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**Prepared By:** Sophie Bolla

**Approved By:** Lisa Allen

**Report Highlights:**

This report should be read in conjunction with the EU-28 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 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 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 ([link](#)).**

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.

## 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.

Member State officials are responsible for enforcing EU food legislation. The European Commission monitors Member States compliance with EU law and publishes [an annual report](#) on Member States 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](http://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](http://www.federal-government.be/en).

<b>Federal Agency for the Safety of the Food Chain (FAVV)</b>	<b>Federal Public Service Health, Food Chain Safety and Environment</b>
Administratief Centrum Kruidtuin Food Safety Center Kruidtuinlaan 55 – 5 <sup>th</sup> floor B-1000 Brussel, Belgium Phone: +32 (0)2 211 8211 Email: <a href="mailto:info@favv.be">info@favv.be</a> Website: <a href="http://www.afsca.be/">http://www.afsca.be/</a>	Eurostatoin II Victor Hortaplein 40 bus 10 B-1060 Brussels, Belgium Phone: +32 (0)2 524.9797 Email: <a href="mailto:info@health.fgov.be">info@health.fgov.be</a> Website: <a href="http://www.health.belgium.be/en">http://www.health.belgium.be/en</a>

## Section II. Labeling Requirements

For detailed information see <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/eu-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 covers 4 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 which is in the east and borders with 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.:

	In Belgium:
-The date shall be preceded by the words:	
‘Best before’  ‘Best before end’	‘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'
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## Nutrition Declaration

The EU's [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, see [GAIN report “Belgium adopts Nutri-Score for front of pack nutritional labeling.”](#)

As part of its ‘Farm to Fork Strategy’, the European Commission announced that it would propose an EU-wide harmonized mandatory front-of-pack nutrition labeling before the end of 2022. For more information, please see the [EU FAIRS Report](#).

## Stick-on labels

In Belgium, the use of stick-on labels on pre-packed consumer products to meet local requirements is permitted

## Enforcement

The importer into the European Union market is responsible for ensuring both the presence and accuracy of the food information as required by EU and Belgian law.

## Samples

Sample-size products with packaging smaller than 10 cm<sup>2</sup> do not need to bear a nutrition declaration nor a list of ingredients. However, they still need to indicate the name of the product, allergens, net quantity and the date of minimum durability or use-by date.

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 for example country of origin labeling requirements.

## 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 for example 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. For detailed information see <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/eu-labeling-requirements/dietetic-foods/>.

New EU rules on "total diet replacement for weight control" will become 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  
Eurostation - Place Victor Horta, 40/10  
B - 1060 Brussels, Belgium  
Tel: +32 (0)2.524 7362  
E-mail: [apf.food@health.fgov.be](mailto:apf.food@health.fgov.be)

## 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 can be found on <https://www.fostplus.be/en> and <http://www.pro-e.org/>.

Fostplus  
Olympiadenlaan 2  
BE-1140 Brussel, Belgium  
T: +32 2 775 03 50  
E-mail: [fostplus@fostplus.be](mailto:fostplus@fostplus.be)

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 in the future. [Directive \(EU\) 2019/904](#) on the reduction of the impact of certain plastic products on the environment was published in the OJ on June 5, 2019. Belgium is in the process of transposing this EU Directive into national law. The proposed text would go further than the EU Directive and ban single-use plastic bags. A final adoption of the decree is expected for 2021.

### **C. Material in Contact with Food Stuffs**

For detailed information see <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/food-contact-materials/>

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 September 2018, Belgium notified to the European Commission a [proposed decree](#) on release limits for metals and alloys in food contact materials.

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  
Ms. Els Heyvaert  
Eurostation- Bloc II, 7eme étage  
Place Victor Horta, 40 Boite 10  
B-1060 Brussel, Belgium  
Tel.: +32 2 524 73 63  
E-mail: [els.heyvaert@health.belgium.be](mailto:els.heyvaert@health.belgium.be)

Federal Agency for the Safety of the Food Chain

Ms. Caroline De Praeter

CA Botanique - Food Safety Center

Boulevard du Jardin Botanique 55

B-1000 Brussel, Belgium

Tel.: +32 2 211 87 09

Email: [caroline.depraeter@favv.be](mailto:caroline.depraeter@favv.be)

Belgian Scientific Institute for Public Health

Ms. Els Vanhoeck

Rue Juliette Wytmanstraat 14

B-1050 Brussel, Belgium

Tel.: +32 2 642 52 72

Email: [els.vanhoeck@wiv-isp.be](mailto:els.vanhoeck@wiv-isp.be)

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<sup>st</sup> of 2013. Diverging laws in some EU Member States have created uncertainty and confusion as to what products that use or contain BPA can be placed on the market. In September 2018, the European Food Safety Authority announced it would start evaluating recent toxicological data on BPA.

#### **Section IV. Food Additive Regulations**

For detailed information see <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/food-additives/>

##### **A. Additives (including colors and sweeteners)**

EU harmonized rules for food additives can be found in the EU FAIRS report update.

In August 2019, the Belgian Federal Agency for the Safety of the Food Chain published guidelines for labelling and publicity of foods containing the sweetener steviol glycosides. The guidance clarifies that food operators cannot use the terms “naturally sweetened” when steviol glycosides have been used as a sweetener in foods which otherwise would not be sweet. The guidance document is available in [French](#) and in [Dutch](#).

**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  
Eurostation II  
Victor Hortaplein 40 bus 10  
1060 Brussel, Belgium  
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**

For detailed information see <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/pesticides/>.

### **A. Pesticides**

[EU Regulation 1107/2009](#) sets out rules for the authorization of plant protection products. For the authorization/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 fall within the competence of the FPS Health, Food Chain Safety and Environment. For detailed information see <http://fytoweb.be/en>.

For the renewal of active substances whose approval expires by December 31, 2108 at the latest, the Commission allocates for each active substance a “rapporteur” and “co-rapporteur” Member State responsible for the evaluation of the substance. An updated list is published in [Commission Implementing Regulation 2016/183](#).

In August 2019, the Belgian government proposed [a law](#) prohibiting the placing on the market of five substances from the neonicotinoid family, including two that can still be used in the rest of the EU: thiacloprid (authorized for use in the EU until March 2020) and acetamiprid (authorized for use in the EU until 2033). The draft law is still going through the Belgian legislative process.

**B. Contaminants:** see EU FAIRS report update

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

Regulations do not require the use of a Certificate of Free Sale. Belgium applies all the EU certification requirements as listed in the EU FAIRS Export Certificate Report. U.S. regulatory agencies will only issue these certificates when the conditions of the relevant EU regulations are met, including the relevant testing and inspections in the United States.

### **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. Detailed information on approved U.S. establishments is available on our website at <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/>. Non-EU country lists per sector and per country are published on the European Commission’s website [https://webgate.ec.europa.eu/sanco/traces/output/non\\_eu\\_listsPerCountry\\_en.htm](https://webgate.ec.europa.eu/sanco/traces/output/non_eu_listsPerCountry_en.htm).

### **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)

Place Victor Horta, 40 Boîte 10

Bloc II - 7° étage

B-1060 Bruxelles

Tel: +32(0)2.5247351-52

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

### **C. Inspections**

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 the Member States' 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-afscab.be/laboratories/>

Federal Agency for the Safety of the Food Chain (FAVV/AFSCA)

DG Laboratories

Director General Mr. Bert Matthijs

Phone: +32 (0)2 211.87 25

CA-Botanique - Food Safety Center, 4th Floor

Boulevard du Jardin Botanique 55

1000 Brussels, Belgium

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

### **A. Novel Foods**

For detailed information see <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/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)

Tel: +32 (0)2 524 73 51/52

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.

The [Belgian decree](#) on enriched food establishes maximum levels for the addition of vitamins and minerals, a pre-market notification procedure and labeling requirements. The decree was [amended](#) in 2017 to update the list of vitamins, minerals and oligo-elements. It also introduced new maximum levels for some nutrients and a declaration of percentages of the reference intake of specific vitamins or minerals as determined in the decree on the packaging. Products that did not follow the new rules could be placed on the market until exhaustion of stocks until October 31, 2019.

Point of contact in Belgium:

FPS Health, Food Chain Safety and Environment

Department for Foods, Animal Foods and Other Consumption Products (DG for Animals, Plants and Foodstuffs)

Tel: +32 (0)2 524 7351/52

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

## 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>.

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 as obtaining a Belgian authorization opens the door to other Member States' 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.

On February 10, 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. As a transitional measure, food supplements which were placed on the market or labeled before November 29, 2018, and which did not comply with the provisions of the new decree could continue to be marketed until exhaustion of stocks and until October 26, 2019.

#### **D. 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";
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	<p>- “traité par ionization”;</p> <p>In German:</p> <p>- “bestrahlt”;</p> <p>- “mit ionisierenden Strahlen behandelt”;</p>
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## Section VIII. Trademarks, Brand Names and Intellectual Property Rights

### A. 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

### Import Duties

Information on Belgium’s customs authorities can be found at [https://financien.belgium.be/nl/douane\\_accijnzen](https://financien.belgium.be/nl/douane_accijnzen).

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).

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

The Import Process:

- **Pre announcement:** 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 certificate according to EU legislation, carried out by Customs 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.

## 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://ec.europa.eu/taxation\\_customs/business/calculation-customs-duties/what-is-common-customs-tariff/binding-tariff-information-bti\\_en](https://ec.europa.eu/taxation_customs/business/calculation-customs-duties/what-is-common-customs-tariff/binding-tariff-information-bti_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 in the EU. 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. For more information, please see EU FAIRS Report.

### **C. Electronic Certificates**

The Official Controls Regulation 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 the US Government Agencies uses 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:

Mr. Lieven Van Herzele

Federal Public Service Health, Food Chain Safety and Environment

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

Eurostation II (7th floor) Place Victor Horta 40, box 10

1060, Brussels, Belgium

Phone: (+32) 2 524 73 23

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

### **D. Import Control Fees**

The EU Official Controls Regulation (OCR - [Regulation \(EU\) 2017/625](#)) provides the legal basis for the financing of import controls in the EU. Mandatory fees are charged to operators for certain official controls, including on import controls of animals, products of animal origin, germinal products, animal byproducts, 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 have to 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 on-line 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

Victor Hortaplein, 40 bus 10

B-1060 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