

### **B. Import Process**

European legislation establishes rules for:

- Live animals
- Animal products, hay, and straw
- Plants, plant products and other objects such as soil
- Food and feed of non-animal origin, food contact materials

Official controls of consignments of regulated animals and goods are carried out at the border control post of first arrival in the European Union. The list of Belgian border control posts (inspection centers) and control points, as well as their contact details can be found here: [https://www.favv-afsca.be/professionnels/importation/\\_documents/BCPICCPlistBE.xlsx](https://www.favv-afsca.be/professionnels/importation/_documents/BCPICCPlistBE.xlsx)

For live animals, animal-origin products, plants and selected products of non-animal origin, importers must follow an import procedure:

- **Preannouncement:** by Common Health Entry Document (CHED), issued by an agent. Information about the border inspection posts approved to carry out veterinary checks for Belgium are available on the European Commission’s website and can be downloaded here: [https://ec.europa.eu/food/sites/food/files/animals/docs/bcps\\_contact\\_bel.pdf](https://ec.europa.eu/food/sites/food/files/animals/docs/bcps_contact_bel.pdf)
- **Documentary Check:** examination of the original required documents that accompany the consignment based on model certificates according to EU legislation, carried out by customs agent based on an agreement between Ministry of Agriculture and Ministry of Finance;
- **Identity Check:** to ascertain that the products correspond to the information given in the accompanying certificates or documents;
- **Physical Check:** check on the product itself to verify compliance with food or feed law.

For more information, please see the Belgian authority’s website: <https://www.favv-afsca.be/professionnels/importation/default.asp#x3>

## Section X: Trade Facilitation

### A. Advance Rulings

The customs duties that must be paid upon import of a product depend on the tariff classification applicable to the product. The Binding Tariff Information (BTI) system was introduced to ensure legal certainty for business operators when calculating import duties. All currently valid BTI decisions are accessible in the public BTI database. Detailed information on the BTI system can be found at the European Commission’s website: [https://taxation-customs.ec.europa.eu/customs-4/calculation-customs-duties/customs-tariff/ebti-european-binding-tariff-information\\_en](https://taxation-customs.ec.europa.eu/customs-4/calculation-customs-duties/customs-tariff/ebti-european-binding-tariff-information_en)

### B. Pre-Clearance Program

The Official Controls Regulation (OCR - [Regulation \(EU\) 2017/625](#)) provides the legal basis for the recognition of official controls in the country of origin of the goods. The OCR does not provide any legal basis for pre-clearance programs similar to the preclearance inspections conducted in foreign countries by APHIS personnel and funded by the exporters. Rather, Article 73 of the OCR provides for the approval of pre-export controls performed by third countries. Under this system, the EU approval specifies the competent authorities of the third country under the responsibility of which pre-export controls must be performed, the certificates to be used for export of these goods, and the maximum frequency of official controls to be performed by the competent authorities of Member States at the entry of the consignments into the Union. For more information, please see [EU FAIRS Certificate Report](#).

### C. Electronic Certificates

The Official Controls Regulation (OCR - [Regulation \(EU\) 2017/625](#)) provides the legal basis for the general EU acceptance of electronic certificates using the EU’s Integrated Management System for Official Controls (IMSOC). For plant products, all EU Member States are able to receive U.S. e-Phytos sent via the Hub created by the International Plant Protection Convention (IPPC). For other commodities, currently no connection exists between IMSOC and the respective systems U.S.

Government agencies use to issue electronic certificates. In absence of such a connection, paper certificates are required to satisfy the EU requirement for an original certificate with an ink signature.

IPPC Official Contact Point for Belgium:

Federal Public Service Health, Food Chain Safety and Environment

DG Animals, Plants and Foodstuffs; Service Sanitary Policy Animals and Plants; Division Plant Protection

Avenue Galilée / Galileelaan, 5 box 2

1210 Brussels

Phone: (+32) 2 524 73 23

E-mail: [apf@health.fgov.be](mailto:apf@health.fgov.be)

## **D. Import Control Fees**

The Official Controls Regulation (OCR - [Regulation \(EU\) 2017/625](#)) provides the legal basis for the financing of import controls. Mandatory fees are charged to operators for certain official controls, including on import controls of animals, products of animal origin, germinal products, animal by-products, composite products, hay and straw, plants, and plant products. Operators also have to pay for the border controls performed on food and feed of non-animal origin listed in [Commission Implementing Regulation \(EU\) 2019/1793](#). This regulation mandates specific frequencies of controls for certain hazards in products depending on their origin. Several products must be tested for aflatoxins under this regulation. In addition, fees are also charged to operators for official controls that were not originally planned because they are necessary to follow-up non-compliance.

## **E. Average Release Time for Products –Common Delays**

The average release time for products depends on the port of import. The main ports in Belgium are organized in an efficient way to perform customs formalities as well as the necessary veterinary and plant inspections. Incomplete or incorrect certification generally leads to delays in the clearance of goods throughout the EU.

## **F. Duplicative Inspections**

Inspections on imported foods are concentrated at the external borders of the European Union. Once goods have passed inspection and customs duties are paid, they can move freely throughout the EU. However, official controls remain possible at any stage of distribution in the EU.

## **Appendix I. Government Regulatory Agency Contacts**

All Belgian legislation is published in the Belgian official journal "Het Belgisch Staatsblad"/"Le Moniteur Belge". This journal is edited by the Federal Public Service Justice and can be consulted online in Dutch and French at [www.staatsblad.be](http://www.staatsblad.be) or [www.moniteur.be](http://www.moniteur.be).

Federal Public Service Justice  
Information officer:

Waterloolaan 115,  
B-1000 Brussels  
Tel: +32-(0)2-5427164  
E-mail: [info@just.fgov.be](mailto:info@just.fgov.be)  
<http://justitie.belgium.be/nl/>

European legislation can be found at:  
<http://eur-lex.europa.eu/homepage.html>

Belgian food legislation is updated by the Federal Public Service Public Health  
Federal Public Service Public Health  
DG Animals, Plants and Food  
Avenue Galilée / Galileelaan, 5 box 2  
1210 Brussels  
Tel: +32-(0)2-5248502  
Email: [apf.dg@health.fgov.be](mailto:apf.dg@health.fgov.be)  
<http://www.health.belgium.be/en>

Federal Agency for the Safety of the Food Chain (FAVV)  
AC-Kruidtuin  
Food Safety Center  
Kruidtuinlaan 55 – 5<sup>th</sup> floor  
B-1000 Brussels, Belgium  
Phone: +32 (0)2 211 8622  
Email: [info@favv.be](mailto:info@favv.be)  
<http://www.afsca.be/>

Belgian Customs  
Administratie der douane en accijnzen  
North Galaxy  
Koning Albert II laan 33  
B - 1030 Brussels, Belgium  
Phone: +32 (0) 257 62111

## **Appendix II. Other Import Specialist Contacts**

1) Comeos: The Belgian Federation for Commerce and Services  
Sint-Bernardusstraat 60,  
B-1010 Brussels  
Tel: +32-(0)2-5373060  
Email: [info@comeos.be](mailto:info@comeos.be)  
[www.comeos.be](http://www.comeos.be)

2) The Belgian federation of food distribution BELGAFOOD (Member of Comeos)  
Sint-Bernardusstraat 60,

B-1010 Brussels  
Tel: +32-(0)2-5373060  
Email: [belga@fedis.be](mailto:belga@fedis.be)  
[www.comeos.be](http://www.comeos.be)

3) Federation of Belgian Enterprises  
Rue Ravenstein 4  
B-1000 Brussels  
<http://www.vbo-feb.be/en/>

**Attachments:**

No Attachments