

Required Report: Required - Public Distribution

Date: December 08, 2021

Report Number: NL2021-0027

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) 3

Section IV Government Certificate Legal Entry Requirements 4

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

 New Animal Health Certification Requirements 4

 Dating Certificates 4

 E-Certification..... 4

 Seal Number..... 5

 Composite Products 5

APPENDIX I Electronic Copy, scanned copy, or Outline of Each Export Certificate..... 5

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. The extended transitional period allows for the continued use of the old certificates until March 15, 2022, provided that the certificates are signed before January 15, 2022. For additional information, see [E42020-0073: FAIRS Export Certificate Report Annual](#).

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 Annual](#), published October 1, 2021. 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 shipper using the wrong/old certificate model, or a certificate is absent;
- the certificate was issued after the date of departure;
- missing statements or references in the certificate;
- incorrect strike outs of standard text in certificates and/or the requisite initials missing by strike outs;
- selection of the wrong Harmonized System (HS) code (in box I.19) and/or incorrect description of the goods (in box I.28);
- the shipment was not registered in the EU's Trade Control and Expert System (TRACES);
- the stamp is missing (on one or more pages), unclear, or the stamp is not original;
- there were typographical errors (such as the wrong EU plant approval number); and
- the copy of the certificate is not the original.

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 incorrect strike outs. Please keep these in mind when shipping to the Netherlands.

Section II Purpose of Specific Export Certificate(s)

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

Section III Specific Attestations Required on Export Certificate(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 Animal Health Certification 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 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](#).

The legislation came into force with an initial transitional period for the continued use of the pre-existing certificates until August 21, 2021.

In early August 2021, the EC extended the transition period for the acceptance of the pre-existing certificates until January 15, 2022. This extension to the transitional period also allows for the continued use of the old certificates until March 15, 2022, if the certificates are signed before January 15, 2022. For more information see FAS GAIN Report – [EU FAIRS Export Certificate Report Annual](#), published on October 1, 2021, by the USEU.

Dating Certificates

One of the EU's requirements 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. On October 26, 2016, the USDA's Food Safety and Inspection Service (FSIS) issued Notice 83-16, which instructs that a replacement certificate be dated with the current date to provide an accurate date of certification for the importing country (NOTE: the replacement certificate does include a reference to the original certificate to facilitate trade). In addition, FSIS is now limiting the time a replacement certificate can be issued without re-inspection to 90 calendar days for products that are not frozen or not shelf-stable, and 364 calendar days for frozen or shelf-stable products. Notice 83-16 came into effect on January 24, 2017.

Although this is an EU-wide requirement, FAS/The Hague notes that errors in dating a certificate have led to detained shipments in the past in the Netherlands.

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.

On October 19, 2017, the EU began requiring the use of electronic certification through the EU's Trade Control and Expert System (TRACES) for certified organic products. The United States continues to work closely with the EU as the TRACES system is updated. For more information see the [EU FAIRS Export Certificate Report](#).

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.

Composite Products

The EU has created a model health certificate for imports of composite products, which was implemented in 2012. The current certification requirements for composite products continued to apply until April 21, 2021. After that date, entry requirements would no longer be based on the percentage of ingredients of animal origin but, rather, on the animal health or public health risk linked to the composite product itself. Like certificates for products of animal origin (see above), the EC extended the transition period for the acceptance of the pre-existing certificates until January 15, 2022. This extension to the transitional period also allows for the continued use of the old certificates until March 15, 2022, if the certificates are signed before January 15, 2022. For more information about the certification requirements for composite products see FAS GAIN Report – [EU FAIRS Export Certificate Report Annual](#), published on October 1, 2021, by the USEU.

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

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

Attachments:

No Attachments