

U.S. Country Commercial Guides



Sweden 2020

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Doing Business in Sweden

Market Overview

The Nordic countries (Sweden, Norway, Denmark, Finland, and Iceland) comprise the world's 13th largest economy (estimated GDP of U.S. \$1.58 trillion), and are among the most innovative, competitive, and transparent in the world. Sweden, with a GDP of \$531 billion (2019) and a population of 10.2 million, is the largest Nordic economy and boasts a transparent, highly developed, sophisticated, and diversified market with few barriers to entry. According to the World Economic Forum's Global Competitiveness Report for 2019, Sweden ranks 8th in the world on the Global Competitiveness Index. This is due in part to Sweden's export-oriented manufacturing sector, competitive SMEs, and budgetary discipline. Sweden also consistently ranks among the top 10 worldwide for its connectivity, governance, investment in R&D, and business climate. As such, many foreign firms establish operations in Sweden when looking to enter or expand into the Nordics and/or the Baltics.

Over 1,300 U.S. companies are present in Sweden, and Sweden is the top location in the Nordics for regional coverage. In 2019, U.S. merchandise exports to Sweden were valued at \$4.37 billion and imports were \$12.13 billion, generating a trade deficit of \$7.76 billion. The U.S. exported \$6.67 billion in services to Sweden in 2019 and imported \$3.34 billion, generating a trade surplus in services of \$3.33 billion.

Major categories of U.S. exports to Sweden include aerospace/defense, automotive aftermarket, telecommunications equipment, healthcare/life sciences, information technologies, safety/security, clean-tech, industrial machines, and renewable energy. More American companies operate in Sweden than companies from any other foreign country, supporting over 72,000 Swedish jobs (2017).

Covid

From the start of the COVID-19 pandemic, Sweden has taken a relatively relaxed approach, relying on voluntary social distancing guidelines, including working from home, and avoiding public transport, while keeping schools and businesses open. Businesses as a whole continued to operate, but many suffered as Swedes stayed home and rising unemployment depleted disposable income. The tourism industry suffered a particularly strong blow. Sweden's export-oriented economy took a large hit on GDP stats in 2Q20, dropping more than 8.6% over 2Q19 but less than the EU-wide 14.1% decline. Despite this, Sweden's Finance Minister said this drop was "better than expected." There is debate about whether Sweden's less-strict lockdown policies were responsible, but economists point to Sweden's fiscal stimulus packages, totaling \$26 billon, and the Swedish Central Bank's (Riksbank) aggressive monetary policy as key factors. Given Sweden's heavy trade dependency, a key determinant of how Sweden fares in 2020/2021 is the recovery of its trade partners. Life sciences, Intelligent Manufacturing and IT are sectors where there are opportunities for U.S. companies.

Market Challenges

Sweden's open and therefore highly competitive market means U.S. companies face strong competition from Swedish and third-country suppliers. U.S. exporters must offer advanced technologies as well as competitive prices and terms in order to succeed.

Sweden's high cost of living, with expensive labor and individual tax rates, are among the highest worldwide. A valued-added tax (VAT) rate of 25 percent applies to the import or sale of most products. Representing about 18 percent of Sweden's GDP, public procurement at all levels is much higher than the EU average of 13 percent. Incorporating innovative products and services into the public tender process remains a major systemic challenge.

Market Opportunities

There are many market opportunities in Sweden for U.S. companies, especially for cutting-edge technologies and services.

- Sweden has a long-established tradition of expertise in manufacturing and engineering, mining, shipbuilding, and the life sciences, which makes it a highly receptive market to new advanced technologies.
- There is a strong demand for the new, disruptive technologies that improve productivity and connectivity. This includes digitalization solutions and services that lower production costs and improve efficiency, as well as equipment and services within safety/security, including cybersecurity.
- In Europe's <u>Digital Economy and Society Index 2020</u> Sweden ranks 2nd out of the 28 EU Member States. The countries are scored on connectivity (2nd), human capital (2nd), internet use (2nd), integration of digital technology (6th) and digital public services (10th).
- Since Swedes are early adopters of new technologies, Sweden is considered to be an ideal test market, albeit an expensive one. In 2017, the government launched a program called <u>Test Bed Sweden</u> to attract innovative technologies into the country for development and piloting.
- Sweden's commitment to sustainability across industry sectors drives market demand for U.S. products and services in renewable energy, low/zero carbon, green technologies and energy efficiency.
- Sweden's rapid developments in smart grid, alternative energy, cybersecurity and e-health make the country a critically important market for U.S. companies offering innovative technologies.
- English is widely spoken, and English is the language used for business communications.

Market Entry Strategy

While Sweden's markets are generally quite open to foreign competition, they are also highly competitive. To break into the market, products and services must be globally competitive and sometimes customized for the unique Swedish market.

Important Market Entry Information:

- Demonstrate a clear competitive advantage (i.e., price, quality, branding).
- Pay close attention to both the obvious and subtle cultural differences between the United States and Sweden and adjust marketing strategies accordingly. The Swedish cultural philosophy of *jantelagen* still eschews overt self-promotion and achievement as inappropriate, but this is changing, especially among the start-up community.
- Evaluate prospective partners carefully and choose an experienced, well-established distributor.
- Be flexible and adjust expectations to the scale of the market. Although Sweden is the size of California, its population is only 10.2 million. (The total population of the Nordics is 27.1 million.)
- Evaluate the potential for distributors to cover the entire Nordic region. Depending on the industry sector, prospective business partners may be based in Stockholm, Gothenburg, Malmo, or other Nordic cities.
- Express commitment to the market with a long-term perspective. Visits are important, because Nordic partners want first-hand assurance of a partner's reliability and commitment.

Leading Sectors for U.S. Exports and Investment

Advanced Manufacturing

Overview

Sweden has a strong and successful manufacturing/industrial engineering sector that accounts for 20 percent of the country's GDP or \$110 billion, with advanced manufacturing bringing in approximately \$38 billion. The sector accounts for 75 percent of Swedish exports and creates over 1 million jobs. The most important sub-sectors are traditional industries, such as steel, automotive, chemical, and forestry. They are also found in metal products, industrial machinery and equipment, and automation and food processing equipment.

In 2017 the Swedish government launched phase two of the strategy for developing the manufacturing industry, Roadmap for Smart Industrialization. The key focus areas remained the same, i.e. digitalization, sustainable and resource-efficient production, creating industrial talent, and promoting innovation, and 37 new measures were added, including automation and robotics programs for SMEs; national test labs for electric vehicle production; and zero emission programs and incentives for energy intensive industries.

Sufficient investment in both R&D and innovation will continue to enable a successful sector transformation. Currently the industries' annual R&D investments are around \$11 billion.

Sweden has strong ICT and industrial internet sectors, which combined with its high level of education and ability to cooperate effectively across industries, academia, and government, makes Sweden an attractive market for new technologies.

U.S. market share of the Swedish advanced manufacturing market is about four percent and the main competitors are other EU countries and Asia.

Leading Sub-Sectors

Additive Manufacturing: Swedish manufacturers were early adopters of 3D printing techniques. Both component and tool manufacturers have been eager to test new manufacturing methods and materials alongside traditional tooling and machining. To advance the full potential of additive manufacturing, Swedish industrial research group RISE has established an Application Center for Additive Manufacturing to develop and test technologies, materials, and knowledge.

Agile Manufacturing: Ever since Toyota's "just-in-time" philosophy in the 1970's, Swedish manufacturers have been developing and testing more efficient production methods. Several innovation and research institutes offer various "lean production" programs and education. SMEs are particularly keen to turn their production facilities into factories of the future with quick response capabilities, flexibility, and augmented and virtual reality applications that reduce lead times.

Digital Manufacturing: To remain globally competitive, Swedish manufacturers are in the process of digitalizing their production, their services, and in many cases their products. Use of the Industrial Internet of Things solutions, system integration, digital thread, intelligent machining, CAD, and CAM modeling and advanced analytics varies from industry to industry. The Swedish bearings and seals manufacturer SKF did a digitalization survey in 2018 of its clients within traditional industries, such as pulp and paper, steel, mining, metal and automotive industries. Some 80 percent of the companies felt that digitalization and Industry 4.0 are important for the Swedish manufacturing industries, 56 percent had a strategy for digitalization and some 30 percent were actively modifying their manufacturing processes. The survey also showed that the automotive and mining industries had come further in digitalization than pulp and paper and steel industries.

Opportunities

The Swedish Innovation Agency, Vinnova, invests \$365 million annually on fostering innovation by co-funding projects for companies, academia and organizations. When it comes to advanced manufacturing, the projects range

from connected industries and new materials, to 5G in manufacturing, machine learning, AI and industrial gamification. A majority of the projects are available for international participants, as long as the project is conducted in Sweden.

The projects are funded as PPPs and, in some cases, additional funding is available through EU programs, such as Horizon 2020.

The private sector opportunities follow the priorities of the Roadmap to Smart Industrialization and include:

- Advanced 3D printers and CAD/CAM programs; advanced printing materials; large-scale production capabilities.
- Factory-of-Future models; augmented and virtual reality applications for lean production.
- IIOT solutions; data analytics models; PLM solutions; AI and advanced robotics; intelligent machining.

Resources

Government Offices of Sweden (www.government.se)

Swedish Engineering Companies (www.teknikforetagen.se)

Swedish Innovation Agency Vinnova (www.vinnova.se)

The Research Institute of Sweden, RISE

Trade Events (may be impacted by COVID19)

Automation Summit 2020, Oct 6, 2020, Gothenburg

Conference on digitalization and industrial automation

Scanautomatic & Process Technology, Oct 6-8, 2020, Gothenburg

Two parallel trade shows on new industrial automation technologies, business models, and knowledge transfer

Local Commercial Specialist: Tuula Ahlstrom, tuula.ahlstrom@trade.gov

Smart Built Environment Technologies

Overview

The Swedish construction industry has an approximate annual turnover of \$80 billion, and the estimated value of the real estate stock is \$785 billion, excluding the value of infrastructure, such as roads, bridges, railway, harbors, and airports. According to the Swedish Construction Federation, the sector employs 354,000 people, and in 2019 the investments amounted to \$52 billion, which accounts for 10 percent of GDP.

The U.S. share of the market is currently three percent, mainly in the form of building automation and control systems and highly specialized design services, such as data center construction.

Sweden has ambitious plans to become climate neutral by 2045, and the built environment is one of the key areas in this plan, accounting for 20 percent of Sweden's climate impact. The government's <u>Fossil Free Sweden</u> program provides a roadmap for the construction and civil engineering sector, with goals to achieve a carbon neutral value chain. The <u>National Housing Board</u> also provides smart and energy efficient recommendations and statutes for new construction, renovation and retrofit. These programs and recommendations aim to reduce the built environment sector's environmental impact, shorten planning and construction times, reduce total construction costs, and facilitate new business models for the sector.

Leading Sub-Sectors

Smart built environment is a wide sector ranging from sustainable construction technologies to digital services. Some of the leading sub-sectors include:

- Low- and plus-energy construction methods;
- Energy efficient retrofit technologies and windows, doors, and insulation materials;
- Energy efficient building supplies and materials;
- Innovative HVAC solutions and heat recovery ventilation system;
- Building performance measurement systems for energy and water use;
- Building automation and service integration solutions for connected, smart homes and offices.

Opportunities

Sweden stands in the forefront of smart and energy-efficient construction in the EU, and there are several national and municipal public-private sector strategic innovation projects in place across the country, ranging from awareness creation to digitalization. These projects provide good opportunities for U.S. companies in the design and construction sector.

- Smart Built Environment Program is a 12-year strategic research and innovation program 2016-2028, aiming to create new knowledge, skills, services, and products through the integration of Building Information Modeling and Industrialized Construction. Opportunities exist for U.S. companies providing BIM and GIS solutions.
- The municipal project <u>Royal Seaport</u> is a climate positive, fossil fuel free suburb with carbon dioxide emissions less than 1.5 tons per person. The apartments are interactive and provide the tenants tools to manage every aspect of their living. The construction started in 2011 and is due to finish in 2030. Opportunities exist for U.S. companies providing digital services and sensor technologies.
- The Million Homes Retrofit Program is the government's modernization and renovation project for the suburban public housing stock from 1960s-1970s. The retrofit includes reducing water use, installing garbage disposals for converting waste to biogas, improving insulation, replacing windows and doors to decrease energy use, and installing geo-thermal heating where possible. According to the National Housing Board, the estimated cost for this program is \$20-50 billion. Opportunities exist for U.S. companies providing sustainable and energy efficient building materials.

Resources

Byggmaterialindustrierna Building Materials

National Board of Housing, Building & Planning

Stockholm Royal Seaport

Swedish Construction Federation

Swedish Green Building Council

Trade Events (may be impacted by COVID19)

Nordbygg 2021, April 20-23, 2021, Stockholm

The largest building and construction fair in Northern Europe

Local Commercial Specialist: Tuula Ahlstrom, tuula.ahlstrom@trade.gov

eHealth

Overview

In 2016, the Swedish government together with the Swedish Association of Local Authorities and Regions (SALAR) developed a vision for a Swedish e-Health strategy. This vision states that by 2025, "Sweden will be best in the world at using the opportunities offered by digitization and eHealth, making it easier for people to achieve good and equal health and welfare, and to develop and strengthen their own resources for increased independence..."

eHealth is an integrated part of the healthcare sector in Sweden. The regions invest around \$1.22 billion annually in healthcare IT. All regions have integrated electronic health record solutions (EHRs) and e-prescriptions are very popular (99 percent of all Swedish prescriptions are issued electronically). There are many non-domestic software and EHR companies in the hospital and primary care markets, including U.S companies such as Cerner, Microsoft, Hewlett Packard, IBM and Amazon Web Services.

Digital healthcare services, where patients can consult with health care professionals online (via mobile applications), have grown rapidly in the last few years, dominated by local companies such as Kry, Min Doktor, Doktor 24, and Doktor.se, but also with solutions developed by the regional governments, such as Region Stockholm's "Alltid Oppet". Today, more than 50 percent of the general population use digital health care services (ranging from booking an appointment online to using healthcare mobile applications).

Leading Sub-Sectors

- Telemedicine/health
- mHealth (wearables, apps)
- Interoperability solutions and standards
- Artificial intelligence (AI)

Opportunities

See leading Sub-sectors.

Resources

Public tenders above contract values of \$70,000 are published in the EU database <u>TED</u>.

Public tenders for healthcare services are published at Valfrihetswebben.

Government agencies, regulators and trade associations

Inera

National Agency for Public Procurement

National Board of Health and Welfare

Swedish Association of Local Authorities and Regions (SALAR)

Swedish eHealth authority

Swedish Medtech

Ministry of Health and Social Affairs

H2 Health Hub (co-working space and meeting place for health tech companies)

Trade Events (may be impacted by COVID19)

<u>Meeting place welfare technology and e-health</u> January 26 – 27, 2021, Stockholm, Sweden <u>Vitalis</u> August 25-26 2020, Gothenburg, Sweden (in 2020 digital conference only)

<u>Healthcare Information and Management Systems Society, (HIMSS)</u>, August 9-13, 2021, Las Vegas, USA. Every year a Swedish delegation with participants from regions, municipalities, government agencies and industry, take part in HIMSS for knowledge exchange, seminars and other activities.

Local Commercial Specialist: Johan Bjorkman, johan.bjorkman@trade.gov

Medical Equipment

Overveiw

Medical Equipment	2017	2018	2019
Total Exports	205.9	197	205.3
Total Imports	852.8	947.9	956.6
Imports from the U.S.	97.4	107	91.3

Units: \$ millions

Source: Global Trade Atlas HS: 9018

Sweden's healthcare system is one of the most well-developed in the world. Sweden spends about 11 percent of its GDP (2018) on health and medical services, which is on par with most other European countries. Healthcare spending per capita is high in Sweden, around \$5,500 annually (OECD, 2017). The infant mortality rate is low, around 2 deaths per 1,000 in the first year of life, and the average life expectancy is 81 years for men and 84 years for women.

The Swedish health care system is decentralized. Three political and administrative bodies share the responsibility for health care in Sweden: the central government, the regions, and the municipalities. The 21 regions have the responsibility to provide health and medical services and to promote a good standard of health among the population. The regions decide on the allocation of the resources to the health services and are responsible for the overall planning of the services offered. The regions own and operate the hospitals, health centers, and other institutions. The 290 municipalities are responsible for operating the nursing homes, as well as providing care to the elderly and the disabled. Thirteen percent of total health care costs are sub-contracted to private health care providers, primary care centers and homes for the elderly. Sweden has 80 hospitals, eight of which are regional hospitals offering highly specialized care and where most teaching and research is based. There are a few hospitals that are managed by private entrepreneurs.

According to Business Monitor International, the Swedish market for medical equipment was estimated at \$2.47 billion in 2019, and it ranks Sweden as the fourth most attractive market in Western Europe in which to commercialize a medical device. The medical equipment market is expected to grow around three percent annually. While most of the domestic manufacture is for export (estimated value at \$1.7 billion in 2018), the medical equipment market is dependent on imports. In 2018, imports were estimated at \$2 billion.

U.S. firms interested in entering the Swedish market will find that the market is competitive and, therefore, should establish a local presence, either through local agents and distributors or sales subsidiaries.

Leading Sub-Sectors

- Home healthcare equipment and supplies
- Orthopedic and prosthetic equipment
- Non-invasive surgical equipment

Opportunites

The local healthcare industry is receptive to innovative technologies effective at treating and mitigating chronic and age-related diseases. There is an ongoing, strong demand for diabetes products, orthopedic and implantable devices, minimally-/non-invasive equipment and user-friendly home care devices.

An aging population is fueling demand for healthcare services, which is an opportunity for U.S. companies. In 2020, 20.2 percent of Sweden's population is 65 or older. This is up from 13.7 percent in 1970. The expanding elderly population is one of the growth drivers in the market. This, alongside the rise of chronic disease, the increased focus on preventive care, and the desire to remain a leader in technological innovation, are opportunities within this market sector. Artificial intelligence (AI) is on the rise, and a newly established AI Innovation Centre will drive the development of the Swedish AI ecosystem, including the use of AI in healthcare.

Resources

National Agency for Public Procurement

National Board of Health and Welfare

Swedish Association of Local Authorities and Regions

Swedish Medtech

Local Commercial Specialist: Johan Bjorkman, johan.bjorkman@trade.gov

Cybersecurity

Overview

Sweden is one of the most well-connected countries in the world with over 98 percent of the population having access to internet. With the growing number of connected devices and online activity, reported instances of cybercrime are on the rise. According to a recent survey by Sophos, some 60 percent of Swedish organizations that participated in its survey were hit with ransomware attacks in 2019, and a majority paid to get their information back, mainly due to insufficient cyber insurance. Due to the COVID19 pandemic, a majority of businesses and organizations moved to teleworking. Proofpoint has since surveyed 150 Swedish companies on their teleworking security policy, and the results showed that, despite extra security policies and training, there was a notable increase in phishing attempts and cyber-attacks against gaming sites since teleworking started.

In June 2019, the Cooperation Group for Information Security, <u>SAMFI</u>, provided the government an Action Plan for Cyber and Information Security for 2019-2022. The authorities that cooperate in SAMFI include the following: Swedish Civil Contingencies Agency (MSB), Swedish Post and Telecom Agency (PTS), Swedish National Defense Radio Establishment (FRA), Swedish Security Service (SÄPO)/Swedish Criminal Investigation Service (RKP), Swedish Defense Materiel Administration (FMV)/Swedish Certification Body for IT Security (CSEC) and Military Intelligence and Security Service (MUST). The action plan has the following six priority areas:

- (1) securing a systematic and comprehensive approach in cybersecurity efforts;
- (2) enhancing network, product, and system security;
- (3) enhancing capability to prevent, detect, and manage cyberattacks and other IT incidents;
- (4) increasing the possibility of preventing and combating cybercrime;
- (5) increasing knowledge and promoting expertise; and
- (6) enhancing international cooperation.

In 2018, a new law on IT security for seven societally important sectors came to effect, and it stipulates the operators must take appropriate security measures to protect the networks and report serious incidents to the relevant national authority. The sectors include: (1) energy, (2) transportation, (3) banking operations, (4) financial infrastructure, (5) healthcare, (6) drinking water supply, and (7) digital infrastructure.

Cybersecurity	2017	2018	2019	2020 (Estimated)
Total Local Production*	758	765	797	798
Total Exports	38	40	45	45
Total Imports	480	500	531	550
Imports from the US	90	94	96	98
Total Market Size	1,200	1,225	1,283	1,303
Exchange Rates	8.4	8.8	9.4	8.7

Unit: \$ millions

Sources: Global Trade Atlas, U.S. Department of Commerce Bureau of Economic Analysis, TPIS, SCB – Statistics Sweden

Total market size = (total local production + imports) - exports

*Please note that the local production data is based on industry estimates

Leading Sub-Sectors

- Application Security: vulnerability assessment and analysis tools, patch management software, content filtering and monitoring software;
- *Identity and Access Based Services*: intrusion detection systems, authentication systems, anomaly detection & prevention systems, messaging security, access management systems;
- Situational Awareness: Deep & Dark Web investigation services, attack trend analysis services, intrusion response services;
- System Recovery and Data Cleansing: automated data cleansing tools, validation and verification tools, deduplication software.

Opportunites

The public sector and critical infrastructure sectors (transportation, energy, and communications) account for roughly 30 percent of the cybersecurity solutions demand. Investments in cybersecurity are expected to continue to grow in 2020 due to both an overall increase in IT security awareness and the disruptions caused by COVID19.

Legacy manufacturing companies are in the process of digitalizing parts of their production with increased systems' integration, connected devices, and both raw and analyzed data moving to cloud-based platforms. Industrial cybersecurity has a wider scope than traditional IT security, as it involves the company's products and production processes with sensitive IPR information. Demand for applications such as enhanced Industrial Control Systems (ICS) capabilities and operational technology (OT) security platforms is increasing.

Public Procurement

There is no national database for public sector contracts in Sweden. Instead, the contracts are available on several private sector databases, listed on the <u>National Agency for Public Procurement</u> website. Procurements that exceed specific contract values are also published in the <u>EU database TED</u>.

Resources

Data Inspection Board

Internet Security

Swedish Civil Contingencies Agency

Swedish Cybersecurity Policy

Swedish Post and Telecom Authority

Trade Events (may be impacted by COVID19)

Nordic IT Security, Hybrid Edition, Nov 9-10, 2020, Stockholm

SecTech Sweden, November 27 - 28, 2021, Stockholm

Local Commercial Specialist: Tuula Ahlstrom, tuula.ahlstrom@trade.gov

Travel and Tourism

This is a traditional best prospect industry sector for Sweden. It has been severely impacted by COVID19. The market overview and trade data included here are pre-COVID19.

Overview

The Swedish population has an appreciation for travel, along with the time and the money to spend on vacations. Swedes enjoy 5-6 weeks of paid annual leave plus 8-10 national holidays per year. Swedes are excellent English speakers and are active and experienced travelers. They are tech savvy, connected, and mainly book their vacations (flights and hotels) on the internet.

According to the Travel Barometer published by Swedish travel magazine *Vagabond* (in collaboration with the Swedish Ministry of Foreign Affairs and insurer Europeiska ERV), the United States was the number one non-European/long-haul destination visited by Swedish travelers in 2019. The U.S. National Travel & Tourism Office's (NTTO) statistics show that 451,612 Swedes travelled to the United States in 2019, ranking Sweden as one of the 18 largest inbound travel markets/originating from abroad.

The affordable price of airline travel originating in Sweden offers many opportunities for U.S. destinations. United and SAS airlines, along with their partners and other airlines, offer a variety of routes and connecting flights to the U.S. Non-stop flights from Stockholm Arlanda Airport are offered by:

United Airlines – operates seasonal flights to New York/Newark (end of May to early September) SAS – operates two flights to New York and Chicago

Sweden U.S. tourism statistics	2016	2017	2018	2019
Total travelers	560,581	522,211	506,323	451,612
Total Travel & Tourism spending*	1,894	1,756	1,720	1,473
Exchange rate \$1=SEK	8.6	8.6	8.7	9.4

*Units: \$ millions

Source: National Travel & Tourism Office and IMF

Leading Sub-Sectors

The top three U.S. destinations for Swedes are New York, California and Florida. According to the NTTO 2019 Market Profile for Sweden, Swedes primarily enjoy participating in the following activities while in the U.S.: Shopping (82%), Sightseeing (75%), Small Towns (38%), National Parks/Monuments (32%), Art Galleries/Museums (31%), and Historical Locations (30%).

Opportunities

Given both the relatively generous annual leave and the high disposable income that Swedes have, there are ample opportunities for Swedes to travel. They are often repeat visitors and enjoy exploring new regions. The implementation of Swedish aviation tax in 2018, climate change and its implications for aviation do not seem to affect the behavior of

many Swedish travelers when it comes to long-haul travel. However, the environment and sustainability are very much a focus in everyday life in Sweden and destinations with a sustainable profile are considered attractive.

Swedish newspapers and magazines regularly run articles highlighting U.S. destinations, culinary experiences and adventures. In a few recent surveys, a Road Trip in the U.S. is number one on a Swedish list of Dream Trips, suggesting the success of tailored trips including flights, hotels and car rentals after one's preferences. There are a number of Swedish tour operators that offer themed travel for travelers with interest in golf, music, cars (classic, performance/racing), adventure, culinary, wine, history and sports.

Resources

The Discover America Sweden Committee organizes 3-4 annual workshops held in Sweden, participates in promotional events, and has social media accounts on Facebook and Instagram. The Commercial Service in Sweden is an ex-officio board member and actively supports the Committee. For more information, please contact: info@discoveramerica.se.

Other resources:

Brand USA
Discover America Sweden
National Travel and Tourism Office
Visit the USA

Trade Events (may be impacted by COVID19)

Discover America Workshops in Sweden:

- 1. Stockholm annually in January
- 2. Norrköping or Jönköping or Linköping May
- 3. Malmö annually in September
- 4. Gothenburg annually in October

Discover America Workshops across the Nordics can be found on the Nordic website Nordic Discover America calendar.

Travel News Market is a B2B Trade Fair at Stockholm Waterfront Congress Centre annually in November.

Local Commercial Specialist: Nancy Bjorshammar, nancy.bjorshammar@trade.gov

Agriculture

Overview

Sweden is a sophisticated market featuring affluent, well-educated, and open-minded consumers who speak English well, and spend 12 percent of their disposable income on food. Sweden's location as one of the world's most northern countries means that the growing season in Sweden is comparatively short. Sweden therefore relies on imports.

In 2019, Sweden imported an estimated \$226 million of agricultural, fish, and forestry products from the United States. U.S. products have a good quality image; however, after shipping costs, import duties, and taxes, the products may not be price competitive compared to other suppliers. It is highly recommended that exporters study the Swedish import requirements carefully. Competition is fierce on price, quality, uniqueness, and innovation, and there is competition from EU Member States (MS) who benefit from the protection afforded by EU tariffs and non-tariff trade barriers.

Agricultural & Related	2017	2018	2019
Imports			
Total Local Production	n.a.	n.a.	n.a.
Total Exports	13,816	14,650	14,094
Total Imports	19,016	20,953	19,971
Imports from the US	227	244	226
Total Market Size	n.a.	n.a.	n.a.
Exchange Rates	n.a.	n.a.	n.a.

Units: \$ million

Source: Trade Data Monitor

Leading Sub-Sectors

Although a small market, Sweden offers export opportunities for U.S. exporters of specialty foods, alcoholic beverages, tree nuts and products with a special certification, like organics.

Sweden, Best High-Value Products Prospects

Product	Total Imports, 2019	Imports from the U.S., 2019 (U.S. market share)	Key Constraints on Market Development	Market Attractiveness for USA
Sauces and Condiments HS210390	157,084	24,055 (15%)	Competition from other EU MS and also Thailand.	Growing demand for sauces, preparations, condiments, and seasonings due to Sweden's strong grilling traditions, especially during the summer.
Live Horses HS010121	22,325	9,715 (44%)	Competition from other EU MS	Growing demand for pure breeds in Sweden.
Whiskies HS220830	68,736	2,835 (4%)	Competition from the U.K. and Ireland	The Swedes prefer good quality whiskies.
Pet Food HS230910	209,101	2,121 (1%)	Competition from other EU MS, and Canada, China, and Thailand	Demand for pet food is up.
Packed and Mixed Nuts HS200819	63,099	1,321 (2%)	Competition from other EU MS, and Turkey and Vietnam	Growing demand for retail-ready packaged mixed nuts.
Non-alcoholic Beverages HS220291 Non-alcoholic Beverages, other	7,763	69 (1%)	Competition from other EU MS	The Swedes like well-known branded and innovative beverages, including non-alcoholic craft beer.

HS220299	134,155	1,266 (1%)		
Sweet Potatoes HS071420	8,373	794 (9%)	Some competition from Spain and Egypt. Imports from other EU MS are almost all re- exported products.	(processed) sweet potatoes is growing.

Units: \$1,000

Source: World Trade Atlas

Opportunites

Swedes have an interest in experimenting with new and innovative products and cuisines. There is a growing demand for fresh, organic, and "free-from" food products due to a greater awareness regarding health. Swedish buyers regularly travel the world to see/buy new product and make new contacts, so exporters should consider exhibiting at one of Europe's trade shows (see partial list below).

Resources

The Agricultural Service at the American Embassy in The Hague represents the interest of the USDA's Foreign Agricultural Service (FAS) in the Netherlands and Nordic countries. For contact information, please see the website: Office of Agricultural Affairs, The Hague.

FAS Data & Analysis Sweden
Global Agricultural Trade System Online
Swedish Board of Agriculture

Trade Events (may be impacted by COVID19)

International confectionary Fair (ISM)

Cologne, Germany Contact hanna.khan@fas.usda.gov

Jan 31 - Feb 3, 2021 Tel: +49-3083-05-1152

Fruit Logistica*

Berlin, Germany Contact hanna.khan@fas.usda.gov

Feb 3-5, 2021 Tel: +49-3083-05-1152

BioFach*

Nüremberg, Germany Contact hanna.khan@fas.usda.gov

Feb 17-20, 2021 Tel: +49-3083-05-1152

ProWein

Düsseldorf, Germany Contact hanna.khan@fas.usda.gov

March 21-23, 2021 Tel: +49-3083-05-1152

PLMA World of Private Label

Amsterdam, The Netherlands Contact marcel.pinckaers@fas.usda.gov

Dec 2-3, 2020 Tel: +31-70-3102-305

SIAL*

Paris, France Contact <u>laurent.journo@fas.usda.gov</u>

Oct 15-19, 2022 Tel: +33-14312-2245

*Bi-annual

Customs, Regulations and Standards

Trade Barriers

For information on existing trade barriers, please see the <u>National Trade Estimate Report on Foreign Trade Barriers</u> published by USTR.

Information on agricultural trade barriers can be found at the following website: Foreign Agricultural Service

To report existing or new trade barriers and get assistance in removing them, contact either the <u>Trade Compliance</u> <u>Center</u>, or the <u>U.S. Mission to the European Union</u>.

Import Tariffs

Sweden applies the EU customs laws and coherent regulations, as well as common customs tariffs from the United States and other non-EU countries. When products enter the EU, they need to be declared to customs according to their classification in the Combined Nomenclature (CN). The CN document is updated and published every year, and the latest version can be found on the European Commission's website.

The Integrated Tariff of the Community, referred to as TARIC (Tarif Intégré de la Communauté), is designed to show the various rules that apply to specific products being imported into the customs territory of the EU, or, in some cases, exported from it. The TARIC can be searched by country of origin, Harmonized System (HS) Code, and product description on the interactive website of the Directorate-General for Taxation and the Customs Union. The online TARIC is updated daily.

Key Link: TARIC

Most industrial products imported to Sweden are subject to customs duty varying from zero percent to 15 percent. Duty rates for foodstuffs can be higher, as they are based on the weight of the commodity. The value for customs purposes is directly based on the value of transaction: product price, transportation, and insurance.

Importers can apply for reduced Customs Duty or exemption if the goods originate from a country with which EU has a free trade agreement, or in the case of:

- Temporary importation (e.g. testing or exhibiting purposes);
- Inward processing when a product is imported in order to be processed further, repacked, and reexported; and
- Scientific instrument imports,

Most goods imported to Sweden are also subject to a value-added-tax (VAT). The general VAT rate is 25 percent, with a lower rate of 12 percent for food and certain services and six percent for books and periodicals.

Import Requirements and Documentation

The TARIC, described above, is available to help determine if a license is required for a specific product. Moreover, the European Commission maintains a <u>trade helpdesk</u> with information on import restrictions of various products.

Import Documentation

The Single Administrative Document

The official model for written declarations to customs is the Single Administrative Document (SAD). The SAD describes goods and their movement around the world and is essential for trade outside the EU or trade of non-EU goods. Goods brought into the EU customs territory are, from the time of their entry, subject to customs supervision

until customs formalities are completed. Goods are covered by a Summary Declaration, which is filed once the items have been presented to customs officials. The customs authorities may, however, allow a period for filing the Declaration which cannot be extended beyond the first working day following the day on which the goods are presented to customs.

The Summary Declaration is filed by:

- the person who brought the goods into the customs territory of the Community or by any person who assumes responsibility for carriage of the goods following such entry; or
- the person in whose name the person referred to above acted.

The Summary Declaration can be made on a form provided by the customs authorities. Customs authorities may also allow the use of any commercial or official document that contains the specific information required to identify the goods. The SAD serves as the EU importer's declaration. It encompasses both customs duties and VAT and is valid in all EU Member States. The declaration is made by whoever is clearing the goods, normally the importer of record or his/her agent. More information on the SAD can be found at Single Administration Document.

Economic Operator Registration and Identification (EORI)

Since July 1, 2009, all companies established outside of the EU are required to have an EORI number if they wish to lodge a customs declaration or an Entry/Exit Summary declaration. All U.S. companies should use this number for their customs clearances. An EORI number must be formally requested from the customs authority member state to which the company first exports. In Sweden EORI can be obtained from the Swedish Customs.

Once a company has received an EORI number, it can use it for exports to any of the 28 EU Member States. There is no single format for the EORI number. More information about the EORI number can be found at <u>Economic Operator</u> <u>Registration and Identification</u>

Authorized Economic Operator (AEO)

In 2012, the United States and the EU signed a Decision recognizing the compatibility of Authorized Economic Operator (AEO) and Customs-Trade Partnership Against Terrorism (C-TPAT, thereby facilitating faster and more secure trade between U.S. and EU operators. The World Customs Organization (WCO) SAFE Framework of Standards provides the global standard for AEO. AEO certification is issued by a national customs authority and is recognized by all Member States' customs agencies.

Other Regulations and Directives

A key EU priority is ensuring that the products marketed in the region are safe for the environment and human health. U.S. manufacturers exporting to the EU need to ensure their products meet these requirements to enter the market.

Circular Economy

On December 11, 2019, Commission President Ursula von der Leyen presented <u>the European Green Deal</u>. The goal of this policy and legislative program is to transform Europe into a climate neutral society by 2050. The European Green Deal affects all aspects of the European economy including agriculture, construction, finance and manufacturing.

The Communication "A new Circular Economy Action Plan For a cleaner and more competitive Europe" (CEAP II) sets out Commission's product policy within the European Green Deal. The CEAP II succeeds the 2014 Communication "Towards a circular economy: A zero waste program for Europe" and implements the European Green Deal. When implementing the CEAP II, the European Commission will promote legislation and other measures that encourage a wholistic assessment of a product's environmental footprint at the design phase of development. One legislative instrument the European Commission is looking to achieve this objective is the EU Ecodesign Directive. It will also look at other instruments including the EU Ecolabel and REACH.

Batteries

The <u>EU Battery Directive</u> adopted in 2006 applies to all batteries and accumulators placed on the EU market. This includes automotive, industrial, and portable batteries. The Directive seeks to protect the environment by restricting the sale of batteries and accumulators that contain mercury or cadmium (with an exemption for emergency and alarm systems, medical equipment, and cordless power tools) and by promoting a high level of collection and recycling. It places the responsibility on producers to finance the costs associated with the collection, treatment, and recycling of used batteries and accumulators. The Directive was recently evaluated and <u>the report</u> was published in April 2019. A legislative proposal revising the EU Battery Directive is expected to be tabled in the fourth quarter of 2020 likely October. The revision will "notably encompass end-of-life and sustainability requirements".

Registration, Evaluation, and Authorization and Restriction of Chemicals (REACH)

REACH applies to all chemicals manufactured or imported into the EU in quantities exceeding one metric ton. The regulation entered into force in 2007 (Regulation 1907/2006) and touches virtually every industrial sector, from automobiles to textiles. REACH imposes a registration obligation on all entities affected by the one metric ton criteria by May 31, 2018. The European Chemicals Agency (ECHA) is the agency responsible for receiving and ensuring the completeness of such registrations. U.S. companies without a presence in Europe need to rely on an EU-based partner, typically either an importer or a specialized "Only Representative."

In addition to the registration requirement, U.S. exporters should carefully review the REACH "<u>Candidate List</u>" of Substances of Very High Concern (SVHCs) and the "<u>Authorization List</u>." Under certain conditions, substances on the Candidate List are subject to communication requirements prior to their export to the EU. Companies seeking to export chemicals on the "Authorization List" will require an authorization. Lastly, the "<u>Restriction List</u>" contains a list of substances that are subject to specific controls within the EU.

Classification, Labelling and Packaging of Hazardous Substances (CLP)

The <u>CLP Regulation</u> (Regulation 1272/2008) implements the UN Global Harmonized System of classification, labelling and packaging of all hazardous substances. U.S. exporters must classify, label and package (including products containing such substances) hazardous substances according to the regulation's requirements. For certain hazardous substances, the European Commission will impose a common classification. Such a classification may affect EU demand for these substances. It may also trigger controls on product specific legislation. U.S. exporters can find the CLP regulation and the substances subject to common classification below.

Waste Electrical and Electronic Equipment (WEEE)

EU rules on <u>WEEE</u>, while not requiring specific customs or import paperwork, may entail a financial obligation for U.S. exporters. The Directive requires U.S. exporters to register relevant products with a national WEEE authority, in Sweden's case <u>National Environmental Protection Agency</u>, or arrange for this to be done by a local partner. It also requires manufacturers to inform the consumer that their product should be recycled by including the "crossed out wheelie-bin" symbol on the product or with the packaging.

Restriction on Hazardous Substances (RoHS)

<u>The ROHS Directive</u> imposes restrictions on the use of certain chemicals in electrical and electronic equipment. It does not require specific customs or import paperwork, but manufacturers must self-certify that their products are compliant and affix a "<u>CE" mark</u>. The 2011 revisions to the ROHS Directive significantly expanded the scope of covered products. U.S. exporters seeking more information on the RoHS Directive should visit <u>ROHS 2</u>.

Cosmetic Regulations

The EU legislation harmonizing the regulation of cosmetic products has applied since July 11, 2013. The most controversial element of the regulation was the introduction of an EU-wide system for the notification of cosmetic

<u>products</u> to the European Commission prior to their placement on the EU market. Only an EU-established entity may submit such a notification. Therefore U.S. exporters must either retain a "Responsible Person" to act on their behalf, rely on the entity responsible for the import of their product into the EU, or establish a presence in an EU Member State.

Agricultural Documentation

Phytosanitary Certificates: <u>Phytosanitary certificates</u> are required for most fresh fruits, vegetables, and other plant materials.

Sanitary Certificates: For commodities composed of animal products or by-products, EU countries require that shipments be accompanied by a certificate issued by the competent authority of the exporting country. This applies regardless of whether the product is for human consumption, for pharmaceutical use, or strictly for non-human use (e.g., veterinary biologicals, animal feeds, fertilizers, research). Most of these certificates are uniform throughout the EU, but the harmonization process is still ongoing. The Swedish requirements are available at Swedish Food Administration. In addition to the legally required EU health certificates, several other certificates are used in international trade. These certificates, which may also be harmonized in EU legislation, certify origin for customs purposes and certain quality attributes. Up-to-date information on Harmonized Import Requirements.

Sanitary Certificates (Fisheries)

In April 2006, the EU declared the U.S. seafood inspection system to be equivalent to the European one. Consequently, a specific public health certificate must accompany U.S. seafood shipments. The U.S. fishery product sanitary certificate is a combination of Commission Decision 2006/199/EC for the public health attestation and of Regulation 1012/2012 for the general template and animal health attestation. Unlike for fishery products, the U.S. shellfish sanitation system is not equivalent to that of the EU's. The EU and the United States are currently negotiating a veterinary equivalency agreement on shellfish. In the meantime, the EU still has a ban in place (since July 1, 2010), that prohibits the import of U.S. bivalve mollusks, in whatever form, into EU territory. This ban does not apply to wild roe-off scallops.

Since June 2009, the only U.S. competent authority for issuing sanitary certificates for fishery and aquaculture products is the U.S. Department of Commerce, National Marine Fisheries Service (NOAA-NMFS).

In addition to sanitary certificates, all third countries wishing to export fishery products to the EU are requested to provide a catch certificate. This catch certificate certifies that the products in question have been caught legally.

For detailed information on import documentation for seafood, please contact the NOAA Fisheries office at the U.S. Mission to the EU (stephane.vrignaud@trade.gov) or visit the following NOAA dedicated website.

Labeling and Marking Requirements

Sweden does not require country of origin marking for industrial imports. However, goods carrying incorrect designations of origin are prohibited, and products made to appear as produced or manufactured in Sweden may not be imported unless the correct foreign origin is clearly and durably marked thereon. Certain consumer products require marking if they are imported from outside of the EU. These include textiles, leather goods, gold and silver jewelry and furniture. More information is available at Swedish Consumer Agency.

Special marking regulations and labeling requirements exist for pharmaceuticals, chemicals and food products. Sweden has very strict health, sanitary, and labeling rules and sophisticated capabilities for monitoring product quality. More information is available at Swedish Medical Products Agency and the Swedish Medical Products Agency.

A retail-size food package must show the name of the manufacturer, packer or importer, commercial name of the product, net metric weights or volume, ingredients in descending order of weight, last recommended date of consumption, and storage instructions if perishable or intended for infants. The information described above should be in Swedish and the local importers can assist NTM companies in arranging for proper labeling information.

Inspection and food labeling requirements were changed to conform to EU regulations when Sweden became a member of the EU on January 1, 1995. The first step in investigating the marking, labeling, and packaging legislation that might apply to a product entering the EU is to draw a distinction between what is mandatory and what is voluntary. Decisions related to mandatory marking, labeling and/or packaging requirements may sometimes be left to individual Member States. Furthermore, voluntary marks and/or labels are used as marketing tools in some EU Member States.

More information on marks, labels and legislation can be found at:

CE Marking

CE Marking Laws Applicable

Harmonized Standards

New Legislative Framework

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 a 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

Goods can be completely exempt from customs duty and/or VAT when they are imported into the EU temporarily and are to be re-exported unmodified. Goods that fall into this category include materials for trade shows and exhibitions, some professional equipment, special tools used for assembling goods to be exported, replacement machinery or equipment during warranty repairs, samples, works of art to be exhibited, some medical, surgical and laboratory and scientific equipment used in hospitals, other medical institutions, and for teaching and research purposes. The importer should always check with the <u>local customs office</u> to verify that the goods meet the criteria for complete or partial exemption of import costs.

Sweden honors the ATA carnet, an international customs document designed to simplify customs procedures for business and professional people taking commercial samples, advertising materials, film, medical, or professional equipment into specified countries for a short period. More than 40 countries participate in the carnet system. Specific information on the ATA Carnet customs procedure can be found at: ATA Carnet.

Prohibited and Restricted Imports

The Integrated Tariff of the Community, referenced to as <u>TARIC</u> (Tarif Intégré de la Communauté) is designed to show various rules that apply to specific products being imported into the customs territory of the EU or, in some cases, when exported from it. To determine if a product is prohibited or subject to restriction, check the TARIC for the following codes:

CITES Convention on International Trade of Endangered Species

PROHI Import Suspension

RSTR Import Restriction

For information on how to access the TARIC, see the Import Requirements and Documentation Section.

Key Link: <u>Taxation Customs and Tariffs</u>

Customs Regulations

The Swedish Customs <u>website</u> lists and updates both the Swedish and the EU regulations and laws pertaining to import and applicable directives from other government agencies. On the EU level, the information is available at Customs and Taxation Union Directorate (<u>TAXUD</u>) Website.

Customs Valuation

Most customs duties and VAT are expressed as a percentage of the value of goods being declared for importation. Thus, it is necessary to utilize a standard set of rules for establishing the goods' value, which will then serve for calculating the customs duty.

Given the magnitude of EU imports every year, it is important that the value of such commerce is accurately measured for the purposes of:

- economic and commercial policy analysis;
- application of commercial policy measures;
- proper collection of import duties and taxes; and
- import and export statistics.

The EU applies an internationally accepted concept of 'customs value'.

The value of imported goods is one of three 'elements of taxation' that provides the basis for assessment of the customs debt, which is the technical term for the duty to be paid, the other ones being the origin of the goods and the customs tariff.

Swedish contact information:

Swedish Customs

Box 12854

112 98 Stockholm

Sweden

Ms. Charlotte Svensson, Director General

Email: tullverket@tullverket.se

New requirements for CE marked products:

Going into force on July 16, 2021, the new EU Regulation on Market Surveillance and Product compliance (Regulation (EU) 2019/1020) (commonly called the "Goods Package") will bring important changes to market surveillance in the EU for more than 70 EU product laws and for product compliance for 20 categories of CE marked products. Some of these changes include reinforced controls at the border, new responsibilities for shipping platforms, new requirements for products sold online, and, most importantly for U.S. exporters, the mandatory appointment of a Responsible Person/Economic Operator based in the EU for certain products covered under Article 4 of the directive. The product categories affected under Article 4 of this directive include most of the CE Marked products. There is no small business, minimum value, or quantity exception for third country products placed on the EU market. Therefore, depending on the guidance to be released, a U.S. exporter would need to have a designated Responsible Person/Economic Operator based in the EU for the sale of even one item into the EU.

The mandatory Responsible Person/Economic Operator will be responsible, at a minimum, for ensuring the availability of the conformity documentation, cooperating with market surveillance authorities, and informing authorities when they have reasons to believe that a product presents a risk. Guidance for the application of Article 4 of the directive is expected to be published in late 2020. More information is available at <u>Regulation on market surveillance and compliance of products.</u>

Standards for Trade

Overview

Products tested and certified in the United States to American standards are likely to have to be retested and re-certified to EU requirements due to the EU's different approach to the protection of the health and safety of consumers and the environment. Where products are not regulated by specific EU technical legislation, they are always subject to the EU's General Product Safety Directive as well as to possible additional national requirements.

European Union legislation and standards created under the New Approach are harmonized across the Member States and European Economic Area countries to allow for the free flow of goods. An example of the New Approach is <u>CE</u> marking.

The concept of New Approach legislation is slowly disappearing as the <u>New Legislative Framework (NLF)</u>, which entered into force in January 2010, was put in place to serve as a blueprint for existing and future CE marking legislation. Existing legislation has been reviewed to bring them in line with the NFL concepts, which means that, as of 2016, new requirements are being addressed and new reference numbers are to be used on declarations of conformity.

While harmonization of EU legislation can facilitate access to the EU Single Market, manufacturers should be aware that regulations (mandatory) and technical standards (voluntary) might also function as barriers to trade if U.S. standards are different from those of the European Union.

Standards

EU standards setting is a process based on consensus initiated by industry or mandated by the European Commission and carried out by independent standards bodies, acting at the national, European, or international level. There is strong encouragement for non-governmental organizations, such as environmental and consumer groups, to actively participate in European standardization.

Many standards in the EU are adopted from international standards bodies such as the International Standards Organization (<u>ISO</u>). The drafting of specific EU standards is handled by three European standards organizations:

- 1. CEN, European Committee for Standardization
- 2. CENELEC, European Committee for Electrotechnical Standardization
- 3. ETSI, European Telecommunications Standards Institute

Standards are created or modified by experts in Technical Committees or Working Groups. The members of CEN and CENELEC are the national standards bodies of the Member States, which have "mirror committees" that monitor and delegate experts to participate in ongoing European standardization. CEN and CENELEC standards are sold by the individual Member States standards bodies. ETSI is different in that it allows direct participation in its technical committees from non-EU companies that have interests in Europe and provides some of its individual standards at no charge on its website.

Given the EU's vigorous promotion of its regulatory and standards system as well as its generous funding for its development, the EU's standards regime is wide and deep - extending well beyond the EU's political borders to include affiliate members (countries which are hopeful of becoming full members in the future) such as the Western Balkan countries among others. Another category, called "companion standardization body," includes the standards organization of Morocco, Israel, Kazakhstan, and Australia, among others which are not likely to become a CEN member or affiliate for political and geographical reasons.

Swedish standards organizations include:

The Swedish Institute of Standards (SIS)

118 80 Stockholm

Sweden

Tel: +46 8 555 520 00

SIS develops and revises over 1,700 Swedish and international standards annually within most business areas, by working closely with the private sector, Swedish authorities, consumer representatives and other stakeholders. SIS is the Swedish member of the Council and Technical Board of ISO and serves on both the administrative and technical boards of the European Committee for Standardization.

Informationstekniska Standardiseringen, ITS

The Swedish Telecommunication Standardization Organization

Box 1284

164 29 Kista, Sweden

Tel. +46 70 300 9542

Since March 2002, ITS has been recognizing European standards (EN) directly instead of transposing them to Swedish SS standards. All new proposals of standards and changes/adoptions of technical regulations should be determined and adjusted in respect to existing international and European standards. ITS acts as the national standardization body for Sweden at ETSI, European Telecommunication Standards Institute.

SEK Svensk Elstandard

The Swedish Electro-Technical Standards

Box 1284

164 29 Kista, Sweden

Tel. +46 8 444 1400

SEK coordinates the electro-technical standardization through technical committees that directly reflect the work done on the international level at both IEC and CENELEC. The standardization and revision process is open to all Swedish organizations, companies, institutions, and the public sector.

Testing, inspection, and certification

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

Products manufactured to standards adopted by CEN, CENELC, or ETSI, and referenced in the Official Journal as harmonized standards, are presumed to conform to the requirements of EU Directives. The manufacturer then applies the CE marking and issues a declaration of conformity. With these, the product will be allowed to circulate freely within the EU. A manufacturer can choose not to use the harmonized EU standards, but then must demonstrate that the product meets the essential safety and performance requirements.

The CE marking addresses itself primarily to the national control authorities of the member states, and its use simplifies the task of essential market surveillance of regulated products. It is not intended to include detailed technical information on the product, but sufficient information to enable the inspector to trace the product back to the manufacturer or the local contact established in the EU.

Swedish Bodies

RICE - Research Institutes of Sweden

Certification

Box 857

501 15 Borås, Sweden

Tel. +46 10 516 5000

Intertek Semco Certification AB

Box 1103

164 22 Kista, Sweden

Tel. +46 8 750 0333

Swedish Board for Accreditation and Conformity Assessment, SWEDAC

Box 878.

501 15 Borås, Sweden

Tel: +46 771 990 900

Publication of technical regulations

When it comes to technical regulations Sweden abides by the EU directives and WTO agreements and accordingly reports all proposals to both EU and WTO. The entity responsible for information and notification procedures for new national technical regulations is the National Board of Trade.

All the Swedish proposals and final regulations are listed on the EU data base <u>TRIS</u>, Technical Regulations Information System.

The National Board of Trade

Box 6803

113 86 Stockholm, Sweden

Tel. +46 8 690 4800

Email: christofer.berg@kommerskollegium.se

Official Journal of the EU 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, studies by committees. It also lists the standards reference numbers linked to legislation (Harmonized Standards).

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. (www.nist.gov/notifyus) 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

US Embassy Stockholm

Dag Hammarskjölds Väg 31

115 89 Stockholm, Sweden

Tel. +46 8 783 5300

Post Standards Contact: Tuula Ahlström, tuula.ahlstrom@trade.gov

Swedish Standardization Federation

Box 5510

114 85 Stockholm, Sweden

Tel. +46 8 782 0850

Swedish Standards Institution, SIS

118 80 Stockholm.

Sweden

Tel: +46 8 555 520 00

Informationstekniska Standardiseringen, ITS

The Swedish Telecommunication Standardization Organization

Box 1284

16429 Kista, Sweden

Tel. +46 8 444 1424

SEK Svensk Elstandard

The Swedish Electro-Technical Standard

Box 1284

16429 Kista, Sweden

Tel. +46 8 444 1400

SWEDAC, Styrelsen for Ackreditering och Teknisk Kontroll

Swedish Board for Accreditation and Conformity Assessment

Box 878

501 15 Borås, Sweden

Tel: +46 33 177 700

Rise

Box 857

501 15 Borås, Sweden

Tel. +46 10 516 5000

Intertek Semco Certification AB

Box 1103

164 22 Kista, Sweden

Tel. +46 8 750 0333

The National Board of Trade

Box 6803

113 86 Stockholm, Sweden

Tel. +46 8 690 4800

Livsmedelsverket (National Food Administration)

Box 622

751 26 Uppsala, Sweden

Tel: +46 18 17 55 00

Läkemedelsverket (Medical Products Agency)

Box 26

751 03 Uppsala, Sweden

Tel: +46 18 17 46 00

Kemi (Swedish Chemicals Agency)

Box 2

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U.S. Mission to the EU

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Gordon Gillerman Standards Coordination Office

100 Bureau Dr.

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Gaithersburg, Maryland 20899

Tel: (301) 975-4000

CEN- European Committee for Standardization

Avenue Marnix 17

B-1000 Brussels, Belgium

Tel: +32.2.550.08.11 Fax: +32.2.550.08.19

CENELES- European Committee for Electrotechnical Standardization

Avenue Marnix 17

 $B-1000\ Brussels,\ Belgium$

Tel: +32.2.519.68.71 Fax: +32.2.519.69.15

ETSI- European Telecommunications Standards Institute

Route des Lucioles 650

Sophia Antipolis

F-06560 Valbonne, France

Tel: +33.4.92.94.42.00 Fax: +33.4.93.65.47.16

SBS- Small Business Standards

4, Rue Jacques de Lalaing B-1040 Brussels, Belgium Tel: +32.2.285.07.27

Fax: +32.2.230.78.61

ANEC- European Association for the Co-ordination of Consumer Representation in Standardization

Avenue de Tervuren 32, Box 27

 $B-1040\ Brussels,\ Belgium$

Tel: +32.2.743.24.70 Fax: +32.2.706.54.30

ECOS- European Environmental Citizens Organization for Standardization

Rue d'Edimbourg 26

B – 1050 Brussels, Belgium

Tel: +32.2.894.46.68 Fax: +32.2.894.46.10

EOTA- European Organization for Technical Assessment

Avenue des Arts 40

 $B-1040\ Brussels,\ Belgium$

Tel: +32.2.502.69.00 Fax: +32.2.502.38.14

Trade Agreements

Sweden is a member of the EU and does not conclude any free trade agreements on its own. However, Sweden takes an active part in the preparations and in the work during the ongoing negotiations lead by the EU. For a list of trade agreements with the EU and its Member States, as well as concise explanations, please see EU Trade Agreements.

Licensing Requirements for Professional Services

The recognition of skills and qualifications acquired by EU citizens in EU Member States, including the corresponding recognition procedures and charges are the responsibility of Member States. Similarly, recognition of skills and qualification earned in third countries is also a national responsibility

If an individual with a foreign qualification was recognized in a member state and now wants to move to another EU country and has worked for **at least 3 years** in the EU country that has first recognized the qualifications, that individual can apply for professional recognition in another EU country under the rules that apply to professionals that have received their qualification from an EU country.

To prove the necessary experience to exercise a profession, a certificate issued by the EU country that first recognized your qualifications may be needed. This applies to both EU citizens and non-EU citizens.

However, the European Commission takes the initiative to facilitate recognition procedures. For example:

- Recognition of <u>professional qualifications</u> obtained in one Member State for the purposes of access and pursuit of <u>regulated professions</u> in another Member State is subject to Directive 2005/36.
- Recognition of qualifications for academic purposes in the <u>higher education sector</u>, including school-leaving certificates is subject to the *Lisbon Recognition Convention*. The ENIC-NARIC network provides advice on (cross-border) recognition of these qualifications.

Recognition in other cases is assessed and granted (or denied) by the receiving educational provider or employer. An **understanding of the level, content, and quality** is needed for them to be able to recognize skills and qualifications. The Commission currently explores the possibilities on how to better support these recognition decisions.

The "Your Europe" website maintains a webpage dedicated to help citizens identify what the regulated professions are and what document are needed for their recognition in each Member State. Please see: Recognition of Professional Qualification.

Selling US Products and Services

Distribution & Sales Channels

Overview

Consumers and businesses alike are import-oriented in Sweden. To compliment this import-oriented market, Sweden offers American exporters a wide range of methods for the distribution and sale of products. A very high level of efficiency characterizes the distribution system. The Swedish Trade Federation (Svensk Handel), is the principal organization for private sector importers and traders in Sweden. The federation's membership includes 9,000 member firms active in retail and wholesale trade. The major distribution centers in Sweden are Stockholm, Gothenburg, and Malmo. Stockholm is the capital and the business center of the country with a metropolitan area population of about 2 million. The head offices of most Swedish industrial and commercial associations, and most large corporations are located in Stockholm. Many multinationals also use Stockholm as the base for their headquarters for their Nordic and Baltic operations.

Gothenburg, Sweden's second largest city, is the nation's foremost port for international shipping as well as the largest port in Scandinavia. Located on the southwestern coast, Gothenburg is also the center of a fast-growing industrial complex representing a wide spectrum of manufactured products.

Malmo and Helsingborg are located at the southern tip of the country, a short distance from neighboring Denmark. Both cities are important ports for Swedish shipping to continental Europe. A bridge between Malmo and Copenhagen physically links Northern Europe with the Continent.

The northern two-thirds of Sweden is sparsely populated but contains many large industrial sites for forest products, mining, and hydroelectric power. Major population centers there include Sundsvall, Skelleftea, Lulea, and Umea.

Using an Agent or Distributor

Although there are a number of U.S. subsidiaries in Sweden, most U.S. firms still rely on agents or distributors to represent their business in Sweden.

A visit to the market is the best way to appraise the relative merits of prospective agents/distributors. Close contact between the U.S. company and the Swedish agent/distributor is very important and should be developed early.

Direct sales is also a possibility, but using an agent or distributor is usually the most effective way to enter the Swedish market.

Many agents and distributors will prefer exclusivity given the size of the market and because they will typically invest effort and financial resources into building brand awareness and developing a market position for the U.S. product or service. It is advisable to carefully think through the issue of exclusivity versus non-exclusivity before entering into negotiations with potential partners. Clearly stated terms, including performance measures and termination clauses, should be built into any agreement granting exclusivity.

Companies wishing to use distribution, franchise, and agency arrangements need to ensure that the agreements they put into place are in accordance with EU and member state national laws. Council Directive 86/653/EEC establishes certain minimum standards of protection for self-employed, commercial agents who sell or purchase goods on behalf of their principals. The Directive establishes the rights and obligations of the principal and its agents, the agent's remuneration, and the conclusion and termination of an agency contract. It also establishes the notice to be given and indemnity or compensation to be paid to the agent. U.S. companies should be particularly aware that according to the Directive, parties may not derogate from certain requirements. Accordingly, the inclusion of a clause specifying an alternate body of law to be applied in the event of a dispute will likely be ruled invalid by European courts.

For details please review this EU Directive on Self Employed Commercial Agents.

Establishing an Office

The most popular and simplest company structure is the limited liability company. This works well for many foreign firms – especially SMEs starting up in the Swedish market. For further details on requirements and options regarding the establishment of a local company presence, contact <u>Business Sweden</u> - or any of the many reputable legal firms resident in Sweden. See partial list below:

Baker & McKenzie Advokatbyra AB

Delphi & Co Advokatfirma

Kilpatrick Townsend & Stockton Advokatbyra

White & Case Advokat AB

Sweden has no rules that discriminate against foreign investors and shareholders may reside in any country. There are two different forms of limited liability companies: public and private. The difference between the two is that only the public limited liability company can turn to the public for capital. A subsidiary of a foreign company established in Sweden in accordance with Swedish law is considered a Swedish company in all respects and generally no legislative distinction is made between companies whose shares are wholly or principally owned by foreigners and those owned by Swedes.

The Swedish Companies Act (Aktiebolagslagen) governs the founding of a company. However, a foreign investor need not bother with this procedure, as it is much easier to acquire a pre-registered off-the-shelf company and adapt its articles of association to the needs and intents of the investor. The share capital must be at least SEK 25,000 in a private limited liability company and SEK 500,000 in a public limited liability company.

A foreign company interested in establishing a business in Sweden may also conduct its operations through a Swedish branch (filial). Both a branch and a limited company must be registered with the Swedish Companies Registration Office and the Swedish Tax Agency.

Franchising

In Sweden, franchising is a popular business model common in many industries. However, the majority of franchises operating in Sweden are of Swedish origin. There are a number of laws that govern the operation of franchises within the EU, but these laws are fairly broad and generally do not constrain the competitive position of U.S. businesses. More information on specific legislation can be found on the European Franchise Federation's website.

There is no specific comprehensive franchise legislation in Sweden. The only direct franchise-related legislation is a disclosure obligation for the franchisor. Under the Swedish Franchise Disclosure Act (Law no 2006:484), a franchisor must provide a prospective franchisee with certain information before a franchise contract is entered. The legislation covers all franchise contracts in Sweden: domestic and foreign contracts; master franchise contracts and unit contracts; new contracts; and renewals of old contracts.

It is strongly recommended that U.S. companies considering franchising in Sweden conduct a qualified legal study to ensure full validity and enforcement of franchising agreements. The use of an American franchising agreement without adjustments for Swedish laws and practices could be detrimental to the franchiser's business.

To meet the needs of the Swedish market, U.S. franchisers should be prepared to modify their product mix or implement other changes in their marketing policy in order to boost competitiveness. Launching large-scale franchise operations may not be realistic in a market the size of Sweden's. It can also be challenging for potential Swedish franchisors to secure financing for foreign franchises.

The most well-known American branded franchises operating in Sweden include fast food or casual restaurants such as McDonald's, Burger King, Pizza Hut, Hard Rock Café, TGI Friday's, Subway, Starbucks, and KFC as well as Avis, Hertz, Mail Boxes Etc, Remax Real Estate, and 7-Eleven.

<u>The Swedish Franchise Association</u> is a member organization for both franchisors and franchisees, arranging a number of annual activities.

Direct Marketing

There is a wide-range of EU legislation that impacts the direct marketing sector. Compliance requirements are stiffest for marketing and sales to private consumers.

The EU has strict laws governing the protection of personal data, including the use of such data for direct marketing activities. As of 25 May 2018, the General Data Protection Regulation (GDPR) applies in the EU. The GDPR is a horizontal privacy legislation that applies across sector and to companies of all sizes. It replaces the previous data protection Directive 1995/46. The overall objectives and underlying principles of the legislation remain the same. Businesses must inform consumers that they are collecting personal data and have a legal basis to process and retain the data.

The GDPR is broad in scope and uses broad definitions. "Personal data" is any information that relates to an identified or identifiable living individual (data subject) such as a name, email address, tax ID number, online identifier, etc. "Processing" data includes actions such as collecting, recording, storing and transferring data. A company that is not established in the Union may have to comply with the Regulation when processing personal data of EU and EEA residents (EEA countries include Norway, Lichtenstein and Iceland) and Switzerland:

- a) If the company offers goods or services to data subjects in the EU; or,
- b) If the company is monitoring data subjects' behavior taking place within the EU.

The mere accessibility of a company's website in the EU is insufficient to subject a company to GDPR, but other evidence of the intent to offer goods or services to data subjects in the EU would be relevant. For instance, conducting advertising campaigns directed at EU markets or mentioning an EU member state in relation to the good or service could be relevant. The European data protection authorities published <u>guidelines</u> to help companies determine whether they fall within the GDPR's territorial scope.

As a general rule, companies that are not established in the EU but that are subject to the GDPR must designate in writing an EU representative for purposes of GDPR compliance. There is an exception to this requirement for small scale, occasional processing of non-sensitive data.

Fines in case of non-compliance can reach up to 4% of the annual worldwide revenue or 20 million euros – whichever is higher. Companies of all sizes and sectors should consider GDPR as part of their overall compliance effort with assistance of legal counsel.

The European Commission and Data Protection Authorities released official <u>guidelines</u> to help companies with their compliance process. These documents relate, for instance, to the role of the data protection officer, personal data breach notification, data protection impact assessment.

Note: the EU is currently updating its e-privacy legislation governing confidentiality of communications. If enacted, this legislative instrument could add several requirements in addition to the GDPR. We encourage U.S. exporters to monitor this situation as it evolves through the EU legislative process.

For more information:

Full GDPR text

Official Press Release

Transferring Customer Data to Countries outside the EU

The General Data Protection Regulation (GDPR) provides for the free flow of personal data within the EU but also for its protection when it leaves the region's borders.

The GDPR sets out obligations on data controllers (those in charge of deciding what personal data is collected and how/why it is processed), on data processors (those who act on behalf of the controller) and gives rights to data subjects (the individuals to whom the data relates). These rules were designed to provide a high level of privacy protection for personal data and were complemented by **measures to ensure the protection is maintained when data leaves the region**, whether it is transferred to controllers, processors or to third parties (e.g. subcontractors). EU legislators put restrictions on transfers of personal data outside of the EU, specifying that such data could only be exported if "adequate protection" is provided.

The European Commission is responsible for assessing whether a country outside the EU has a legal framework that provides enough protection for it to issue an "adequacy finding" to that country. The U.S. does not have an adequacy decision (see section on the EU-U.S. Privacy Shield below). This means that U.S. companies can only receive personal data from the EU if they:

- Provide appropriate safeguards (e.g. standard contractual clauses, binding corporate rules), or,
- Refer to one of the GDPR's derogations.

For more information:

EU data protection authorities' FAQs on data transfers to the U.S.

Important note:

The legal environment for data transfers to the United States continues to evolve. Companies that transfer EU citizen data to the United States as part of a commercial transaction should consult with an attorney, who specializes in EU data privacy law, to determine what options may be available for a transaction.

The EU-U.S. Privacy Shield

On July 16, 2020, the Court of Justice of the European Union (CJEU) issued a <u>judgment</u> declaring as "invalid" the European Commission's Decision (EU) 2016/1250 of July12, 2016 on the adequacy of the protection provided by the EU-U.S. Privacy Shield. As a result of that decision, the EU-U.S. Privacy Shield Framework is no longer a valid mechanism to comply with EU data protection requirements when transferring personal data from the European Union to the United States. This decision does not relieve participants in the EU-U.S. Privacy Shield of their obligations under the EU-U.S. Privacy Shield Framework.

The EU-U.S. Privacy Shield Framework was designed by the U.S. Department of Commerce and the European Commission to provide companies on both sides of the Atlantic with a mechanism to comply with EU data protection requirements when transferring personal data from the European Union to the United States in support of transatlantic commerce. While it is no longer a valid transfer mechanism under the GDPR, as <u>U.S. Secretary of Commerce Wilbur Ross noted on July 16, 2020</u>, "The Department of Commerce will continue to administer the Privacy Shield program, including processing submissions for self-certification and re-certification to the Privacy Shield Frameworks and maintaining the Privacy Shield List."

For more information:

Commerce FAQs on Privacy Shield following CJEU decision of July 16

EU-U.S. Privacy Shield

Other transfer mechanisms

Joint Ventures/Licensing

Joint ventures and licensing agreements are common in Sweden. There is no requirement to register licensing agreements and there are no government restrictions on remittance of royalties or fees. A joint venture or a licensing agreement itself is not a legal entity. A legal form of business must be formed to pursue the project.

Express Delivery

International and local express delivery services offer reliable courier services in Sweden. There are several express delivery firms operating in Sweden such as PostNord, DHL, UPS and FedEx.

Due Diligence

Product safety testing and certification is mandatory for the EU market. U.S. manufacturers and sellers of goods have to perform due diligence in accordance with mandatory EU legislation prior to exporting.

The Commercial Service in Stockholm offers the International Company Profile service which provides background reports on potential agents and distributors, as well as other Swedish firms.

Credit reports on Swedish companies can also be obtained by contacting any of the sources below:

Dun & Bradstreet Sverige AB (Bisnode)

<u>UC AB</u> (The Swedish Business and Credit Information Agency)

eCommerce

Assessment of Current Buyer Behavior in Market

Sweden is one of the most connected societies in the world and consumers have achieved a high level of maturity when it comes to eCommerce. Consumers in Sweden are technology savvy and qualified spenders, and at the very top of eCommerce usage in Europe and globally.

One annual survey by Nordic based payment service provider Nets disclosed that eCommerce in Sweden reached roughly \$32.8 bn (SEK 310 bn) in 2019, an increase of 16 percent compared to the prior year. Forty-seven percent was spent on travel, 37 percent on goods and 16 percent on services. Of the 38 percent of Swedish consumers that buy from non-Swedish websites, there has been a six percent decrease in buying from the U.S. A weak Swedish krona, uncertainty regarding terms and time of delivery as well as the total price once the product arrives in Sweden all play a role in the decrease (see below regarding implementation of an administrative fee).

Another annual survey by Swedish logistics provider PostNord stated that the goods most Swedes purchase from foreign websites include fashion, books and media products. After invoicing, the most popular payment methods Swedes use are debit/credit cards, Swish (Swedish mobile real time payment application), direct bank payment and solutions such as PayPal.

Most surveys show that the majority of Swedish shoppers use their mobile phones when researching websites, underscoring the importance of mobile solutions for web shops.

Local eCommerce Sales Rules & Regulations

U.S. companies with an online presence offering/selling goods and services to Sweden, must comply with the European General Data Protection Regulation (GDPR). This EU data privacy law went into effect May 25, 2018 and addresses the storage and use of personal information and data about EU citizens and residents purchasing from (non-EU) U.S. websites. More information can be found here.

There are a few issues that U.S. companies can face when selling to Sweden:

B2B: Swedish importers are legally responsible for the products they import to Sweden and will therefore only be interested in importing products that fulfill EU and Swedish regulations and requirements.

B2C: Swedish consumers are obliged to pay Swedish VAT (usually 25%), which is not included in on-line purchases from outside the EU. There is no *de minimis* amount for such purchases. Hence, as of March 1, 2018 an administrative fee has been implemented and is charged by the forwarding agent for the processing of VAT upon receipt of the package. The fee amount is \$8-13 (SEK 75-125)/non-EU package, depending on the value of the goods, in addition to the product's VAT. While this fee does not prevent eCommerce from the U.S, it will likely decrease demand of smaller ticket items. Goods valued above \$180 (SEK 1,700) can also be subject to duties. The added administrative step increases delivery times, a factor which is of high importance to the Swedish eConsumer.

Local eCommerce Business Service Provider Ecosystem

The Swedish Trade Federation (Svensk Handel) is an employer's association that pursues issues and advise on legal matters regarding eCommerce. The organization offers educational trainings within Swedish law concerning eCommerce and their mission is to strengthen trade competitiveness.

Sweden's largest logistics providers include PostNord, DHL, DB Schenker and FedEx. There are several firms offering digital marketing and last mile services. Contact office.stockholm@trade.gov for assistance.

Trade Events (may be impacted by COVID19)

D-Congress, March 11, 2021

D-Congress - The largest e-Commerce event in Sweden is arranged by Swedish Digital Trade (Svensk Digital Handel) at Svenska Massan in Gothenburg.

Selling Factors & Techniques

Overveiw

Selling techniques are comparable to the practices in the U.S. Competitive factors such as price, quality, promptness of delivery, and availability of service determine the success of a supplier in Sweden.

Sales material should be in Swedish.

Swedish firms do not change suppliers readily and many commercial relationships have been built up and maintained over decades.

Trade Promotion and Advertising

Practically all newspaper companies and media houses have undergone a digital transformation. Major Swedish newspapers online (and in print) include:

Dagens Nyheter

Svenska Dagbladet

Dagens Industri

Goteborgs Posten

Sydsvenskan

The largest trade fair venue in Sweden is the Svenska Massan (Swedish Exhibition and Congress Center) with 2 million visitors in 2018, followed by Stockholmsmassan (Stockholm International Fairs). There are also two smaller trade fair venues that are worth mentioning, Elmiamassan and Kistamassan. For further information on their programs please visit their websites:

Svenska Massan

Stockholmsmassan

Elmiamassan

Kistamassan

General Legislation

The European Union is establishing minimum and objective criteria regarding truth in advertising. Legislation on advertising practices can be found through the EU adopted Directive 2005/29/EC concerning fair business practices. There are special regulations for advertising certain products in Sweden such as medicine, food, food supplements, and tobacco.

Pricing

Companies set prices individually. According to the Swedish Competition Act (which is in line with EU rules), companies are not allowed to practice price fixing. All goods and services are subject to VAT, which ranges from six percent to 25 percent (25 percent being the norm), 12 percent for food or hotel charges, and six percent for products such as newspapers, books and magazines, and admission fees for commercial sporting events and for transportation within Sweden. Products in Sweden are priced using the following formula: CIF price + import duty + excise tax + profit + VAT.

Sales Service/Customer Support

Swedish consumers expect high-quality products, with efficient after-sales service and customer support.

Conscious of discrepancies among EU Member States in product labeling, language use, legal guarantee and liability, the EU institutions have launched a number of initiatives aimed at harmonizing national legislation. Suppliers within and outside the EU should be aware of existing and upcoming legislation affecting sales, service and customer support.

Product Liability

Under the 1985 Directive on the liability of defective products, amended in 1999, the producer is liable for damage caused by a defect in his product. The victim must prove the existence of the defect and a causal link between defect and injury (bodily as well as material). A reduction of liability of the manufacturer is granted in cases of negligence on the part of the victim.

Product Safety

The 1992 General Product Safety Directive introduces a general safety requirement at the EU level to ensure that manufacturers only place safe products on the market. It was revised in 2001 to include an obligation on the producer and distributor to notify the Commission in case of a problem with a given product, provisions for its recall, the creation of a European Product Safety Network, and a ban on exports of products to third countries that are not deemed safe in the EU.

Legal Warranties and After-sales Service

Under the 1999 Directive on the Sale of Consumer Goods and Associated Guarantees, professional sellers are required to provide a minimum two-year warranty on all consumer goods sold to consumers (natural persons acting for purposes outside their trade, businesses or professions), as defined by the Directive. The remedies available to consumers in case of non-compliance are:

- Repair of the good(s);
- Replacement of the good(s);
- A price reduction; or
- Rescission of the sales contract

Local Porfessional Serevices

Contact the Commercial Service in Stockholm for guidance on local professional services providers.

Service providers focusing on EU law, consulting, and business development can be viewed on the website maintained by the Commercial Service at the U.S. Mission to the European Union at <u>Business Service Providers Index</u>.

Principal Business Associations

American Chamber of Commerce in Sweden

Business Sweden

Domain registration

Swedish Association of Agents

Swedish Companies Registration Office (Bolagsverket)

Swedish Competition Authority

Swedish Franchise Association

Swedish Newspaper Publishers' Association

Swedish Trade Federation (Svensk Handel)

Limitations on Selling U.S. Products and Services

All citizens or sub-sets of the population of Sweden can own and sell manufacturing products or services across the board therefore no particular limitations apply.

For certain goods such as firearms and ammunition, alcoholic beverages, chemical products, and medical products, special rules and import restrictions may apply.

More information on restrictions for such items at the **Swedish Customs**.

Trade Financing

Methods of Payment

The Swedish payment and banking systems are highly automated and advanced. The most common method of international payment is transferred via electronic funds/bank transfer. Common trade finance methods include document collection, letter of credit and bank/payment guarantee. Common terms of sale are payment within 30-90 days after delivery. For more information about the methods of payment or other trade finance options, please read Trade Finance Guide available at https://www.trade.gov/trade-finance-guide-quick-reference-us-exporters.

A U.S. exporter looking to recover debts should contact the <u>Association of Swedish Debt Collectors</u> for information regarding and contact with debt collecting agencies.

Credit reports on Swedish companies can be obtained by contacting one of the sources below:

Bisnode Dun & Bradstreet Sweden
Credit Safe
Decidas Info AB
Sergel
Syna AB
UC

Sweden is one of the countries in the world with the highest level of card payments. According to the Swedish Central Bank, 58 percent of household payments are made by card. Major credit cards such as VISA and MasterCard are accepted throughout Sweden. Diner's Club and American Express may be less acceptable due to the high service charges associated with them. Mobile banking, contactless cards, payments in real time (such as Swish) and other electronic payment solutions continue to increase in use.

Banking Systems

The Swedish market is made up of four main categories of banks: Swedish commercial banks, foreign banks, savings banks, and co-operative banks. All the above-mentioned types of banks are - since the amendment of banking legislation in 1969 - entitled to operate in all areas of banking. In 2019 Sweden had a total of 125 banks. The three largest Swedish banks are: Skandinaviska Enskilda Banken (SEB), Svenska Handelsbanken, and Swedbank. The largest foreign banks in Sweden are Nordea (largest bank in Sweden) and Danske Bank (5th largest bank in Sweden).

In 1986, Sweden issued a charter for the first 12 foreign-owned commercial banks and since 1990 foreign-owned banks have been entitled to open branch offices in Sweden. These branch offices have primarily concentrated on servicing the business sector. Also, in 1990, the restrictions concerning foreign ownership of Swedish bank stock were abolished. In 2019 there were a total of 37 foreign bank branches represented in Sweden, the largest being Nordea, which moved its headquarters from Sweden to Finland in October 2018. Sweden is not part of the Eurozone; however Swedish commercial banks offer euro-denominated accounts and payment services.

The <u>Swedish Financial Supervisory Authority</u> (Finansinspektionen) monitors the companies on the Swedish financial market. Banks and financial institutions are represented by <u>The Swedish Bankers' Association</u> in Sweden. Both websites provide more information in English about the Swedish financial sector.

In 2014, Sweden entered into the Foreign Account Tax Compliance Act (FATCA) agreement with the U.S. For clients identified as "U.S. persons", Swedish banks are obliged to provide information to the Swedish Tax Agency, who then in turn provide the information to the IRS.

Foreign Exchange Controls

Foreign exchange controls are not levied in Sweden. Commercial transactions are, in general, not subject to any restrictions. There are, however, reporting/declaration requirements when remitting or borrowing funds internationally.

U.S. Banks and Local Correspondent Banks

There are numerous U.S. bank branches in Sweden, the majority of them providing corporate services. These include: Bank of America Merrill Lynch, Citibank Europe, Goldman Sachs Bank Europe, and JP Morgan.

All large Swedish banks have corresponding U.S. banking arrangements. Many Swedish banks also have subsidiaries or branch offices in the United States.

Protecting Intellectual Property

In any foreign market companies should consider several general principles for effective protection of their intellectual property. For background, link to our article on <u>Protecting Intellectual Property</u> and <u>Stopfakes.gov</u> for more resources.

First, it is important to have an overall strategy to protect your IP. Second, IP may be protected differently in the EU than in the United States. Third, rights must be registered and enforced in the EU under Swedish laws. For example, your U.S. trademark and patent registrations will not protect you in the EU. There is no such thing as an "international copyright" that will automatically protect an author's writings throughout the entire world. However, most countries do offer copyright protection to foreign works in accordance with international agreements.

The Special 301 Report is the result of an annual review of the state of IP protection and enforcement in U.S. trading partners around the world, which the Office of the United States Trade Representative (USTR) conducts to identify commercial environments possibly harmful to intellectual property. Sweden is not on the list.

The U.S. Department of Commerce has positioned IP attachés in key markets, including in Europe. The contact in Europe is:

IP Attaché - European Union Susan Wilson

U.S. Mission to the European Union

Boulevard du Régent 27

BE-1000 Brussels, Belgium

Office Phone: +32.2.811-5308, e-mail: <u>susan.wilson@trade.gov</u>

For more information, contact ITA's Office of Intellectual Property Rights Director, Stevan Mitchell at Stevan.Mitchell@trade.gov.

Selling to the Public Sector

Government procurement in Europe is governed by both international obligations under the WTO Government Procurement Agreement (GPA) and EU-wide legislation under the EU Public Procurement Directives. U.S.-based companies are allowed to bid on public tenders covered by the GPA, while European subsidiaries of U.S. companies may bid on all public procurement contracts covered by the EU Directives in the European Union.

The EU directives on public procurement have recently been revised and new legislation on concession has also been adopted. Member States were required to transpose the provisions of the new directives by April 16, 2016. The four relevant directives are:

- <u>Directive 2014/24/EU</u> (replacing Directive 2004/18/EC) on the coordination of procedures for the award of public works contracts, public supply contracts, and public service contracts applies to the general sector;
- <u>Directive 2014/25/EU</u> (replacing Directive 2004/17/EC) coordinating the procurement procedures of entities operating in the water, energy, transport, and postal services sectors;
- <u>Directive 2009/81/EC</u> on defense and sensi-tive security pro-cure-ment. This Directive sets Com-munity
 rules for the pro-cure-ment of arms, muni-tions, and war material (plus related works and ser-vices) for
 defense pur-poses, but also for the pro-curement of sensi-tive supp-lies, works, and ser-vices for nonmili-tary security pur-poses;
- <u>Directive 2014/23/EU</u> on the award of concession contracts. A concession contract (either for the delivery
 of works or services) is conducted between a public authority and a private enterprise that gives the right to
 the company to build infrastructure and operate businesses that would normally fall within the jurisdiction
 of the public authority (e.g. highways).

The EU has three remedy directives imposing common standards for all Member States to abide by in case bidders identify discriminatory public procurement practices.

Electronic versions of the procurement documentation must be available through an internet URL immediately on publication of the Official Journal of the European Union (OJEU) contract notice. Central purchasing bodies are required to publish their contracts and requests for tenders since April 2017.

Electronic invoicing (e-invoicing) was introduced beginning of the 3rd quarter of 2018, based on the requirement set forth in <u>Directive 2014/55/EU</u>. The Directive makes the receipt and processing of electronic invoices in public procurement obligatory. Standards for e-invoicing are being developed by the European Committee for Standardization (CEN).

There are restrictions for U.S. suppliers in the EU utilities sector, both in the EU Utilities Directive and in EU coverage of the GPA. Article 85 of Directive 2014/25 allows EU contracting authorities to either reject non-EU bids where the proportion of goods originating in non-EU countries exceeds 50 percent or give preference to the EU bid if prices are equivalent (meaning within a three percent margin). Moreover, the Directive allows EU contracting authorities to retain the right to suspend or restrict the award of a service contract to undertakings in third countries where no reciprocal access is granted.

There are also restrictions in the EU coverage of the GPA that apply specifically to U.S.-based companies. U.S. companies are not allowed to bid on works and services contracts procured by sub-central public contracting authorities in the following sectors:

- Water sector
- Airport services
- Urban transport sector as described above, and railways in general

Dredging services and procurement related to shipbuilding

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 on foreign government contracts.

Public tenders above contract values of \$70,000 are published in the EU database <u>TED</u>.

Business Travel

Business Customs

In general, social and business protocol is similar between Sweden and the U.S. In Sweden, scheduling and planning are a way of life, and punctuality is extremely important, both professionally and socially. Meetings are scheduled well in advance and begin and finish on time. Any delays must be promptly communicated. Providing ample time to prepare for a meeting is very important, as well as sticking to the agenda. Important decisions and deadlines are expected to be adhered to, even when verbal.

There is a high degree of gender equality in Sweden, evidenced by many women holding advanced positions. A firm handshake and direct eye contact with all present upon arrival and departure is expected. Swedes are generally respectful, and in accordance with the Swedish cultural philosophy of *jantelagen*, they do not boast or brag about their accomplishments. Swedes tend to avoid confrontation and superficiality, they are business-like, analytical, detail-oriented and can be considered somewhat reserved. There is an open and informal working culture; Swedish companies are generally less hierarchical than in other countries, and decisions are consensus-based. Mostly everyone in Sweden is on a first name basis, and colleagues address each other casually.

Conservative dress is appropriate for business appointments. Business entertaining in Sweden is usually done at lunch and not dinner, and upscale restaurants expect guests to dress well. Restaurant bills include service charges, but after an evening meal, a small gratuity (5-10%) is expected. Smoking is not allowed in places of business, including restaurants and airports. Business cards are commonly used and distributed with no special ritual, but it is not uncommon that younger Swedes refer to LinkedIn. Gifts are appropriate when closing transactions but not at the beginning of a business relationship. At social events, small gifts are expected.

Travel Advisory

Swedes enjoy a general work life balance and treasure their leisure time. Due to the relatively generous leave that employees are entitled to (minimum 25 days/year), it is advantageous to plan business travel to Sweden during September thru mid-December and mid-January thru mid-June. One-week school holidays, such as winter break (February), Easter (March/April) and fall break (October-November) should also be avoided. Many Swedes take extended vacation during the period beginning around June 20 through August, and some small businesses close. A list of Swedish bank holidays can be found on the website of Sweden's Central Bank.

Up-to-date travel information on Sweden and all other countries is available on the Department of State's website, see <u>Department of State</u>. On this page, see "Travel Advisory" for current information, including the Crime and Safety Report. All American visitors to Sweden are encouraged to enroll in the Smart Traveler Enrollment Program STEP.

Visa Requirements

Sweden is a party to the Schengen Agreement, which requires visas for many foreign but not for U.S. citizens. However, beginning in 2022, U.S. citizens are among those that will be required to fill in an on-line application for European Travel Information and Authorization System (<u>ETIAS</u>) to enter the Schengen area.

U.S. citizens may enter Sweden for up to 90 days for tourist or business purposes with a valid U.S. passport (at least 6 months longer than the planned period of stay) without obtaining a visa. Travelers must have sufficient funds and a return airline ticket. For visits in excess of 90 days and more information, see link to the Embassy of Sweden in Washington D.C: Embassy of Sweden.

U.S. companies that require travel of foreign business persons to the United States are advised that security evaluations are handled via an interagency process. Visa applicants should go to the following link(s): <u>State Department Visa Website</u>.

Currency

The currency of Sweden is the krona (crown), which is subdivided into 100 ore. All ore coins have been discontinued as of 2010, but goods can still be priced in ore. When paying with cash, all sums are rounded up to the nearest krona. There are some places of business, including bank branches - mainly in larger cities - that do not accept local currency cash any longer, a cashless trend that has been growing in recent years. Other currencies can be exchanged at banks and financial institutions; however steep fees and/or unfavorable exchange rates are the price for this service.

Credit and debit cards are widely accepted both in Swedish stores and ATM's. Major credit cards such as Visa or MasterCard are accepted in most places. Diner's Club and American Express may be less acceptable due to the high service charges associated with them. ATM's — most with the English language option - are readily available throughout Sweden but require a chip and PIN card for withdrawal of cash. Prior to departing from the U.S. travelers should ensure that their ATM/credit/debit cards allow use abroad and inquire about frequency, withdrawal limits, and related

Checks have never had a strong position and are extremely rare in Sweden, and travelers' checks are no longer accepted. Depositing a U.S. /foreign check into a Swedish bank account comes with a hefty fee. If the bank accepts the check, there will most likely also be a long delay before the check clears. Wire transfers are preferred but require a Swedish bank account to receive the funds in.

Telecommuntcations/Electronics

Sweden (country code +46) is one of the world's most connected countries. Wifi is always available in business hotels and often in public spaces, especially in the major cities. Sweden mainly uses 3G and 4G cell phone technology, however 5G is in the process of being rolled out by local internet providers. Pay-phones are no longer available in Sweden. U.S. cell phones can be used in Sweden as long as the U.S. provider (AT&T, Verizon, T-Mobile, etc.) activates the roaming function. However, using a U.S. cellphone abroad will result in a much higher cost to the user.

Voltage in Sweden is 230 with 50 cycles (Hz), and converters are sold in many electrical/office supply stores. If an American device will work with 230 V, only an adapter to change the shape of the power plug to fit into an outlet is needed in Sweden. Swedish power sockets use the Europlug (type C and F).

Transportation

Sweden enjoys a modern infrastructure and all modes of transportation are very reliable, efficient, and generally timely. Sweden can be reached by air, ferry, car, and rail. There are a few airlines that have non-stop U.S.-Sweden flights from cities such as New York and Chicago. This may be impacted by COVID19. Flights from the U.S. arrive at Stockholm Arlanda Airport, 40 minutes north of the city of Stockholm. When taking a cab from the airport, the price should be confirmed prior to departure. There is also a high-speed train as well as bus service from Arlanda Airport to Stockholm's downtown Central Station. In cities public transportation is mainly used including subways, trains, trams and buses. These are generally very reliable with extensive routes and connections.

Sweden has right hand traffic and when driving in Sweden, seatbelts must be used, and headlights must be on, regardless of time of day or time of year. Snow tires are mandatory Dec 1-March 31. Car rentals are readily available but at prices that exceed U.S. averages.

Language

Swedish is the principal language of Sweden, but an advanced level of English is generally spoken by the majority of Swedes, and often used in business. There are also five national minority languages in Sweden: Finnish, Yiddish, Meänkieli (Tornedal Finnish), Romany Chib and Sami.

Health

The Swedish state-run health care system is often considered a model for other countries to take after and is comparable to care found in the U.S. Emergency care is widely available. There are no mandatory vaccines for traveling to Sweden. The Center for Disease Control lists a few vaccines worth considering when traveling to Sweden, see the CDC website. The emergency telephone number in Sweden is '112'.

Sweden has had a less restrictive approach to COVID19 than many other countries and has avoided a full lock-down. See "COVID19 in Sweden" information, found on the CDC website.

Local Time, Business Hours and Holidays

The 24-hour clock is recommended to avoid confusion. Sweden is in the Central European Time Zone (+1GMT) but observes winter- and summertime changes (+2GMT) from the last Sunday in March to the last Sunday in October. Business office hours are generally 8 am through 5 pm and offices are closed on weekends. Retail stores are often open 10 am to 8 pm, five days per week and slightly shorter on weekends. A list of Swedish bank holidays can be found on the website of Sweden's Central Bank.

Temporaty Entry of Materials and Personal Belongings

Both Sweden and the U.S. are in the ATA-carnet system, the documentation that replaces the need to apply for temporary import authorization. Goods that will be temporarily imported to the EU/Sweden and re-exported in unchanged condition (such as certain professional equipment, show materials or samples), can be temporarily admitted. More information about the temporary admission of goods can be found on the website of the Swedish Customs, and information regarding bringing personal belongings, including medicines, can be found here.

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 Investment Climate Statement website.

Political & Economic Environment

For background information on the political and economic environment of the country, please click on the link to the U.S. Department of State <u>Countries & Areas</u> website.

<u>Investment Climate Statement</u>

Political Environment

Political Environment