

# U.S. Country Commercial Guides



The Netherlands 2020

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# **Doing Business in the Netherlands**

# **Market Overview**

The Netherlands is a geographically small (approximately the size of Connecticut and Massachusetts combined), densely populated (17 million people) country occupying a highly strategic commercial location. Over 170 million consumers (more than one-third of the population of the European Union) reside within a 300-mile radius of the Netherlands. The country is a key center within the global business network, with advanced infrastructure geared towards the transportation of goods, people, and data. Its core distribution points include Rotterdam, Europe's largest port, and Amsterdam Schiphol Airport, the fourth largest airport in Europe for cargo. The country has capitalized on its location and advanced economy to become one of the top trading nations in the world. The Netherlands is the seventeenth largest economy in the world and the fourth largest in the European Monetary Union (the Eurozone), with a gross domestic product (GDP) of \$909 billion in 2019.

The United States and the Netherlands have a strong bilateral relationship, based on close historical, cultural, and commercial ties. The relationship dates back to the American Revolution and is one of the United States' oldest, continuous bilateral relationships. The United States is the largest foreign investor in the Netherlands, and has its second largest trade surplus (\$21.4 billion in 2019) with the Netherlands.

The Netherlands is consistently recognized as having one of the best business climates by various international surveys. The 2019 World Economic Forum Global Competitiveness Index ranked the Netherlands as fourth among the world's most competitive economies. Forbes ranked the Netherlands fourth on their 2019 Best Countries for Business list.

Top five reasons why U.S. companies should consider exporting to the Netherlands:

- The ideal European starting point for new-to-export companies looking for their first European distributor.
- An affluent, U.S.-friendly population with a high regard for U.S. products and the highest level of English-language fluency on the continent.
- An innovative business community hungry for new, high quality products.
- The most advanced logistics and distribution network in Europe.
- Strong links to the rest of Europe and beyond.

The Dutch economy grew by 1.7 percent in 2019, and was predicted to grow by 1.5 percent in 2020. Due to the global health crisis, economic activity declined by an unprecedented 10 to 15 percent during the first half of 2020. The CBP Netherlands Bureau for Economic Policy Analysis' June 2020 forecast predicts a six percent decrease in GDP for 2020, followed by a three percent increase during the recovery in 2021. The report stresses that it is difficult to make economic predictions due to the current level of uncertainty in the world.

At the time of writing this report, the economic and commercial effects in the Netherlands of the global health crisis continue to evolve. As such, the second half of 2020, and possibly beyond, will bring an ever-changing and unpredictable economic and commercial environment. Therefore, it will be more important than ever to monitor current local developments and consult with on-the-ground experts, including this office, to assess changing opportunities and challenges.

# **Market Challenges**

Except for EU-wide impediments, there are few significant trade barriers in the Netherlands. Due to the size, accessibility, and competitive nature of the Dutch market, local importers usually insist on an exclusive distributorship. U.S. exporters may need to adapt their products and documentation for the Dutch market.

# **Market Opportunities**

Products that sell well in the United States will generally have market potential in the Netherlands. There are opportunities to sell a wide range of products and services to the Dutch government. Local representation is essential for selling to both the public and private sectors.

# **Market Entry Strategy**

The key to successfully entering the Dutch market is working closely with a local partner. An experienced representative will be able to advise on adapting a product to local technical requirements and consumer preferences, logistics, and marketing. Although the European Union is considered a single market, marketing strategies and consumer preferences vary greatly from country to country.

# Leading Sectors for U.S. Exports and Investment

### **Aircrafts and Parts**

### Overview

The Dutch market for aircraft parts and associated equipment can be broken down into two sectors: commercial and military. A large percentage of imported aircraft and associated equipment in the Netherlands originates from the United States. Aircraft services and R&D are an important part of this sector.

Aviation remains a growth sector due to its increasing economic relevance and importance to the Netherlands. Amsterdam Airport Schiphol is Europe's second-best connected airport, the second-best hub for international travel worldwide, and it is among the top five busiest airports in Europe. The airport authority expects further passenger and freight growth going forward and plans to open a new terminal in 2023.

# **Leading Sub-Sectors**

The use of unmanned aerial vehicles (UAVs), also known as drones or remotely piloted aircraft (RPA), is increasing in the Netherlands. The Dutch government is developing regulations to classify and track UAVs. Law enforcement and the military are seeking technologies that will counter hostile UAV-threats.

# **Opportunities**

The Dutch established an aerospace innovation hub called Aviolanda to support and stimulate the national aircraft maintenance, repair, and overhaul (MRO) sector. This initiative aims to develop the Netherlands as a premier location for state-of-the-art industrial maintenance, logistical processes, and repair in both civil and military aviation. An ongoing project at Aviolanda is the Dutch Drone Center which is a public-private partnership primarily aimed at safe testing and demonstrating of drones within a controlled airspace. This unique location provides professional drone developers and companies the opportunity to further develop their unmanned aerial systems and associated applications. Demonstrations with drones for potential customers are also possible, both for certificated and non-certificated systems or companies. The center also drives innovation and development in the fields of MRO; electronics; development production, and assembly of parts; training and education; certification; and logistics.

In 2017, a coalition of industrial parties, universities and public parties opened Drone Center Valkenburg for companies to test drones and drone applications. According to the coalition, Valkenburg's location is ideal because of its unique opportunity to test beyond the visual line of sight (BVLOS) of the pilot and also because of its centralized location near leading research institutes, universities, and airports.

The Dutch government is enacting legislation that will create an enabling environment for the Dutch UAV industry, and is looking for innovation and development in the fields of drone technology and MRO, including electronics, assembly, development and production of parts, training and education, certification, logistics, and knowledge dissemination. Dutch stakeholders are looking to expand their drone usage in fields such as agriculture, security, firefighting, city planning, and package delivery.

### Resources

Market Analyses: Global Aerospace Resource Guide 2016

\*A 2020 version is available upon request

Trade Events: Amsterdam Drone Week

December 1-3, 2020 | Amsterdam RAI International conference and exhibition.

Associations: <u>Dutch Association for Remotely Piloted Aircraft Systems (DARPAS)</u>

The Netherlands Aerospace Group (NAG)

The Netherlands Defense Manufacturers Association (NIDV)

SME Resources: Resources are posted on the <u>Global Aerospace & Defense Team site</u>

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# Cybersecurity

### Overview

The Netherlands is marketed as the digital gateway to Europe and is considered one of the most wired countries in the world. The country has consistently ranked first in the annual <u>DHL Global Connectedness Index</u>. The internet economy in the Netherlands is estimated to make up over six percent of the country's GDP and is projected to continue to grow in the coming years. Nearly 100 percent of households have a broadband connection. The Amsterdam region houses nearly a third of Europe's data centers. The country is home to one of the largest internet exchanges in the world, the Amsterdam Internet Exchange (AMS-IX), and many large tech companies have chosen to base their European operations in the Netherlands. Consequently, cybercrime, digital espionage, and the disruption of online services is a major concern.

The Hague region has established itself as a cybersecurity hub over the past decade. The Dutch government recently established the Global Forum for Cyber Expertise in The Hague, which is already home to Europol's European Cyber Crime Center (EC3) and the NATO Communications and Information (NCI) Agency. It is also home to The Hague Security Delta, the largest security cluster in Europe, in which (cyber) security businesses, government agencies, and knowledge institutions cooperate. The Netherlands is becoming a European leader in FinTech, AgTech, and technology-based mobility solutions, boasting a sizable cluster of startups.

In 2018, the National Cyber Security Center (NCSC) published an update to the 2013 "National Cyber Security Strategy." Both documents outline the government's long-term view on cybersecurity and set out concrete actions to combat cyber threats. The full reports (in English) can be accessed on the NCSC website.

Due to the difficulty in discerning cybersecurity spending from general IT spending by the public and the private sectors, there are currently no concrete figures on the size of the Dutch cybersecurity market. A 2019 report by the insurance provider Hiscox concluded that Dutch companies spend an average of roughly \$1.9 million on cybersecurity annually. This figure is expected to grow by over 40 percent in 2020, according to the report. Dutch government spending on cybersecurity is also set to continue to grow in the years to come.

### **Leading Sub-Sectors**

Opportunities in the Netherlands are similar to those in the United States and other advanced and highly digitalized countries. The Dutch are relatively early adopters of new technologies. U.S. cybersecurity firms generally establish themselves in the United Kingdom before entering the Dutch market and branching out further into the rest of the continent.

# **Opportunities**

The NCSC's 2019 "Cyber Security Assessment Netherlands" report highlighted five key issues related to cybersecurity in the Netherlands:

- The biggest digital threats to the Netherlands are posed by nation-state actors. Sabotage and disruption carried
  out by nations (or threat thereof) pose a great risk to national security. Economic espionage and criminal
  activities are also major threats.
- Dependence on products and services from a limited number of providers and countries makes the Netherlands vulnerable and is a risk to national security.
- Attackers are easily able to access advanced offensive capabilities. Digital attacks involve little risk for the attackers.
- Many organizations in the Netherlands still lack a sufficient level of cyberresilience to protect against attacks.
- The threat level continues to increase due to geopolitical developments and increased digitalization.

### Resources

Government Agency: <u>National Cyber Security Center</u>

Trade Events: <u>InfoSecurity Netherlands</u>

November 2021 | Jaarbeurs Utrecht, the Netherlands

Trade show, seminar, and online matchmaking for IT professionals.

NCSC ONE Conference

September 29, 2020 | Virtual Edition

Annual conference organized by the National Cyber Security Center.

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# **Defense Technology**

#### Overview

The Dutch government has committed to incrementally increase defense spending by  $\in$  1.5 billion between 2019-2023, with a one-time increase of  $\in$  1.2 billion in 2019 and an annual increase of  $\in$  162 million in the following years. Opportunities are outlined in a national plan laid out by the Ministry of Defense, which lists the top five Dutch defense priorities:

- Procurement of additional F-35s
- Reinforcement of land capabilities through investment in direct and indirect firing power,
- Strengthening of maritime capabilities through investment in ballistic missile defense capabilities
- Additional enablers for their Special Operations Forces (on ground and in air, including an additional rotary wing),
- Expansion of capabilities in the cyber and information domain.

### **Leading Sub-Sectors**

The Netherlands has numerous existing contracts with U.S. companies in defense technology. As a result of the increased defense budget, there are additional opportunities for military exports to the Air Force, Navy, Army, Special Operational Units, the Military Police, and the military Cyber Unit.

# **Opportunities**

Future military opportunities are normally outlined in the Defense Program Overview (DPO). An English version of the DPO is available on request from the U.S. Commercial Service at the Embassy in the Netherlands. The 2018 Defense White Paper offers a more long-term overview of all the opportunities between 2018 and 2033. In light of the large number of programs on the horizon, companies are advised to review the list posted on the Ministry of Defense website. The Ministry of Defense is finalizing a "2035 vision" white paper it expects to publish by October 2020. This white paper will expand on what the military will need in 15 years and lay out a roadmap to achieve that vision.

Woensdrecht Air Base is mainly used by the Royal Netherlands Air Force as a training and logistical base. It is also well known as the Dutch Air Force's logistics center and became the spare parts warehouse for all F-35s in Europe as of November 2019. Woensdrecht Air Base also has one civilian user, Fokker Services, which provides maintenance, primarily but not exclusively for Fokker aircraft. As a result of the presence of Fokker Services, many Fokker aircraft are usually present at the airfield. The Royal Netherlands Air Force mainly operates the Pilatus PC-7 for initial training from this base.

### Resources

Market Analyses: Global Aerospace Resource Guide 2016

<u>Dutch Defense White Paper 2018</u>

Trade Events: NIDV Symposium | Rotterdam Ahoy

November 19, 2020

Defense and security industry symposium and exhibition.

Associations: The Netherlands Defense Manufacturers Association (NIDV)

The Netherlands Aerospace Group (NAG)

SME Resources: Posted on the website of the Global Aerospace and Defense Team

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# Renewable Energy

### Overview

The primary focus of Dutch energy policy is carbon reduction through a so-called Energy Transition. While the Netherlands is not on track to meet the 2020 renewable energy goals set by the EU, it is one of the first EU countries to announce plans to eliminate natural gas from its energy mix. The current government coalition is committed to a 49 percent reduction in carbon emissions by 2030, which would surpass the current EU target. This goal will be reached primarily through the construction of new offshore wind farms in the North Sea. Other important aspects of Dutch government policy include closing the Netherlands' sole nuclear power plant by 2024 and encouraging increased use of carbon capture and storage (CCS) technologies by factories, power plants, and waste incinerators.

The share of renewable energy in total energy consumption in 2018 was 7.4 percent, up from 6.6 percent in 2017. Biomass processing accounts for 61 percent of renewable energy production and 23 percent is from wind energy. The contribution of solar energy grew to 8 percent in 2018. Hydropower, geothermal energy and heat from the outside air contributed 8 percent. In terms of production statistics, in 2018, more than 18 billion kilowatt-hours of electricity were produced from wind energy, hydropower, solar energy and biomass, equating to 15 percent of total electricity usage. By 2025 this proportion will have increased to around half, and it will be close to two-thirds by 2030. Conventional production from gas, and later also from coal, will come under pressure. In these circumstances, the Netherlands will increasingly become a net power exporter.

An additional roll-out of offshore wind over the period 2023-2030 and a continued increase in the contribution of solar power will likely lead to strong growth in the proportion of renewable electricity in national electricity production.

Renewable electricity production in the Netherlands

|   | 2016   | 2017   | 2018   |
|---|--------|--------|--------|
| Total Renewable Production                                  | 15,082 | 16,670 | 18,142 |
| Onshore wind  | 6,041  | 6,267  | 6,578  |
| Offshore wind   | 2,323  | 3,375  | 3,452  |
| Hydropower  | 98     | 94     | 94     |
| Solar   | 1,602  | 2,204  | 3,201  |
| Biomass   | 5,018  | 4,729  | 4,817  |
| Renewables as a percentage of total electricity consumption | 12.7   | 13.9   | 15.0   |

Units: millions of kWh

Source: Statistics Netherlands (cbs.nl)

Obstacles to growth of renewable energy include the absence of large-scale hydro generation, solar usage, and onshore wind due to population density.

### **Leading Sub-Sectors**

Solar: In 2019, the installed capacity of commercial and industrial solar systems exceeded that of home solar systems for the first time. Total installed capacity grew by 2,265 to 6,874 megawatts (MW), a 49-percent increase on the

previous year. Business solar installations saw stronger growth (+59 percent) than residential (+39 percent) according to new figures released by Statistics Netherlands (CBS).

Biomass is currently the largest source of renewable energy. The Dutch government supports development of new technologies for generating biomass energy through the Simulation of Sustainable Energy Production program.

Wind: Roughly 9.6 percent of average annual electricity demand in the Netherlands is provided by wind energy, and due to ongoing wind farm creation particularly in the North Sea, wind power has experienced the fastest growth of any renewable sector. In 2019, 2,000 onshore wind turbines generated 8,000 MW of electricity. The Netherlands successfully issued its first and subsidy-free tender for offshore wind energy in 2017 and 2019, signs of a booming renewable energy sector. Currently, there are six offshore wind farms off the coast of the Netherlands: Gemini (600 MW), Eneco Lucterduinen (129 MW), Princess Amalia (120 MW), Egmond aan Zee (108 MW), Irene Vorrink (17 MW), Lely (2 MW). The 320 MW Windpark Friesland is scheduled to come online by 2021, and the 760 MW Hollandse Kust Zuid 3 and 4 farms will come online by 2023.

# **Opportunities**

In 2019, offshore wind turbines generated approximately 1 gigawatt of power in total, and this will increase to 4.5 GW in 2023. This commitment is enshrined in the Energy Agreement for Sustainable Growth. Offshore wind turbines will then supply 3.3% of all the energy in the Netherlands.

Dutch firm TenneT will develop five or six 2GW offshore platform grid connection systems for integrating offshore wind parks into the Dutch and German power grid over the next ten years. Each offshore grid connection will convert 2GW of electricity generated by offshore wind from AC to DC, and will transport this to onshore, where the DC is converted back to AC. 2GW offshore high voltage direct current (HVDC) systems have not yet been developed. TenneT's objective is to standardize the 2 GW platform design. They have launched the design phase with five HVDC suppliers based on an innovation partnership. Participants are GE Renewable Energy, ABB Power Grids, Consortium Global Energy Interconnection Research Institute, Siemens and Xian Electric. The projects will be realized in 2028.

Long-term plans are for a total of 11.5 GW of offshore wind by 2030, which will supply 8.5 percent of all the energy in the Netherlands, which is 40 percent of current electricity consumption.

The Dutch government is accelerating collaboration on smart grids with its Intelligent Grids Innovation Program. To provide a boost to large-scale application, this program has supported 94 pilot projects in residential districts, city centers, office parks, industrial estates, and agricultural areas.

There is a growing number of local energy cooperatives that focus on energy production (particularly collective solar and wind projects) and energy conservation. In 2015, these cooperatives' contributions represented only one percent of the total peak power of all solar panels in the Netherlands and three percent of onshore wind energy capacity. These percentages are expected to rise sharply in the coming years, with installed capacity of collective wind projects expected to grow from 82 MW in 2015 to 232 MW by 2019.

#### Resources

Market Analyses: Netherlands 2019 Climate and Energy Outlook Summary

SME Resources: Posted on the website of the Global Energy Team.

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### Software

#### Overview

The Dutch software industry has demonstrated consistent growth over the last few years. In 2018, the sector grew by five percent in volume and by four and a half percent in 2019. A slightly higher number is expected for 2020. This growth has been spurred by the increased use of cloud computing, the digitization of business models, and an increase in teleworking in 2020. The Dutch government has also made a significant push towards the digitization of public services in recent years.

The government and financial sectors have traditionally been major end-users of software products. The commercial market, with an increasing need to streamline business processes, has also become a significant user. More recently, SMEs have begun to emerge as an attractive new market segment for ICT suppliers.

Local software development concentrates on business applications and custom products. Exports of Dutch software is limited. Nevertheless, many Dutch software startups are poised to increase their software exports over the next few years, but fear the shortage of labor. In 2019, Startup Amsterdam and the Amsterdam Economic Board reported that there were 26 job vacancies for every available tech worker in the Netherlands. A local recruitment agency reported that five out every six tech jobs in the Netherlands goes unfilled. The Dutch software market now depends primarily on imports from the United States and Europe, and the total market is divided into applications software (67 percent) and systems software (33 percent). The software market is dominated by the large global players, but the Dutch are very receptive to innovative, high-quality alternative solutions.

Microsoft is the standard software in the business market, although use of Mac OS X is also significant, especially in the design sector. Android and iOS have a combined market share of nearly 90 percent in the Netherlands, with Samsung and Apple being the most important players.

# **Leading Sub-Sectors**

There are opportunities in the Netherlands in the following areas: teleworking software, teleconferencing software, mobile software, cloud based software, networking software and network security products, intrusion detection, prevention products, augmented and virtual reality, artificial intelligence, storage management software, Customer Relationship Management (CRM), Enterprise Resource Planning, application management, and content management products. VR gaming software for the consumer market is also expected to offer good prospects in the coming years.

The demand for smartphone, television, and tablet applications continues to grow across the board in both public and private sectors as well as among private users.

# **Opportunities**

The U.S. Mission to the European Union regularly reports major procurement opportunities in the ICT sector that are open to U.S. companies.

### Resources

Market Analyses: Artradius Market Monitor Report

Trade Events: InfoSecurity Netherlands

November 2021 | Jaarbeurs Utrecht, the Netherlands

Trade show, seminars, and online matchmaking for IT professionals.

Association: Nederland ICT

Trade association for the Dutch IT and telecommunications industry.

SME Resources: Posted on the website of the Global Information and Communications

Team.

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# Agriculture

The table below summarizes the competitive situation that U.S. suppliers face in the Dutch food market in terms of locally produced goods and imports and their respective market shares. In addition, the strengths of supplying countries and also the advantages and disadvantages of local suppliers are discussed.

Netherlands' U.S. Market Share Versus Main Suppliers' Market Share in Consumer Oriented (U.S. exports), Million USD, 2019

| Product Category<br>(product code)<br>Imports in \$ million                        | Main Supplier percentage                                     | s, in                                | Strengths of Key<br>Supply Countries  | Advantages and<br>Disadvantages of Local<br>Suppliers  |
|--|--|--------------------------------------|---|--|
| Craft beer<br>(HS2203)<br>Total imports: \$480<br>From USA: \$5                    | 1. Belgium 2. Germany 3. The U.K. 4. France 9. USA           | 62<br>13<br>6<br>6<br>1              | Competition from neighboring countries, dominated by Belgium and Germany.                                   | Strong demand for new flavors, funky labels and innovative tastes.   |
| Sweet potatoes<br>(HS071420)<br>Total imports: \$153<br>From USA: \$76             | 1. USA 2. Egypt 3. Spain 4. Honduras                         | 50<br>12<br>4<br>4                   | Competition from<br>Egypt, Spain,<br>Honduras, and China.   | Supermarkets are increasingly selling fresh and processed sweet potatoes. Demand for variety and quality products. |
| Condiments and sauces<br>(Product group)<br>Total imports: \$500<br>From USA: \$11 | 1. Germany 2. Belgium 3. Italy 4. The U.K. 4. Poland 11. USA | 19<br>15<br>10<br>9<br>8<br><b>2</b> | First four suppliers<br>benefit from proximity<br>and being in the EU<br>market.                            | Demand for good quality and unique products.   |
| Walnuts<br>(HS080231)<br>Total imports: \$8<br>From USA: \$4                       | 1. USA 2. Chile 3. France 4. Hungary                         | 57<br>23<br>4<br>3                   | Competition from<br>Chile, France, and<br>Hungary.  | Growing demand from the snack industry. Walnuts benefit from healthy image.  |
| Ice cream<br>(HS210500)<br>Total imports: \$246<br>From USA: \$9                   | 1. Belgium 2. Germany 3. France 4. The U.K. 6. USA           | 37<br>24<br>8<br>7<br>4              | 1, 2, 3, and 4 are close to the market and offer good quality products.                                     | Demand for good quality and unique products.   |
| Pistachios, shelled<br>(HS080252)<br>Total imports: \$11<br>From USA: \$2          | 1. Germany 2. Turkey 3. USA 4. Belgium                       | 42<br>25<br><b>15</b><br>6           | Turkey competes with<br>the United States while<br>Germany and Belgium<br>re-export imported<br>pistachios. | Growing demand from the snack industry. Pistachios benefit from healthy image and have great taste.                |
| Product Category<br>(product code)<br>Imports in \$ million                        | Main Supplier percentage                                     | s, in                                | Strengths of Key<br>Supply Countries  | Advantages and Disadvantages of Local Suppliers  |

| Snack food<br>(Product group)<br>Total imports: \$903<br>From USA: \$6     | 1. Belgium 2. Germany 3. The U.K. 15. USA                      | 35<br>28<br>5                 | 1, 2, and 3 are close to<br>the market and offer<br>good quality products.  | Demand for branded, good quality, and unique products that have a story to tell.                                   |
|--|--|-------------------------------|---|--|
| Onions and shallots<br>(HS070310)<br>Total imports: \$214<br>From USA: \$2 | 1. Egypt 2. N-Zealand 3. Spain 4. Poland 5. Germany 12. USA    | 30<br>14<br>12<br>10<br>10    | The Netherlands is a global player in trade in onions and shallots. Egypt and New Zealand are important suppliers of these products to the Netherlands. | There is demand for sweet and also organic onions in the Netherlands.  |
| Spices<br>(Product group)<br>Total imports: \$383<br>From USA: \$1         | 1. China 2. Indonesia 3. Germany 4. Vietnam 5. Belgium 20. USA | 21<br>10<br>8<br>7<br>6<br><1 | Competition from countries in Asia.   | Demand for new and good quality spices. Exports of U.S. spices including vanilla, anise, and cardamom are growing. |

Source: Trade Data Monitor

Dutch importers distribute U.S. exports throughout the EU. In 2019, Dutch agricultural imports were valued at \$80 billion. Imports from the United States totaled \$3.0 billion. The port of Rotterdam is the largest port by volume in Europe and the eleventh largest port in the world. The Dutch are excellent traders, and much of the agricultural imports are re-exported directly or after adding value. The Netherlands is the world's largest exporter of agricultural products after the United States.

For the United States, the Netherlands is the largest market within the EU for agriculture and related products. Dutch imports of commodities from the United States dropped in 2019 back to pre-2018 numbers due to lower soybean imports. Dutch imports of consumer-oriented products from the United States were up by three percent in 2019 compared to 2018 due to higher imports of tree nuts, chocolate and cocoa products, snack foods, prepared food, non-alcoholic beverages, and pet food.

# **Customs, Regulations and Standards**

### **Trade Barriers**

U.S. firms register relatively few trade complaints in the Netherlands. The Dutch tend to support a level playing field in trade matters. Their long history with the benefits of trade positions the Dutch as the genuine "neutral" traders of Europe. U.S. companies setting up a business in the Netherlands, however, will encounter a complex business culture in which companies, trade unions, government bodies, and industry associations engage in constant and close consultations. This stems from the traditional Dutch emphasis on achieving consensus.

There is a trend, particularly with larger government procurements, to "buy European" when no Dutch products are available. The Dutch government sees political advantages in buying European, especially when all other criteria are equal in a bid competition. In this regard, local representation is essential for U.S. companies who hope to win government contracts. Companies looking to compete on Dutch government procurement contracts should contact the U.S. Commercial Service in the Netherlands early in the process for guidance and possible advocacy, particularly if there are political or "level playing field" issues at play.

Information on agricultural trade barriers can be found on the <u>USDA website</u>.

To report existing or new trade barriers and request assistance in removing them, contact the <u>Trade Compliance Center</u>.

# **Import Tariffs**

There are three types of import levies on goods entering the Netherlands: import duties, VAT, and excise and consumption taxes. Dutch importers are liable for payment of these charges at the time of clearing the goods through customs. Temporary imports that will be re-exported are not subject to VAT. An importer may have to post a temporary bond for customs duties and taxes, but this is canceled when the goods are taken out of the country.

The Netherlands applies EU tariffs, which are based on the international Harmonized System of product classification. Detailed information on EU tariffs can be found in the <u>European Union Country Commercial Guide</u>

A Value-added tax (VAT) is charged on the sale of goods and services within the Netherlands. Unlike a customs duty, which is the same for all EU member countries, VAT is established by the tax authorities of each Member State and differs for each country. At each stage of the manufacturing and distribution chain, the seller adds the appropriate amount of VAT (tax on the amount of value that the seller added to the product, plus the amount of VAT passed on to the seller by the supplier) to the sales price. The tax is always quoted separately on the invoice. For more information on VAT rates and exemptions, please consult <u>Business.gov.nl</u>.

Excise taxes and consumption taxes are levied on a small number of products such as soft drinks, wine, beer, spirits, tobacco, sugar, and petroleum products. For imports, the excise tax is paid by the importer and is in addition to any customs duty or VAT.

### **Import Requirements and Documentation**

A small number of goods of U.S. origin require import licenses to enter the Netherlands. These are mostly controlled items such as arms and munitions. Licenses are generally granted for goods of U.S. origin. Additional information and application forms are available from the Dutch government website <a href="Business.gov.nl">Business.gov.nl</a>.

U.S. companies that wish to export agricultural and food products to the Netherlands must ensure that they meet Dutch import regulations and standards. Although the vast majority are harmonized within the European Union, there are still regulations and standards that are up to Member States. The <u>Annual Netherlands Food and Agricultural Import Regulations and Standards (FAIRS) report</u> is an addendum to the GAIN report number E42019-0048 EU Food and

Agricultural Import Regulations and Standards (FAIRS) report. It lists the Dutch import regulations and standards that are not harmonized within the EU or where the Netherlands varies from the EU standards and can be found on the Foreign Agricultural Service website.

For detailed information on import documentation requirements, Economic Operator Registration and Identification (EORI), and environmental regulations, please refer to the European Union Country Commercial Guide.

# **Labeling and Marking Requirements**

The Netherlands closely follows EU labeling requirements and regulations. Please refer to the <u>European Union</u> Country Commercial Guide for a detailed overview of requirements

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# **U.S. Export Controls**

The United States imposes export controls to protect national security interests and promote foreign policy objectives related to dual-use goods through implementation of the Export Administration Regulations (EAR). The Bureau of Industry and Security (BIS) is comprised of two elements: Export Administration (EA), which is responsible for processing license applications, counselling exporters, and drafting and publishing changes to the Export Administration Regulations; and Export Enforcement (EE), which is responsible for the enforcement of the EAR. BIS works closely with U.S. embassies, foreign governments, industry, and trade associations to ensure that exports from the United States are secure and comply with the EAR. BIS officials conduct site visits, known as End-Use Checks (EUCs), globally with end-users, consignees, and/or other parties to transactions involving items subject to the EAR to verify compliance.

An EUC is an on-site verification of a non-U.S. party to a transaction to determine whether the party is a reliable recipient of U.S. items. EUCs are conducted as part of BIS's licensing process, as well as its compliance program, to determine if items were exported in accordance with a valid BIS authorization or otherwise consistent with the EAR. Specifically, an EUC verifies the *bona fides* of transactions subject to the EAR, to include: confirming the legitimacy and reliability of the end use and end user; monitoring compliance with license conditions; and ensuring items are used, re-exported or transferred (in-country) in accordance with the EAR. These checks might be completed prior to the export of items pursuant to a BIS export license in the form of a Pre-License Check (PLC), or following an export from the U.S. during a Post-Shipment Verification (PSV).

BIS officials rely on EUCs to safeguard items subject to the EAR from diversion to unauthorized end uses/users. The verification of a foreign party's reliability facilitates future trade, including pursuant to BIS license reviews. If BIS is unable to verify the reliability of the company or is prevented from accomplishing an EUC, the company may receive, for example, more regulatory scrutiny during license application reviews or be designated on BIS's Unverified List or Entity List, as applicable.

BIS has developed a list of "red flags", or warning signs, , and compiled "Know Your Customer" guidance intended to aid exporters in identifying possible violations of the EAR. Both of these resources are publicly available, and their dissemination to industry members is highly encouraged to help promote EAR compliance.

BIS also provides a variety of training sessions to U.S. exporters throughout the year. These sessions range from one to two-day seminars that focus on the basics of exporting to coverage of more advanced, industry specific topics. Interested parties can check This is a best prospect industry sector for this country. Includes a market overview and trade data list of upcoming seminars and webinars or reference BIS provided online training.

BIS and the EAR regulate transactions involving the export of "dual-use" U.S. goods, services, and technologies. For advice and regulatory requirements, exporters should consult the other U.S. Government agencies which regulate more specialized items. For example, the U.S. Department of State's Directorate of

Defense Trade Controls has authority over defense articles and services, or munitions. A list of other agencies involved in export control can be found on the BIS website or in Supplement No. 3 to Part 730 of the EAR.

The EAR is available on the BIS website and on the e-CFR (Electronic Code of Federal Regulations) and is updated as needed. The Consolidated Screening List (CSL) is a list of parties for which the United States Government maintains restrictions on certain exports, reexports or transfers of items. The CSL consolidates eleven export screening lists of the Departments of Commerce, State and the Treasury into a single data feed as an aid to industry in conducting electronic screens of parties to regulated transactions. Exporters are encouraged to classify their items prior to export, as well as consult the CSL to determine if any parties to the transaction may be subject to specific license requirements.

# **Temporary Entry**

Due to various customs agreements, simplified procedures are available to U.S. businesses and professionals for the temporary importation of commercial samples and professional equipment. A carnet is a customs document that facilitates customs clearance for temporary imports of samples or equipment into foreign countries. With the carnet, goods may be imported without the payment of duty, tax, or additional security deposits. The carnet also saves time since formalities are all arranged before the goods depart the United States. Additional information on carnets can be found on the <u>United Sates Council for International Business (USCIB) website</u>. The website of the <u>Dutch Tax and Customs Administration</u> also provides detailed information on temporary importation procedures.

# **Prohibited and Restricted Imports**

The Netherlands prohibits or restricts the importation of the following items:

- Waste material
- Radioactive substances and nuclear material
- Cash and securities above a certain threshold
- Pets
- Counterfeit articles
- Protected animal and plant species
- Animal products and foodstuffs
- Plants, flowers, fruit and vegetables (phytosanitary products)
- Weapons, ammunition and dummy weapons and explosives
- Medicines
- Drugs and drug precursors
- Cultural goods (such as art and antiques)
- Pleasure crafts (boats)
- Cars and motorcycles

Detailed information on restricted and prohibited items can be found on the website of the <u>Dutch Tax and Customs</u> Administration.

# **Customs Regulations**

Detailed information on customs regulations for European Union member states can be found in the <u>European Union Country Commercial Guide</u>. Additional information on customs procedures in the Netherlands and contact details for the Dutch Customs Information Line can be found on the website of the <u>Dutch Tax and Customs Administration</u>.

### Standards for Trade

#### Overview

As a member of the European Union, the Netherlands applies the EU's product standards and certification approval processes. The Treaty of Rome requires all EU members to incorporate approved EU directives into their national laws. To establish common standards for all member countries, the EU regulates key product areas to protect the health and safety of consumers, as well as the environment. Additional information on European Union standards can be found in the European Union Country Commercial Guide.

The national standards body of the Netherlands is the Royal Netherlands Standardization Institute (NEN). The NEN manages international, European and national standards in the Netherlands. Contact details can be found on the <u>NEN</u> website.

### Standards

The NEN manages over 31,000 standards in the Netherlands. These include international (ISO, IEC), European (EN) and national (NEN) standards. There are over 800 standards committees in the Netherlands with roughly 5,000 committee members in total.

# **Testing, Inspection and Certification**

To sell products in the Netherlands, U.S. exporters are required to apply the CE marking whenever their product is covered by specific product legislation. CE marking product legislation offers manufacturers many choices and requires decisions to determine which health and safety concerns need to be addressed, which conformity assessment module is best suited to the manufacturing process, and whether to use EU-wide harmonized standards.

# **Publication of Technical Regulations**

The Official Journal is the official publication of the European Union. It is published daily on the internet and consists of two series covering adopted legislation as well as case law, and studies by committees. The Official Journal can be found on the <u>'EUR-Lex' website</u>. National Technical Regulations are published on the <u>Commission's website</u> to allow other countries and interested parties to comment.

Members of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to notify to the WTO proposed technical regulations and conformity assessment procedures that could affect trade. Notify U.S. is a free, web-based e-mail registration service that captures and makes available for review and comment key information on draft regulations and conformity assessment procedures. Users receive customized e-mail alerts when new notifications are added by selected country or countries and industry sector(s) of interest and can also request full texts of regulations. This service and its associated web site are managed and operated by the USA WTO TBT Inquiry Point housed within the National Institute of Standards and Technology, part of the U.S. Department of Commerce.

### **Contact Information**

Royal Netherlands Standardization Institute (NEN) customerservice@nen.nl +31 15 269 0391

# **U.S.** Commercial Service European Union

Rebecca Balogh, Standards Attaché
Rebecca.Balogh@trade.gov
+32 2 811 5034

# **U.S. Commercial Service The Netherlands**

Alan Ras, Head of Section <u>Alan.Ras@trade.gov</u> +31 70 310 2418

# **Trade Agreements**

For a comprehensive list of European Union trade agreements please see the European Union's official website.

# **Licensing Requirements for Professional Services**

Detailed information on how to register as a <u>lawyer</u> or an <u>accountant</u> in the Netherlands can be found on the Dutch government website, Business.gov.nl.

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# **Selling US Products and Services**

# **Distribution & Sales Channels**

The Netherlands is often referred to as the gateway to Europe due to its central geographic location and highly developed logistics and distribution sector. Rotterdam, the largest port in Europe, handles more tonnage of cargo than the second (Antwerp) and third (Hamburg) largest ports in Europe combined. The port of Amsterdam is the fourth largest port in Europe and is focused on bulk cargo. Amsterdam Airport Schiphol is Europe's third largest airport by passenger traffic and the fourth largest in terms of cargo.

### Using an Agent or Distributor

The Netherlands has a large number of experienced importers, sales agents, and distributors who are well-versed in international trade. Thousands of U.S. companies from a wide range of sectors have appointed agents and distributors in the Netherlands. A large portion of the goods are handled by distributors who purchase for their own account and distribute throughout the country and Europe. Due to the size, accessibility, and competitive nature of the Dutch market, distributors usually insist on an exclusive distributorship. If the distributor is a well-qualified and experienced firm, an exclusive distributorship often yields the best results.

Since the Netherlands is a compact market, foreign firms usually have one exclusive representative for the entire country. However, it is common for the representative to appoint subagents to cover certain market sectors, if sales volumes and profit margins warrant it.

In some cases, Dutch representatives can provide an excellent starting point to export to other European markets. Dutch firms are adept at handling logistics, language adaptations, and inventory on behalf of U.S. exporters.

# **Establishing an Office**

In the Netherlands, all foreign business structures are recognized except for sole proprietorship. A branch of a foreign company in the Netherlands is not required to register as a separate legal entity. All businesses operating in the Netherlands are required to register with the Netherlands Chamber of Commerce. Detailed information on establishing an office in the Netherlands can be found on Business.gov.nl. U.S. companies interested in establishing an office in the Netherlands should contact the Netherlands Foreign Investment Agency, which is part of the Dutch Ministry of Economic Affairs and has five offices in the United States.

### **Franchising**

Franchising is a popular and well-established business form in the Netherlands. There are no limitations restricting access to the market for U.S. firms. The Dutch Parliament is in the process of passing legislation focused on regulating four aspects of franchising: 1. The precontractual exchange of information; 2. Contractual changes after signing; 3. Contract termination; and 4. Consultations between franchisor and franchisee. Companies looking to enter the Dutch market can benefit from a mature network of experienced bankers, lawyers, accountants, consultants, and other advisors specialized in franchising.

### **Direct Marketing**

Direct marketing is highly regulated in the Netherlands. The implementation of the EU's <u>General Data Protection</u> Regulation (GDPR) in 2018 and other local regulations in the Netherlands have significantly impacted the ability of companies to market their products and services directly to customers and businesses by mail, digitally and by telephone.

Companies are permitted to send marketing materials by mail to current and former customers for products and services that are similar to ones already purchased by that customer. In all other cases companies are required to get permission from the individual before sending them marketing material by mail. For business-to-business marketing, it is not permitted to send unsolicited marketing material to companies that have activated the *Non Mailing Indicator* 

with the <u>Netherlands Chamber of Commerce</u>. Companies must also provide information on how to unsubscribe to mailings.

In the Netherlands, it is forbidden to send unsolicited digital messages with a commercial, ideological or charitable purpose. This includes emails as well as text messages and private messages through social media platforms.

Before calling an individual for marketing purposes, companies must ensure that they are not on the *Bel-me-niet Register* (national do not call registry).

### Joint Ventures/Licensing

Joint venture and licensing agreements are common in the Netherlands. The privatization of state-owned enterprises, including telecommunication and public transport, has further stimulated the potential for U.S. firms to enter into joint venture partnerships with Dutch companies. A joint venture can take the form of a partnership or a limited liability company (BV). The structuring of a joint venture is a complicated process and normally requires a specialized advisor.

# **Express Delivery**

International and local express delivery services offer reliable courier service in the Netherlands. Two-day delivery is available from most U.S. cities.

# **Due Diligence**

U.S. companies should perform appropriate due diligence on potential Dutch business partners. The U.S. Commercial Service in the Netherlands frequently receives inquiries from U.S. companies about suspicious orders and other business opportunities from entities purportedly located in the Netherlands. The fact that a company is registered with the Netherlands Chamber of Commerce does not prove that the company is in good standing. Criminals have been known to impersonate companies listed in the registry. The U.S. Commercial Service in the Netherlands can provide basic background information on Dutch firms as wells as detailed International Company Profile (ICP) reports.

### **eCommerce**

The popularity of online shopping continues to increase rapidly in the Netherlands. In 2019, 13.5 million shoppers in the Netherlands spent roughly \$29 billion on 258 million online purchases. This represents a seven percent increase from 2018. The amount spent by Dutch shoppers on purchases directly from overseas sellers increased by 22 percent in 2019 to approximately \$1.2 billion. China was the most popular country for cross-border purchases originating in the Netherlands (31 percent), followed by Germany (21 percent), the United Kingdom (11 percent) and the United States (9 percent).

There are several large eCommerce platforms in the Netherlands. In 2018, Bol.com was the first online retailer in the Netherlands to exceed one billion euros in revenues. In early 2020, Amazon launched a Dutch platform (Amazon.nl) and it is expected to quickly gain market share. The top 10 online retailers in the Netherlands in 2019 were as follows: Bol.com, Coolblue, Albert Heijn, Zalando, Wehkamp, Amazon, The Learning Network, Jumbo, MediaMarkt, and H&M.

Accounting for more than 50 percent of all transactions, iDeal is the most commonly used payment method in the Netherlands. iDeal allows consumers to make purchases via direct online transfers from their bank accounts. All Dutch banks are affiliated with this system. Apple Pay, credit card, PayPal, payment after delivery, and direct debit are other payment mechanisms used in the Netherlands. Only 12 percent of transactions are paid by credit card.

A boost in online spending is generally seen in the run-up to the following holidays: Valentine's Day (February 14), Mother's Day (second Sunday in May), Father's Day (third Sunday in June), *Sinterklaas* (December 5), and Christmas (December 25).

Delivery price and speed are important factors for Dutch consumers when deciding whether to make a purchase online. Different delivery services in the Netherlands offer varying delivery times. Standard delivery services estimate a shipping time of two to three days for domestic deliveries. Express delivery services guarantee delivery by a specific date and time, usually with an extra cost. Several operators provide same-day delivery domestically as well as delivery during agreed time slots during the day. Faster delivery and specific delivery time slots are increasingly popular with customers. Customers increasingly expect real-time information during the delivery process. They also expect low cost or free deliveries and returns.

Detailed information on EU eCommerce legislation can be found in the European Union Country Commercial Guide.

# **Selling Factors & Techniques**

#### Overview

Success in the Dutch market requires a long-term commitment to market development and sales support, especially if U.S. companies want to overcome their geographic handicap in relation to their European competitors. Dutch importers often assume that U.S. suppliers process U.S. domestic orders before handling export sales and that U.S. suppliers may bypass a local distributor to deal directly with customers.

EU law implemented by national legislation governs exclusivity in agency and supply agreements, purchasing contracts, and contract terms. U.S. manufacturers and exporters are generally able to appoint representatives to determine the methods used to promote and sell their products. Such exclusive territories usually cover the entire country.

Legislation regulates sales practices that could unfairly advantage suppliers at the expense of competitors or end users by requiring companies to disclose certain types of inter-company commercial arrangements and by giving regulatory authorities powers of investigation and enforcement. Some vertical agreements between manufacturers and their resellers are exempt from this legislation.

### **Trade Promotion and Advertising**

Digital advertising continues to outpace all other forms of advertising in the Netherlands. According to a report by Deloitte, companies spent nearly \$2.5 billion on digital advertising in the Netherlands in 2019. This represents 60 percent of the total advertising spent in the country, and a thirteen percent increase from 2018. Global players such as Google and Facebook dominate the digital market, with a 70 percent market share. Traditional forms of advertising such as television, radio, and magazines have decreased steadily over the past 10 years. U.S. companies interested in advertising in the Netherlands should work closely with a reputable marketing agency, especially for more traditional forms of media, as Dutch consumers expect high-quality advertising that has been adapted to the local market.

### Top Five Dutch Media Companies

- RTL: Leading commercial television and radio operator, owned by Luxembourg-based RTL Group. Information on advertising can be found on the <a href="RTL Netherlands website">RTL Netherlands website</a>.
- Talpa Network: Commercial television and radio operator based in the Netherlands. The company also owns the largest Dutch news agency, ANP. Talpa does not provide information on advertising in English.
- DPG Media: Belgium-based owner of three of the top national newspapers in the Netherlands. The company also owns and operates leading Dutch radio stations, magazines, and news websites. Information on advertising can be found on the DPG Media Netherlands website.
- Mediahuis: Belgium-based owner of leading Dutch newspapers, including De Telegraaf, which has the
  highest circulation. The company also owns several print and online outlets. Information on advertising can
  be found on the Mediahuis website.

• NPO: Dutch public broadcasting system, which operates national and regional television and radio channels, as well web channels. STER, an independent foundation is responsible for advertising on NPO. Advertising information is not available in English.

### **Trade Show Facilities**

- Amsterdam RAI Trade Show Facility
- Utrecht Jaarbeurs Trade Show Facility

Contact the <u>U.S. Commercial Service in the Netherlands</u> for guidance on trade promotion and advertising in the Netherlands.

# **Pricing**

The Netherlands is an extremely competitive market with high receptivity to U.S. products and services. When pricing a product for sale in the Netherlands, U.S. exporters should be aware of additional costs that can reduce profit margins below those in the United States. The standard VAT rate in the Netherlands is 21 percent. Some goods qualify for a lower 9 percent rate, such as medicine, food, periodicals, and books. Imported goods are subject to import duties. The costs of transportation, freight forwarding, and customs brokerage charges will further diminish profit margins, as will commissions to agents and distributors. Commissions and retail profit margins are generally higher in the Netherlands than in the United States.

Product pricing depends on a myriad of variables including channels of distribution, product, season, consumer receptivity, and economic climate. The U.S. Commercial Service can offer U.S. exporters advice on product pricing upon request.

# Sales Service/Customer Support

Dutch consumers expect well-designed, high-quality products, with efficient after-sales service. An effective servicing system should be incorporated into distribution plans.

U.S. exporters should commit to investing extra time and money to develop a relationship with their local representative by visiting sales personnel or company technicians to help solve initial problems. Having local representatives regularly submit sales reports can help with analyzing sales results and identifying potential problems.

### **Local Professional Services**

Contact the <u>U.S. Commercial Service in the Netherlands</u> for guidance on local professional service providers.

# Limitations on Selling U.S. Products and Services

The Netherlands does not limit the sale or ownership of products or services to citizens or any other sub-set of the population.

# **Trade Financing**

# **Methods of Payment**

The most common methods of payment for trade and project financing are as follows:

- Open Account: The exporter sends an invoice to the importer and trusts them to pay as instructed. This is the most common method of payment in the Netherlands.
- Payment on Delivery: This method is also quite common where payment is made 30, 60, or 90 days from the date of the invoice.

- Documentary Collections: The exporter, upon shipment, presents the relevant documents to his or her bank. This bank then sends the documents to the importer's bank, which contacts the importer. In order to receive the documents representing the goods, the importer initiates payment. Both parties are assured of the other's performance under satisfactory terms.
- Letters of Credit: The exporter is paid for the goods shipped or services rendered only upon presenting documents that have been pre-described in a Letter of Credit. Upon issuing a Letter of Credit, the importer's bank acts as guarantor for payment. Payment under a Letter of Credit depends on the documents presented at the bank and not on the quality of the goods delivered or the services rendered.
- Bank Guarantees: A bank guarantee (also known as a bond) obligates the bank to pay a sum of money if the applicant fails to fulfill his/her obligations. The beneficiary may claim the guarantee by presenting copies of unpaid invoices and or other documents relating to the transaction. There are many kinds of guarantees including advance payment guarantees, performance bonds, or maintenance bonds.

For more information about the methods of payment or other trade finance options, please read the Trade Finance Guide available at <a href="https://www.trade.gov/trade-finance-guide-quick-reference-us-exporters">https://www.trade.gov/trade-finance-guide-quick-reference-us-exporters</a>.

The credit rating agencies Dun & Bradstreet and Graydon have local offices in the Netherlands.

There are numerous collection agencies in the Netherlands. Please contact the <u>U.S. Commercial Service in the</u> Netherlands for a list.

The primary credit cards used in the Netherlands are Mastercard, VISA, and American Express.

### **Banking System**

Banking and financing are important service industries in the Netherlands, providing funds for international and domestic trade. Three Dutch bank conglomerates, ABN AMRO, Rabobank, and ING Bank dominate the Dutch financial sector, accounting for about 75 percent of total lending. U.S. financial services providers in the Netherlands operate on a level legal field. The Finance Ministry and Central Bank grant full national treatment to foreign banks.

Dutch legislation implements all existing EU law and regulations on the provision of financial services. Banks organized in the Netherlands as branches of a U.S. parent do not benefit from the EU single banking passport and are subject to both U.S. and Dutch regulations.

Foreign financial service providers face no special conditions or restrictions, and receive national treatment. However, one provision of the Dutch 1992 Banking Act does reflect the EU Banking Directive's "reciprocity" provision. The Dutch Ministry of Finance has stated that this section has never been used, and that all applications from non-EU parent banks are handled on a national treatment basis. Banking facilities for international transactions available in the Netherlands generally meet or exceed U.S. standards.

### Foreign Exchange Controls

There are no foreign exchange controls in the Netherlands.

# U.S. Banks and Local Corresponding Banks

A list of American and other non-Dutch banks operating in the Netherlands can be found on the <u>Foreign Bankers'</u> Association website.

XIM Bank does not offer country specific or limiting programs for the Netherlands.

# **Protecting Intellectual Property**

Several general principles are important for effective management of intellectual property (IP) rights in the Netherlands. IP may be protected differently in the Netherlands than in the United States. U.S. trademark and patent registrations will not provide IP protection in the Netherlands. There is no "international copyright" that will automatically protect IP throughout the world. Ultimately, protection against unauthorized use of IP in a country depends on the national laws of that country. Most countries, however, do offer copyright protection in foreign works in accordance with international agreements.

Patent and trademark registrations are generally granted on a first-to-file basis. It is vital that companies understand that intellectual property is primarily a private right and that the U.S. government cannot enforce rights for private individuals in the Netherlands. It is the responsibility of the right's holders to register, protect, and enforce their rights where relevant by retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in Dutch law. The U.S. Commercial Service in the Netherlands can provide a list of local lawyers upon request.

In any foreign market companies should consider several general principles for effective management of their intellectual property. For background on these principles please link to the following article on <a href="mailto:Protecting">Protecting</a> <a href="mailto:Intellectual Property">Intellectual Property</a> and <a href="mailto:Stopfakes.gov">Stopfakes.gov</a>, or contact ITA's Office of Intellectual Property Rights Director, Stevan Mitchell <a href="mailto:Mitchell@trade.gov">Mitchell@trade.gov</a>.

IP Attaché Contact covering the Netherlands: Susan Wilson U.S. Mission to the European Union Boulevard du Régent 27 BE-1000 Brussels, Belgium +32 2 8115308 Susan.Wilson@trade.gov

### **Selling to the Public Sector**

# **Selling to the Government**

Local representation is a *de facto* requirement to sell to the Dutch government. Tenders are announced on the Dutch government's online tendering platform, <u>TenderNed</u>, as well as <u>Tenders Electronic Daily</u> (TED), the European public procurement journal. Tenders for thousands of diverse products and services are advertised each year.

For detailed information on EU rules and regulations for public procurement, please refer to the <u>European Union</u> Country Commercial Guide.

U.S. companies bidding on Government tenders may also qualify for U.S. Government advocacy. A unit of the U.S. Commerce Department's International Trade Administration, the Advocacy Center coordinates U.S. Government interagency advocacy efforts on behalf of U.S. exporters bidding on public sector contracts with international governments and government agencies. The Advocacy Center works closely with our network of the U.S. Commercial Service worldwide and inter-agency partners to ensure that exporters of U.S. products and services have the best possible chance of winning government contracts. Advocacy assistance can take many forms but often involves the U.S. Embassy or other U.S. Government agencies expressing support for the U.S. bidders directly to the foreign government. Consult Advocacy Center for Foreign Government Contracts and for additional information.

### **Financing of Projects**

Most projects are financed by public and private sector lenders at commercial rates. As a member of the European Union, the Netherlands has access to EU-funded programs, which provide a wide range of support in the form of

grants, loans and co-financing for training, feasibility studies, and infrastructure projects in the environmental, transportation, energy, and other key sectors. EU initiatives are designed to support projects within the Member States and the EU wide "economic integration" projects that cross borders.

# **Business Travel**

### **Business Customs**

Straightforwardness, courtesy, and efficiency are highly valued in Dutch business culture. Keep the following guidelines in mind when conducting business with the Dutch:

- Honest, open discussions are appreciated. Boasting and insinuation are frowned upon.
- Reply promptly to requests for price quotations and other information.
- Punctuality is expected. Always try to be on time for appointments. If you know that you will be late, be sure to phone ahead and explain why you are running late.
- The Dutch like to use their time efficiently. Spontaneity is not seen as desirable. Schedule meetings far in advance.
- It is best to refrain from using first names in initial correspondence.
- A firm handshake (under normal circumstances) and proper eye contact are crucial for effective face-to-face interactions.

Bear in mind that Dutch executives frequently take extended vacations during July and August, and in late December. Avoid planning a business trip to the Netherlands in the summer or around Christmas.

# **Travel Advisory**

The State Department Consular Information Sheet for the Netherlands can be found on the <u>State Department's travel</u> website.

# Visa Requirements

The Netherlands is a signatory of the Schengen Agreement. As such, U.S. citizens may enter the Netherlands for up to 90 days for tourist or business purposes without a visa. If you are traveling for any other purpose, you may need to obtain a visa. Your passport should be valid for at least three months beyond the period of stay. The 90-day period begins when you enter any of the Schengen countries. Anyone intending to stay longer than 90 days must obtain the appropriate visa issued by the Dutch government. Detailed passport and visa information is available on the website of the <u>Dutch Embassy in Washington DC</u>.

U.S. Companies that require travel of foreign businesspersons to the United States are advised that security evaluations are handled via an interagency process. Visa applicants should go to the following link: <u>State Department Visa website</u>

### Currency

The euro is the official currency of the Netherlands. ATMs are widely available. U.S. debit and credit cards are accepted at most points of sale.

### **Telecommunications/Electronics**

The telecommunications infrastructure in the Netherlands is highly developed. U.S. cellular telephones can be used throughout the country and (free) Wi-Fi is widely available.

The Netherlands uses plug types C and F, so an adapter is required for U.S. electronics. The power supply is 230 volts (220-240 volts alternating current).

# **Transportation**

The transportation infrastructure in the Netherlands is considered to be one of the best in the world. The main airport in the Netherlands, Amsterdam Schiphol Airport, offers daily direct flights to over 20 U.S. cities as well destinations around the world. The public transportation system in the Netherlands is modern and reliable. The rail network

connects cities throughout the country as well as Belgium and Germany (and on to the rest of Europe). Various modes of public transport are available within cities and towns, including buses, trams and ferries. The Netherlands has an extensive network of well-maintained roads and highways. Visitors should revue <u>basic traffic rules</u> before driving in the Netherlands. Major rental car companies operate at Schiphol Airport and locations throughout the country. Taxis are available at designated taxi stands and can be requested by telephone. Uber is available in large cities.

# Language

Dutch is the official language of the Netherlands. English is widely spoken and can be used in commercial correspondence.

### Health

Health and sanitation standards in the Netherlands are very high. There are no health risks that businesspeople should be aware of before traveling to the country. Vaccination documentation is not required for travelers from the United States.

# Local Time, Business Hours and Holidays

The standard time zone for the Netherlands is Central European Time (CET)/UTC +1 (six hours ahead of Washington DC). Daylight saving time is observed from the last Sunday in March until the last Sunday in October.

Business hours in the Netherlands have become more varied in recent years. It is always a good idea to check online for exact times. Offices and banks are generally open Monday through Friday from around 8:30 a.m. until around 5:30 p.m. Retailers are generally open from Tuesday through Friday from 9 a.m. until 5:30 p.m. Many stores open later Mondays and have reduced hours on weekends. Cities generally have a dedicated shopping night each week when stores are open later. Supermarkets in large cities tend to be open on Sundays and stay open until 10 p.m. during the week.

A full list of local holidays can be found on the U.S. Embassy The Hague website.

### Temporary Entry of Materials and Personal Belonging

Detailed information on the customs rules for travelers entering the Netherlands from outside the European Union can be found on the <u>Dutch Tax and Customs Administration website</u>.

# **Investment Climate Statement (ICS)**

The U.S. Department of State's Investment Climate Statements provide information on the business climates of more than 170 economies and are prepared by economic officers stationed in embassies and posts around the world. They analyze a variety of economies that are or could be markets for U.S. businesses.

Topics include Openness to Investment, Legal and Regulatory systems, Dispute Resolution, Intellectual Property Rights, Transparency, Performance Requirements, State-Owned Enterprises, Responsible Business Conduct, and Corruption.

These statements highlight persistent barriers to further U.S. investment. Addressing these barriers would expand high-quality, private sector-led investment in infrastructure, further women's economic empowerment, and facilitate a healthy business environment for the digital economy. To access the ICS, visit the U.S. Department of Department of State's <a href="Investment Climate Statement">Investment Climate Statement</a> website.

### **Political Environment**

For background information on the political and economic environment of the Netherlands, please refer to the <u>State</u> <u>Department's Countries & Areas website</u>.