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Netherlands

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This report is an addendum to the EU FAIRS Report – E15051. The Netherlands, as a member of the European Union (EU), conforms to all EU regulations and directives. It was estimated in 2012 that around 98 percent of Dutch food legislation has been harmonized at the EU level. This report lists the import regulations and standards that are not harmonized with the EU or where the Netherlands varies with the EU standards.

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DISCLAIMER: This report lists the import regulations and standards that are not harmonized with the EU or where the Netherlands varies with the EU standards. It should be read in conjunction with the EU Food and Agricultural Import Regulations and Standards (FAIRS) – Country Report written by the U.S. Mission to the EU (GAIN E15051). For updates of this report or the EU report, check their website www.usda-eu.org or www.gain.fas.usda.gov.

While every possible care was taken in the preparation of this report, the information provided may not be completely accurate because policies may have changed since its preparation, or because clear and consistent information about these policies was not available at the time. It is highly recommended that U.S. exporters verify the full set of import requirements with their Dutch 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 Dutch rules and regulations as interpreted by border officials at the time of product entry.

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in The Hague, Netherlands.

Section I. General Food Laws

According to a European Commission memo published in December 2012, around 98 percent of food legislation is harmonized at the EU level. When EU-wide legislation is incomplete or absent, the laws of Member States apply, often resulting in different rules in different Member States. In addition, national measures for some foods still exist, for example, the addition of nutrients to food and food supplements, the maximum levels for vitamins and minerals, and official control fees.

The Netherlands

Enforcement of EU food legislation is done by Member State officials. Auditing oversight of Member State performance is done by European Commission officials. The European Commission has the power to initiate legal action in the European Court of Justice against Member States who are not complying with EU Directives and Regulations.

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: the 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. More detailed information on the NVWA can be found on their [website](#).

NVWA

PO Box 43006, 3540 AA Utrecht

Phone: +31 88 223 3333

Email: info@nvwa.nl

Website: www.nvwa.nl

The National Plant Protection Organization (NPPO) 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 <https://www.nvwa.nl/onderwerpen/planten-plantaardige-producten/dossier/import-plantmateriaal/certificaat-en-inspectieplichtige-producten-bij-import>. More detailed information on the NPPO can be found on their [website](#).

The phytosanitary inspection tasks have been transferred to the following four 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, <https://www.nvwa.nl/onderwerpen/planten-plantaardige-producten/dossier/import-plantmateriaal/importinspecties>. The Ministry of Economic Affairs retains ultimate responsibility for these matters.

Section II. Food Additive Regulations

C. Enzymes

The existing national provisions on the marketing of food enzymes will continue to apply until the adoption of an EU positive list of authorized enzymes.

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. Processing aids are subject to Member States national legislation, for the Netherlands this is the ‘Warenwetbesluit Bereiding en Behandeling van Levensmiddelen and Warenwetregeling Extractiemiddelen’.

Section III. 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 the EU Zone B – Center.

Section IV. 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 <http://www.pro-e.org/netherlands1.htm> and www.nedvang.nl.

Nedvang

Postbus 8724, 3009 AS Rotterdam

Phone: +31 (0)10 420 6161

Email: info@nedvang.nl

C. Material in contact with food stuffs

A summary of EU and national legislation as well as guidance documents and contact information with regard to the submission of applications for authorization can be downloaded from the European Commission website at http://ec.europa.eu/food/food/chemicalsafety/foodcontact/documents_en.htm.

Point of contact in the Netherlands:

Ministry of Health, Welfare and Sport - Nutrition, Health Protection and Prevention Department

Mr. Hidde Rang

PO Box 20350, 2500 EJ The Hague

Phone: +31 70 340 54 63

E-mail: h.rang@minvws.nl

Section V. Labeling Requirements

A. General requirements

4. Language requirements

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

7. 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’

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

‘Use by’

In Dutch:

‘Tenminste houdbaar tot’

‘Tenminste houdbaar tot
einde’

‘Te gebruiken tot’

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

‘Frozen on’

‘Ingevroren op’

13. Stick-on labels

The Netherlands accept stick-on labels.

14. 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 shipped to the Netherlands. An application form for an import exemption (Appendix III) can be requested by sending an email to import@vwa.nl. This process can however be expensive and burdensome.

B. Other Specific Labeling Requirements

6. Special Use Foods

Specific directives on foods and beverages for athletes 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. In the Netherlands, the NVWA should be notified via:

<http://www.vwa.nl/onderwerpen/levensmiddelen/dossier/dieetvoeding-voor-medisch-gebruik/watmoeten-ondernemers-doen>.

NVWA

PO Box 43006, 3540 AA Utrecht

Phone: +31 88 223 3333

Website: www.nvwa.nl

Ms. Joke Sens

E-mail: joke.sens@nvwa.nl

Section VI. Other Specific Standards

F. 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

Phone: +31 (0)70-340 75 20

Email: info@gr.nl

www.gezondheidsraad.nl

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

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

Section VII. Facility and Product Registration

B. Product Registration

The introduction of foodstuffs with particular nutritional uses needs to be notified to the Member State where the food will be 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 the Netherlands:
Ministerie van Volksgezondheid, Welzijn en Sport
Directie Voeding, Gezondheidsbescherming en Preventie
Postbus 20350
2500 EJ Den Haag
Ms Anneke Sellis
Phone: +31.70.340.5916
E-mail: a.sellis@minvws.nl

Section VIII. Other Certification and Testing Requirements

A. Certification and Documentation Requirements

It is possible to export composite products that only contain dairy and egg products and are accompanied by correct composite product certificates. For the latest information, please check with your Dutch importer or contact FAS in The Hague at +31-70-3102.305 or pinckaersm@state.gov.

B. Inspections

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
Phone: +31 (0)30 23 94 500
Email: postmaster@rva.nl

The EU has approved the pre-export checks (PEC) program for U.S. peanuts and almonds and is covered by the general provisions of Commission Implementing Regulation (EU) 2105/949.

The Dutch Food and Agricultural Import Regulations and Standards Certification Report can be downloaded [here](#).

Section IX. Import Procedures

Animals and products are brought in from countries all over the world into the European Union. To prevent the introduction of animal diseases and to protect the market from public health risks, the European Commission set out detailed regulations. On this basis the Dutch NVWA performs checks on:

- live animals (such as horses, chicks and ornamental fish) and products of animal origin (such as meat, fish, wildlife, and animal feed). More detailed information on the import procedure of animals and products of animal origin can be found [here](#).
- food stuffs (such as vegetables, dried fruits, spices, nuts and seeds). More detailed information on the import procedure of food stuffs can be found [here](#).

- plant products. Veterinary checks are applicable to some plant products, especially hay and straw. These products may only be imported from certain countries. More detailed information on the import procedure of plant products can be found [here](#).

The CITES regulations (CITES: Convention on International Trade in Endangered Species of wild flora and fauna) are, in addition to the national and EU legislation, applicable on the import of live animals, animal products, food and plant products into the Netherlands.

Below is an overview of the possible checks:

- **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;

When the NVWA decides to detain a shipment, it will draw up an [official notification](#) which will be sent to the freight forwarder. This notification will mention the reason why this shipment was detained and what needs to be done in order to release it. If the NVWA **plans to reject** a shipment it will draw up this [notification](#); if the NVWA **has decided to reject** a shipment it will draw of this [notification](#). Additional information can be found [here](#).

Obtaining the product's commodity code:

In the Netherlands it is possible to obtain Binding Tariff Information (BTI) by contacting the Tax Office. This service is advisable for more complex food products, as it involves closer consideration of the product's composite ingredients and is legally binding:

Belastingdienst Douane

Regio Rotterdam Rijnmond

Team Bindende Tariefinlichtingen

Postbus 3070, 6401 DN Heerlen

Section X. Copyright and/or Trademark Laws

A. Trademarks

The Netherlands' Office for Intellectual Property is the official government body responsible for granting patents, designs, trademarks and copyright. Exporters wanting to register trademarks/brand names are advised to contact:

The Office for Intellectual Property

Bordewijklaan 15, 2591 XR The Hague

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

www.boip.int

More detailed information on trademarks can be found [here](#).

Appendix I. Government Regulatory Agency Contacts

Ministry of Economic Affairs

P.O. Box 20401, 2500 EK The Hague
Phone: +31 70 379 8911
<http://www.rijksoverheid.nl/ministeries/ez>
<https://www.rijksoverheid.nl/onderwerpen/landbouw-en-tuinbouw>

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

The Netherlands Food and Consumer Product Safety Authority (Nederlandse Voedsel- en Warenautoriteit NVWA)
PO Box 43006, 3540 AA Utrecht
Phone: +31 88 223 3333
Email: info@nvwa.nl
Website: www.nvwa.nl

Appendix II. Phytosanitary Inspections

BKD
P.O. Box 300, 2160 AH, Lisse
Phone: +31 252 41 91 01
Email: info@bkd.eu
Website: www.bkd.eu

KCB
P.O. Box 420, 2700 AK, Zoetermeer
Phone: +31 88 30 8820 0
Email: kcb@kcb.nl
Website: www.kcb.nl

NAK
Randweg 14, 8304 AS, Emmeloord
Phone: 0900-0625
Email: nak@nak.nl
Website: www.nak.nl

NAKTuinbouw
P.O. Box 40, 2370 AA, Roelofarendsveen
Phone: +31 71 332 62 62
Email: info@naktuinbouw.nl
Website: www.naktuinbouw.nl

- Nature of the product ...
- Components of animal origin from which the product is composed (meat – fish – milkproducts – animal byproducts) ...
- Country of origin (3) ...
- Country from where consigned (4) ...
- Number of packages ...
- Net weight ...
- Gross weight ...
- Type of packaging ...
- Means of preserving ...
- Description of the treatments the product has undergone ...

⇒ *Animal byproducts* (Category 1, 2 of 3 material conform Reg. EU 1069/2009)

Species / breed	...
Residues / pharmaca	yes / no (if yes which residues?)
Infectious / pathogens	yes / no (if yes which pathogens?)

⇒ *Pathogens*

Isolated from (species)	...
Risk 2 – 3 – 4 – unknown	...
Level of curtailment at place of destination (CI, ML-II / CII, ML-III / CIII, ML-IV / VMT, ML-I)	...
Declaration of the BSF available?	yes / no
Genetically modified / manipulated?	yes / no (if yes approval number)

⇒ *Products of animal origin* (commercial samples)

Identification marks	...
Health certificate available?	yes / no (if yes certificate number)

(1) Applicant: importer or his representative
(elke natuurlijke of rechtspersoon die een partij met het oog op het brengen in Nederland bij een buitengrensinspectiepost ten invoercontrole aanbiedt, dan wel zijn gemachtigde)

(2) Consignee: laboratory or institute where the research will find place (contact person)

(3) Country of origin: country where the product is produced and / or packed

(4) Country of dispatch: country where the product is loaded for dispatch to the EU

For questions about:

CVED / Veterinary import check: info@vwa.nl

Regulation concerning packaging (I.A.T.A. / I.C.A.O.)
Inspectie Verkeer en Waterstaat: www.ilent.nl

International Air Transport Association: www.iata.org (Dangerous Goods Regulation 2007)
International Civil Aviation Organization: www.icao.int

CITES – declaration:

- www.belastingdienst.nl
- [Ministerie van Economische Zaken, Landbouw en Innovatie](#) (tel. 0800-22 333 22)
- [Wereld Natuur Fonds](#)
- [Wildlife Conservation Society](#) (English)
- [CITES](#) (English)