



Doing Business in Belgium: 2008 Country

Commercial Guide for U.S. Companies

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Chapter 1: Doing Business In Belgium

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Market Overview

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Belgium's population of approximately 10.3 million people is heavily reliant on trade. The country boasts tremendous infrastructure and is regarded as an ideal hub for transit and distribution. The cosmopolitan and international nature of Belgium also makes it an ideal European test market for American products and services. The Belgian market is small enough that a huge European-wide commitment to a new product is not necessary, yet it is diverse and competitive enough that it offers a representative sample of potential European and multinational competitors. According to the Organization for Economic Cooperation and Development (OECD), Belgium's GDP in 2006 grew by 2.9% over the previous year (to \$367.8 billion), whereas the Euro area grew by 2.6%. In 2007, it grew by 2.6% (to \$438.5 billion), exactly the same rate as for the overall European Union (EU) area. In 2006, imports of goods and services grew by 3.0% and Belgium became the 11th largest trading partner of the U.S., accounting for \$21.3 billion of U.S. exports (up 14% from 2005). Belgium's exports to the U.S. grew by 4.7% in 2007; imports from the U.S. grew by 5.6%. The capital, Brussels, is home to the headquarters of the EU and North Atlantic Treaty Organization (NATO), as well as hundreds of international institutions, associations and multinational corporations.

Market Challenges

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Although growth has slightly outpaced the euro area average since 2002, and the economy reached an annual rate of 3% year-on-year growth in 2006, there are signs that some production factors are under strain. According to the OECD's *Economic Survey of Belgium 2007*, capacity utilization is approaching historic highs and an increasing number of firms are reporting problems in finding and hiring qualified workers. A continuing increase in productivity and a greater flexibility in wages, will be essential to bolster Belgium's long-term growth prospects. The persistence of high unemployment, despite greater job creation, suggests that labor market reform will continue to be high on its policy agenda. The Belgian government has been aware of the need for reforms and its actions have produced results: for example, consistently balanced budgets have led to a sharp reduction in public debt relative to GDP; and the increase in job creation has been accompanied by higher labor market participation rates, especially among older workers. The government has also focused its national reform program on key priorities intended to achieve long-term sustainable growth prospects, such as creating a more dynamic labor market, consolidating the budget, securing the future of the welfare

system and protecting the environment. It is expected that the government will continue to pursue economic reforms.

Market Opportunities

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The leading Belgian commercial sectors for U.S. export and investment are: biotechnology, dental equipment and products, medical waste disposal and treatment, energy, chemicals and plastic materials, port and airport security, travel and tourism (from Belgium to the U.S.), air conditioning and heating equipment, audio-visual equipment, storage area networks (SAN), franchising and solid waste disposal and treatment.

Market Entry Strategy

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U.S. exporters can penetrate the Belgian market through importers/distributors, wholesalers or specialized retailers, depending on their products and their company size. Interested U.S. exporters will have to focus on innovation, quality and competitive pricing, despite the high transportation costs they will encounter.

In support of U.S. commercial interests in Belgium, the U.S. Embassy in Brussels uses the combined resources of the various U.S. Government agencies to promote exports of U.S. goods and services. It also supplies information on trade and investment opportunities and serves as an advocate for U.S. firms. For specific requests, firms can contact the applicable Commercial Specialist at the U.S. Embassy in Brussels for counseling and market entry strategies tailored to their products and services (see: www.buyusa.gov/belgium).

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Chapter 2: Political and Economic Environment

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

<http://www.state.gov/r/pa/ei/bgn/2874.htm>

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Using an Agent or Distributor

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Companies wishing to use distribution, franchising 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. In essence, 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, including the notice to be given an indemnity, or compensation to be paid to the agent. U.S. companies should be aware that the directive states that parties may not derogate 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.

The European Commission's Directorate General for Competition enforces legislation concerned with the effects on competition in the internal market of such "vertical agreements". Most U.S. exporters are small and medium sized companies and are therefore exempt from the regulations because their agreements would likely qualify as "agreements of minor importance", meaning they are considered incapable of affecting competition at the EU level, but useful for cooperation between SMEs. Generally speaking, companies with fewer than 250 employees and an annual turnover of less than EUR 50 million are considered small and medium sized undertakings. The EU has also indicated that agreements that affect less than 10 percent of a particular market are generally exempt as well (Commission Notice 2001/C 368/07).

The EU looks to combat payment delays with Directive 2000/35/EC. This covers all commercial transactions within the EU, whether in the public or private sector, primarily

dealing with the consequences of late payment. Transactions with consumers, however, do not fall within the scope of this directive. In sum, the directive entitles a seller who does not receive payment for goods/services within 30-60 days of the payment deadline to collect interest (at a rate of 7 percent above the European Central Bank rate) as compensation. The seller may also retain the title to the goods until the payment is completed, and may claim full compensation for all recovery costs.

Establishing an Office

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In an effort to modernize and streamline the procedure of setting up a company or an office in Belgium, the Belgian Government established the "Crossroads Bank for Enterprises" (Banque Carrefour des Entreprises). The "Crossroads Databank of Enterprises" is a repository that assigns business entities with a unique identification number which replaces the social security number, its register of commerce number, its VAT number and the number granted by the national register of legal entities. Data is input one time only and all government entities share this database. The database tracks relevant identification details, such as the name, address, VAT number and business type. For third parties (including the administration), this number serves as the main identification number of the branch. It must therefore appear on all documents originating from the branch.

Although possible to establish alone, CS Belgium can provide counseling and maintains a list of American attorneys that can greatly facilitate the set-up. Incorporation normally takes six weeks. Generally, no prior government authorization or business permit is required to start a business, with the exception of a few industries, such as banking, insurance, pharmaceuticals and broadcasting. When planning to open an office or set up a company in Belgium, U.S. companies should contact the Foreign Investment Offices of the Belgian region where they will be located. These offices will be able to provide support and advice on matters of tax, employment, location and accounting.

Franchising

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Franchising represents 6% of all retail in Belgium compared with the European and American averages of 11% and 40%, respectively. This makes it, along with Denmark and Finland, one of the three smallest European countries in terms of franchise units per capita. Over the past 10 years the franchising of services has grown significantly. Services such as hotels, hairdressing and car maintenance have shown an important increase, while sub-sectors such as building maintenance services, security, car-washing, travel and tourism, express delivery, personnel training and accounting services are also expanding. The Belgium Franchise Federation (BFF) forecasts important growth over the coming years in both franchise units and franchise systems. By the end of 2007, the BFF estimates 11,000 new jobs will be created, which will include new franchise systems as well as the development of existing ones. This growth will primarily affect the services sector and the sub-sectors of DIY.

Direct Marketing

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There is a wide range of EU legislation that impacts the direct marketing sector in Belgium. Compliance requirements are the stiffest for marketing to private consumers. Companies need to focus, in particular, on the clarity and completeness of the information they provide to consumers prior to purchase, and on their approaches to collecting and using customer data. The EU's Directive on distance selling to consumers (97/7/EC) set out a number of obligations for companies engaged in direct marketing. It can read like a set of onerous "do's" and "don'ts," but in many ways it represents nothing more than a customer relations good practice guide with legal effect. Direct marketers must provide clear information on the identity of themselves as well as their supplier, full details on prices including delivery costs, and the period for which an offer remains valid – all of this, of course, before a contract is concluded. Customers generally have the right to return goods without any required explanation within seven days, and retain the right to compensation for faulty goods thereafter.

Joint Ventures/Licensing

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In addition to the Commercial Service, there are numerous banks, professional organizations, service companies, and financial organizations prepared to advise and assist parties considering joint ventures and licensing within Belgium. Belgium has a very sophisticated business community with many potential qualified joint venture and licensing partners.

Selling to the Government

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The Belgian Government generally follows EU procurement regulations. The public procurement market is regulated by two EU Directives, which are applicable to contracts above agreed thresholds. Below these agreed thresholds, each EU member state has developed its own procurement law, which is not regulated by the EU public procurement directives; however, the general principles of the EU Treaty regarding non-discrimination and free movement of goods are applicable even below the thresholds. The two EU public procurement directives are: Directive 2004/18 on coordination of procedures for the award of public works, services and supplies contracts, and Directive 2004/17 on coordination of procedures of entities operating in the utilities sector, which covers water, energy, transport and postal services. These directives are implemented in each EU member state's national procurement legislation.

Most tenders from European public contracting authorities for public supplies, whose value is above the agreed thresholds, are open to U.S.-based companies by virtue of the WTO Government Procurement Agreement (GPA). The GPA allows U.S. firms to bid on all supplies and services, and some construction works contracts, above thresholds contracted by EU central public contracting authorities. However, there are restrictions for U.S. suppliers in the utilities sector, both in the EU utilities directive and in the EU coverage of the GPA. The utilities directive allows EU contracting authorities in these sectors to either reject non-EU bids, where the proportion of goods originating in non-EU countries exceeds 50% of the total value of the goods constituting the tender, or are entitled to apply a 3% price differential to non-EU bids, in order to give preference to the

EU bids. These restrictions are only applied when no reciprocal access for EU companies in the U.S. market is offered.

The website of the U.S. Mission to the EU has a database of all European public procurement tenders open to U.S.-based firms by virtue of the GPA. This database is free of charge, contains on average 6,000 to 10,000 tenders and is updated twice per week.

Distribution and Sales Channels

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Belgium has a very well developed infrastructure and is regarded as an excellent transit and distribution center. It has the second most extensive canal network in Europe and benefits from modern road and rail networks. Antwerp is Europe's second largest port; Liege is the third largest European river port. The airport is located only 15 minutes from the center of Brussels and its freight terminal is ranked as one of the top five cargo airports in Europe, having shipped 702,819 metric tons in 2005. For 91 percent of Belgian consumers, retail shops and department stores are accessible within a 10-mile radius of their homes.

The cultural, linguistic and economic differences of Belgium's three regions have a strong influence on how business is conducted. A good importer/distributor must be able to operate in all three areas. Belgian distributors tend to be small and specialized.

Selling Factors/Techniques

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It is important to remember that Dutch, French, and German language divisions define consumer characteristics in the Belgian market. At the industrial level, where price and technical factors are usually paramount, the language issue is not particularly significant. At the consumer level however, issues such as labeling and marketing strategies take on greater weight. In both instances, language can influence the personal relationships between buyers and sellers, so it is necessary to determine whether importers and distributors can service the entire Belgian market.

Electronic Commerce

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As per *The Economist's* "Global Technology Forum", eBusiness is thriving in Belgium, as a result of earlier internet infrastructure development, but public services, private usage and employee skills are failing to keep up. Belgian broadband coverage, ranked number one in the EU, has benefited from competition between infrastructure platforms. Nationwide coverage will be combined with a low price "internet for all" initiative, which should address the low usage of online services. Internet usage remains inconsistent among services: there is a strong online music market but a minimal online market for newspapers and magazines. Belgium's complete DSL coverage sharply contrasts with its negligible saturation of other mediums such as digital television and 3G phones.

Belgium's online services for enterprises received top ranks among the EU countries. The number of fully integrated internal and external eBusiness processes is higher than the EU average, and 87.5% of public services for enterprises are available online. However, only 18.2% of public services for citizens are available online, a percentage near the bottom of all EU countries. Recent initiatives, such as the introduction of the eID card, are aimed at bridging this digital divide. While user literacy is near the EU average, Belgium ranks near the bottom for ICT specialists. The above EU average investment in ICT-related R&D has been directed to ICT initiatives for the Brussels, Walloon and Flanders regions.

Trade Promotion and Advertising

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Laws against misleading advertisements differ widely from member state to member state within the EU. To respond to this imperfection in the internal market, the European Commission adopted a directive to establish minimum and objective criteria regarding truth in advertising. Under the directive, misleading advertising is defined as any "advertising which in any way, including its presentation, deceives or is likely to deceive the persons to whom it is addressed or whom it reaches and which, by reason of its deceptive nature, is likely to affect their economic behavior or which for those reasons, injures or is likely to injure a competitor." Comparative advertising, subject to certain conditions, is defined as "advertising which explicitly or by implication identifies a competitor or goods or services by a competitor".

The EU's television without frontiers directive lays down legislation on broadcasting activities allowed within the EU. It is currently being reviewed to adapt to advances in the internet, mobile phones and digital TV technologies. It partially lifts regulations on advertising and product placement and proposes to ban advertising to children of food and drinks. Following the adoption of the 1999 council directive on the sale of consumer goods and associated guarantees, product specifications, as laid down in advertising, are now considered legally binding on the seller. The EU adopted Directive 2005/29/EC concerning fair business practices in a further attempt to tighten up consumer protection rules. These new rules outlaw several aggressive or deceptive marketing practices such as pyramid schemes, "liquidation sales" when a shop is not closing down and artificially high prices as the basis for discounts, in addition to other potentially misleading advertising practices.

Pricing

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Belgium is a highly competitive market in which the Belgian importer is looking for the best quality at the lowest price. American products and technology are highly regarded but do not command higher prices than comparable products. It is important to remember that while Belgium is a significant market in its own right, it is also the country of entry for many imports originating from many countries, with final destinations all throughout Europe. This characteristic gives Belgian buyers access to a wide range of products at competitive prices.

U.S. companies are advised to quote prices on a Cost Insurance Freight (CIF) basis, surface or airfreight. This is standard practice for most exporters, since it facilitates price comparison between EU suppliers. Import duties are usually quoted on a delivered to warehouse basis.

Sales Service/Customer Support

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Conscious of the discrepancies among EU member states in product labeling, language use, legal guarantee, and liability, the redress of which inevitably frustrates consumers in cross-border shopping, EU institutions have launched a number of initiatives aimed at harmonizing national legislation. Suppliers outside of Belgium should be aware of the existing and upcoming legislation that affects sales, service, and customer support.

Product Liability

Under the 1985 directive on 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 the defect and the injury (bodily as well as material). A reduction of the liability of the manufacturer is granted in cases of negligence on the part of the victim.

Product Safety

The 1992 General Product Safety Directive introduced a general safety requirement at the EU level to ensure that manufacturers only place safe products on the market. It includes the obligation for the producer and distributor to notify the European Commission in the event 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 deemed unsafe by 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 goods sold to consumers (natural persons acting for purposes outside their trade, business or profession), 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.

Protecting Your Intellectual Property

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Introduction

Several general principles are important for effective management of intellectual property rights in Belgium/the EU. First, it is important to have an overall strategy to protect IPR. Second, IPR is protected differently in Belgium/the EU than in the U.S. Third, rights must be registered and enforced in Belgium/the EU, under local laws. Companies may wish to seek advice from local attorneys or IP consultants. The U.S. Commercial Service can often provide a list of local lawyers upon request.

It is vital that companies understand that intellectual property is primarily a private right and that the US government generally cannot enforce rights for private individuals in Belgium/the EU. It is the responsibility of the rights' holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. While the U.S. Government is willing to assist, there is little it can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IPR in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should USG advice be seen as a substitute for the obligation of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on partners. Negotiate from the position of your partner and give your partner clear incentives to honor the contract. A good partner is an important ally in protecting IP rights. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in Belgium require constant attention. Work with legal counsel familiar with Belgium/EU laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IPR and stop counterfeiting. There are a number of these organizations, both Belgium or U.S.-based. These include:

- The U.S. Chamber and local American Chambers of Commerce
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)
- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)

The EU's legislative framework for copyright protection consists of a series of directives covering areas such as the legal protection of computer programs, the duration of protection of authors' rights and neighboring rights, and the legal protection of databases. Almost all EU member states have fully implemented the rules into their national laws, and the European Commission is focusing on ensuring that the framework is enforced accurately and consistently across the EU. EU countries have a "first to file" approach to patent applications, as compared to the "first to invent" system followed in the United States. This makes early filing a top priority for innovative companies.

The EU adopted a regulation introducing a single community system for the protection of designs. The regulation provides for two types of design protection, directly applicable in each EU member state: the registered community design and the unregistered community design. Under the registered community design system, holders of eligible designs can use an inexpensive procedure to register them with the EU's Office for Harmonization in the Internal Market (OHIM), based in Alicante, Spain. They will then

be granted exclusive rights to use the designs anywhere in the EU for up to 25 years. Unregistered community designs that meet the regulation's requirements are automatically protected for three years from the date of the disclosure of the design to the public.

IPR Resources

A wealth of information on protecting IPR is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the US and other countries -- call the STOP! Hotline: **1-866-999-HALT** or register at **www.StopFakes.gov**.
- For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the US Patent and Trademark Office (USPTO) at: **1-800-786-9199**.
- For more information about registering for copyright protection in the US, contact the US Copyright Office at: **1-202-707-5959**.
- For US small and medium-size companies, the Department of Commerce offers a "SME IPR Advisory Program" available through the American Bar Association that provides one hour of free IPR legal advice for companies with concerns in Brazil, China, Egypt, India, Russia, and Thailand. For details and to register, visit: http://www.abanet.org/intlaw/intlproj/iprprogram_consultation.html
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: **www.StopFakes.gov** This site is linked to the USPTO website for registering trademarks and patents (both in the U.S. as well as in foreign countries), the U.S. Customs & Border Protection website to record registered trademarks and copyrighted works (to assist customs in blocking imports of IPR-infringing products) and allows you to register for Webinars on protecting IPR.

Due Diligence

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To assist companies to conduct due diligence prior to entering into a financial or other agreement, the Commercial Service recommends that the U.S. firm contact a company that offers commercial information reports. CS Belgium also offers a service known as the International Company Profile report. For more information contact us at brussels.office.box@mail.doc.gov

Local Professional Services

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Local 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: www.buyusa.gov/europeanunion/services.html

For information on professional services located within each of the EU member states, please see EU Member State Country Commercial Guides which can be found at the

following website: <http://www.export.gov/mrktresearch/index.asp> under the Market Research Library.

Web Resources

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EC Directive on Commercial Agents

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31986L0653:EN:HTML>

Guidelines on "Vertical Agreements"

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2001/c_368/c_36820011222en00130015.pdf

EC Directive on Late Payments

http://ec.europa.eu/comm/enterprise/regulation/late_payments/

EC on Data Protection

http://ec.europa.eu/justice_home/fsj/privacy/law/index_en.htm

Safe Harbor

<http://www.export.gov/safeharbor/>

Model Contracts for the transfer of personal data

http://ec.europa.eu/justice_home/fsj/privacy/modelcontracts/index_en.htm

Ensuring safe shopping across the EU

http://ec.europa.eu/consumers/cons_int/safe_shop/index_en.htm

Financial services

http://ec.europa.eu/consumers/rights/fin_serv_en.htm

Electronic commerce

http://ec.europa.eu/internal_market/e-commerce/index_en.htm

European public procurement tenders open to U.S. companies

http://www.buyusa.gov/europeanunion/eu_tenders.html

Procurement

<http://www.buyusa.gov/europeanunion/euopportunities.html>

EU Tenders Website

<http://ted.europa.eu/>

Market Research Reports

<http://www.buyusa.gov/europeanunion/mrr.html>

eVAT

http://ec.europa.eu/taxation_customs/taxation/vat/how_vat_works/e-services/index_en.htm

EC Internal Markets official documents

http://ec.europa.eu/comm/consumers/cons_int/safe_shop/fair_bus_pract/index_en.htm

Medicinal products for human use

http://ec.europa.eu/eur-lex/pri/en/oj/dat/2001/l_311/l_31120011128en00670128.pdf

Food labeling

http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/index_en.htm

Food Supplements

http://ec.europa.eu/food/food/labellingnutrition/supplements/index_en.htm

Tobacco

http://ec.europa.eu/health/ph_determinants/life_style/Tobacco/tobacco_en.htm

Liability of defective products

http://ec.europa.eu/comm/consumers/cons_safe/prod_safe/defect_prod/index_en.htm

Safety of products

http://ec.europa.eu/consumers/safety/prod_legis/index_en.htm

Sale of goods and guarantees

http://ec.europa.eu/comm/consumers/cons_int/safe_shop/guarantees/index_en.htm

Copyright and Neighboring Rights

http://ec.europa.eu/comm/internal_market/copyright/index_en.htm

European Patent Office

<http://www.european-patent-office.org/>

Industrial property

http://ec.europa.eu/internal_market/indprop/index_en.htm

Office for Harmonization in the Internal Market (OHIM)

<http://oami.europa.eu/en/default.htm>

WIPO Madrid System

<http://www.wipo.int/madrid/en>

OHIM Community Design

<http://oami.europa.eu/en/design/default.htm>

Exhaustion of trademark rights

http://ec.europa.eu/internal_market/indprop/tm/index_en.htm

Professional service providers

<http://www.buyusa.gov/europeanunion/services.html>

EU Member State Country Commercial Guide

http://www.buyusainfo.net/docs/x_5562132.pdf

Other useful websites:

The EU Online

http://europa.eu/index_en.htm

European Commission

http://ec.europa.eu/index_en.htm

EU Press Room

http://europa.eu/press_room/index_en.htm

The EU in the World

http://ec.europa.eu/world/index_en.htm

EU Relations with the US

http://ec.europa.eu/comm/external_relations/us/intro/index.htm

DG Trade

http://ec.europa.eu/trade/index_en.htm

DG Enterprise

http://ec.europa.eu/enterprise/index_en.htm

EUR- Lex – Portal to EU law

<http://eur-lex.europa.eu/en/index.htm>

Eurostat – EU Statistics

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1090,30070682,1090_33076576&_dad=portal&_schema=PORTAL

Summaries of EU Legislation – SCAD PLUS

http://ec.europa.eu/scadplus/scad_en.htm

One Stop Internet Shop for Business

<http://ec.europa.eu/youreurope/nav/en/business/index.html>

Euro Info Centers

<http://ec.europa.eu/enterprise/networks/eic/eic.html>

AmCham EU

<http://www.eucommittee.be/>

EU News Sources:

EurActiv.com – EU news, policy positions & EU actors online

<http://www.euractiv.com/en/HomePage>

EUObserver

<http://euobserver.com/>

EU Politix

6/17/2008

<http://www.eupolitix.com/EN/>

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Chapter 4: Leading Sectors for U.S. Export and Investment

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Showcase Europe provides U.S. exporters with a broad perspective on products/services in Europe. Organized around eight key sectors with the greatest market potential for U.S. exporters, Showcase Europe provides a framework for maximum coordination and cooperation among the U.S. Department of Commerce's U.S. Commercial Service offices throughout Europe. Sectors include aerospace, automotive, energy/power generation, environmental technologies, information and communication technologies, medical and pharmaceutical, safety/security, and travel and tourism.

In addition, the Quicktake Program provides an overview, collected from market specialists across Europe, of market potential for a U.S. company's products. Surveys cover current and future demand, competition, and suggested next steps.

Key Links: <http://www.buyusa.gov/europe>
 <http://www.buyusa.gov/quicktake>

Biotechnology

Overview

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Biotechnology in Belgium:

Healthcare applications: 80%

Agri-food applications: 15%

Industrial and environmental applications: 5%

Biotechnology is not a sector in itself but a technology that can be applied within various sectors, such as the pharmaceutical, chemical and agricultural sectors.

Belgium maintains a well-structured network of world acclaimed scientists, prominent research institutions and universities. The availability of high quality, advanced science and technology has attracted many research-oriented multinationals. While Belgium represents less than 3% of the European population, it has approximately 140 biotech companies (7% of all European biotech companies), employing 10,000 employees and creating a net revenue of almost € 3 billion. The first Belgian biotechnological companies developed as a result of the presence of 16 university centers and research parks, located in the three regions of Brussels, Flanders and Wallonia.

In Flanders the biotech sector and its research centers are concentrated in Ghent, Leuven and Mechelen. One of the main drivers of research in Flanders is the uniquely structured Flanders Interuniversity Institute for Biotechnology (VIB), in which 1000 scientists are engaged in both basic and applied research. Flanders' Biovalley is situated around the Ghent Harbor and focuses on biofuels and bio-enzymes.

In Wallonia, the biotech centers are located in Liege, Mons, Ottignies, Charleroi, Namur and Gembloux. In 2007, the Biowin cluster was created to more effectively promote the development of innovative diagnostic and therapeutic products.

The Brussels Capital Region has 18 companies involved in R&D; some companies are active in the healthcare and industrial-environment sector, and six companies offer related services.

Best Prospects/Services

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The healthcare sector represents 80% of total biotech activity. It covers various areas: the design and development of new drugs, the preparation of drugs for use, production, distribution and marketing. Other companies are active in the so-called platform technologies, which support design and development, while others are active in the medical diagnostics sector. Finally, there are service companies that focus on bio-information technology and the protection of intellectual property rights for biotechnological discoveries.

Opportunities

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Opportunities exist and are rapidly growing in the Belgian biotechnology markets of research partnerships and collaboration with a strong network of academic and research institutions. This situation is the result of the outsourcing policies of large companies. Most Belgian companies are interested in promoting technology transfer within the industry, creating and strengthening alliances, and accelerating the commercialization of research results. Strong collaboration between science-based academic teams, entrepreneurs and industries investing in Belgium are a well-established feature of Belgian biotechnology. In particular, international companies developing activities and investing in Belgium can benefit from a large pool of financial subsidies at three levels: Federal (the Belgian state), Regional (the three regions) and European (the EU).

Adequate financing is one of the building blocks of biotechnology. All stages from academic research through product commercialization can be supported in Belgium by a wide array of public and private financial sources. Private sector firms and government granting agencies are helping to fund basic research. Both federal and local governments are strong supporters of biotechnology and biomedical applications as a source of knowledge-based employment and economic growth; they offer flexible and significant financial incentives, particularly for international development and investment in Belgium. Some companies have become more successful through the use European and international funding agencies.

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VIB, the Flanders Institute for Biotechnology:
<http://www.vib.be/VIB/EN/>

The Belgian Association for Bioindustries:
<http://www.bio.be>

BioWin, the Health Cluster of Wallonia:
<http://www.biowin.org>

Dental Equipment and Products

Overview

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	2005	2006	2007
Total Market Size	69.58	71.32	73.10
Total Local Production	1.537	1.575	1.614
Total Exports	.812	.832	.853
Total Imports	68.76	70.47	72.23
Imports from the U.S.	7.01	7.18	7.36

(In millions of \$)

Belgium maintains a very high standard of dental care. Nearly the entire population is entitled to treatment by one of the country's 8,400 licensed dentists (including periodontists and orthodontists), through a generous social security system. The system provides reimbursement for a portion of the costs of basic dental services. The FY-2008 budget for services is €21 million.

Essentially, all dental equipment and supplies in Belgium are imported. Germany is the largest exporter, with the bulk of the remaining imports coming from other EU countries. The United States is known for its technology and high standards of dental care, but it only has a market share of about 10%.

Best Prospects/Services

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In Belgium, aesthetic dentistry is a booming business, making ceramics a good export prospect in this niche market. Bleaching is very popular in Belgium. In the past, bleaching was performed by dentists only. With the current "wellness/feel good" trends, the industry is now selling user-friendly bleaching kits in supermarkets and pharmacies. Other consumer products include special whitening toothpaste, disinfection products, electric toothbrushes and mouthwash.

Belgium has 100 dental-technical laboratories, which provide technical assistance to dentists. The orthosis-prosthesis market is also booming due to Belgium's aging population, and the aesthetic trend. Key prospects: implants, ceramics, composites, bone level implants, orthosis and prostheses, and laser equipment.

Opportunities

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American products have a good reputation, provided they are adapted to the Belgian market. The majority of Belgian dentists prefer to purchase their supplies through a catalogue or through trusted distributors, as opposed to online. It is therefore advisable to work with a local distributor who has a network of dentists and purchasing managers.

U.S. Suppliers should be aware that all products exported to Belgium must comply with all EU medical supply regulations. Be advised, however, that the EU regulations may not be exhaustive, and the possibility of further local regulations exists. The recently revised EU medical device directive (MDD) covers dental devices, and refers to quality control procedures that form the key components of the certification process. All medical equipment exported to Belgium should have its labels and instructional materials translated into the appropriate languages: French, Dutch, or German, depending on the region of their final destination.

The “CE” mark signifies that a product fulfills all applicable EU requirements. CE marking is now a legal requirement for a wide range of equipment. Certification requirements to use the CE mark vary, depending on the product. For some products, such as those in the MPG low-risk class I, the manufacturers (or importer/authorized representative, if the product is manufactured outside the EU) may self-certify, in compliance with EU requirements, and affix the mark; for others, the certification of a “notified body” (an accredited certification agency) will be necessary. The CE mark is an indication that the manufacturer has signed a “Declaration of Conformity” prior to affixing the mark, and claims compliance with all relevant CE marking directives in force.

For more details regarding the CE mark/electrical equipment see:

http://europa.eu.int/comm/enterprise/electr_equipment/index.htm

For medical devices see:

http://europa.eu.int/comm/enterprise/medical_devices/index.htm

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Unifodent
Heiveldekens 2
B-2550 Kontich
Tel: +32 3 450 93 20
Fax: +32 3 457 85 73
Contact: Frank Bruggeman
Belgian Dental Industry Association.

Unie van Dentaaltechnische Bedrijven
J.B. Pittoorsstraat 78-80
B-2110 Wijnegem
Tel: +32 3 354 58 76
Fax: +32 3 354 58 77
www.udb.be
Contact: Veerle Van Looy
Association of Dental Technical Laboratories.

Medical Waste

Overview

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Medical waste in Belgium, at 10,000 tons a year, is sorted and treated according to the following two categories: hazardous and non-hazardous. Non-hazardous waste may be disposed of as regular waste, while special regulations govern the disposal of hazardous medical waste. This recommendation will focus on the market for treatment of hazardous medical waste, produced mainly by hospitals. Two incinerators currently treat all medical waste at high temperatures. However, Belgium is looking at alternative methods of treatment. Many of Belgium's neighboring countries, such as France and Germany, have adopted sterilization as a method to neutralize hazardous medical waste. Although this method is much more expensive than incineration, the Brussels and Wallonia regions have recently allowed sterilization, and the Flanders region is currently researching the prospect of introducing the method. Market opportunities remain in providing the safety containers used to transport medical waste to the incinerators, as well as in the sterilization equipment.

Best Prospects/Services

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Four big multinational groups handle waste in Belgium. Consolidation in the EU waste market started in 1990. Belgium has a relatively small medical waste market, consisting of approximately 10,000 tons of hazardous medical waste per year: 6,000 tons in Flanders, 3,000 tons in Wallonia, and 1,000 tons in Brussels. Most of it is produced by hospitals (75%). Current final treatment of all hazardous medical waste is done by incineration, whether or not the waste has already been disinfected. The two main Belgium incinerators treating medical waste are located in Flanders: Machiels is the largest, treating 6,000 tons annually, but because it is located in the center of the town of Leuven, it might be closed down for environmental protection reasons; the second largest incinerator is Indaver, treating 1,000 tons a year. It is located in Antwerp and is still up for sale to a multinational company. It has tremendous expertise in the treatment of hazardous waste. If the Machiels incinerator closes down, there will surely be a need for technologies other than incineration, to treat medical waste in Belgium. The Public Waste Agency of Flanders (OVAM) recently conducted a survey for the sterilization for the treatment of hazardous medical waste. Preliminary treatment by sterilization would allow much of the hazardous medical waste to be burned as normal waste, at a lower temperature and lower cost. Market experts expect that sterilization of hazardous medical waste within the Flanders region will be allowed, since it is already used in the Brussels and Wallonia regions. Sterilization units are installed in the St. Luc Brussels hospital and in the main Liege hospital.

Opportunities

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A close relationship exists between the Belgian government and the companies that facilitate the disposal of hazardous medical waste. To be allowed to offer medical waste disposal services, a company must receive an environmental license from the regional government in which it operates. The main waste collectors are Sita and Biffa, which

have licenses for all three regions, since all medical waste is transported to the Flemish region to be incinerated. Seghers/Keppel, an international environmental company, has built many of the present incinerators. Licenses for new incinerators are unlikely. Within this industry, the two largest market openings are for equipment used in the sterilization of hazardous medical waste and containers used for the transportation of medical waste. The trend in Belgium is to centralize waste treatment operations. There is little chance that hospitals will dispose of medical waste in their own incinerators, as was done in the past. Alternative methods are being sought.

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FEBEM-FEGE

Federation des Entreprises de Gestion de l'Environnement

Febem-Fege is the Belgian national environmental trade association, which represents companies in the private sector that are involved primarily in waste treatment. Members include many notable firms such as Sita, Biffa, Indaver, Van Gansewinkel, and Shanks.

Rue du Pavillon 9

B-1030 Brussels, Belgium

Tel: 00 32 2 757 9170

Email: info@febem-fege.be

Website: <http://www.febem.be>

OVAM

Public Waste Agency of Flanders

This regional governmental agency regulates and manages waste in Flanders.

Stationstraat 110

B-2800 Mechelen, Belgium

Tel: 00 32 15 284 284

Email: info@ovam.be

Website: <http://www.ovam.be>

OWD

Office Wallon des Déchets

This regional governmental agency regulates and manages waste in Wallonia.

Avenue Prince de Liège 15

B-5100 Jambes, Belgium

Tel: 00 32 81 336 575

Email: N.Felix@mrw.wallonie.be

Website: <http://environnement.wallonie.be>

IBGE-BIM

Institut Bruxellois pour la Gestion de l'Environnement

This regional governmental agency regulates and manages waste disposal in Brussels.

Place Saint-Géry 1

B-1000 Brussels, Belgium

Tel: 00 32 2 775 7575

Email: info@ibgebim.be

Website: <http://www.ibgebim.be>

ERASME Hospital

This is a major university hospital located in Brussels.
Lennik Road 808
B-1070 Brussels, Belgium
Tel: 00 32 2 555 3201
Email: sipp.erasme@ulb.ac.be
Website: <http://www.ulb.ac.be/erasme/en/index.html>
Contact: Mr. Christian Woiche, Waste Coordinator

UNAMEC

This trade association represents manufacturers, importers, and distributors of medical devices in Belgium. UNAMEC also informs companies about the requirements of WEEE legislation (the mandatory recycling of electrical products) and the medical devices take-back system MeLaRec, which it helped to establish.
Avenue Roi Albert I 64
B-1780 Wemmel
Tel: 00 32 2 257 0590
Email: info@unamec.be
Website: <http://www.unamec.be>

Energy

Overview

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Currently, several shifting factors influence the rapidly changing Belgian energy market. These include: the continuing process of de-regulation and liberalization, the discussion on the phasing or non-phasing out of nuclear energy (with consequences for the structure of electricity production and a possible impact on renewable energy methods), the changing structure of the country's energy distribution, the new Belgian power exchange, cross-border trade and several company mergers. U.S. companies wanting to export to the Belgian energy market obviously have to be aware of, and take into account, these uncertain or changing factors, which determine purchasing policy in Belgium.

Best Prospects/Services

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- Companies that provide support services and equipment to the power generation market.
- Companies active in the fields of renewable and sustainable energy and energy efficiency technologies/equipment. Also, U.S. service companies who stimulate efficient use of energy through training energy audits or analytical accounting will be in demand. In this context, the Regulation Committee for Gas and Electricity (CREG) submitted a proposal for an indicative power generation program in 2004-2014, stating that the capacities to be invested in the period 2005-2014 amount to 1,729 MW in renewable energy sources, and 1,749 MW in qualitative co-generation. In this same proposal, by 2014, decisions are recommended on investments in eight units using combined steam and gas cycles (CCGT plants) of 400 MW and four gas turbines with open cycles (GT) of 80 MW. The first GT units are expected to come into operation in 2008 and the first CCGT unit in 2009, so decisions on this should be made over the next three years.
- Companies active in the conversion of existing electricity generation plants and the construction of CCGT units.
- Companies active in energy trading, electricity and gas.
- Companies active in nuclear energy. Nuclear energy still accounts for more than 50% of Belgium's electricity production. However, the former "green" government planned to phase out nuclear energy between 2015 and 2025, but due to the high dependence on nuclear energy, experts found this to be an unrealistic goal. A commission of experts concluded that phasing out nuclear energy should be compensated by the construction of gas plants, the exploitation of wind energy, biomass and cogeneration and a reduction in electricity consumption, or higher efficiency of electricity production. Each region actively promotes these new technologies through various financial incentives. The level of subsidies varies according to the type of enterprise and the introduction of new energy efficiency policies, particularly environmental.

The Belgian law addressing EU energy directives on electricity and gas was passed in April 1999. The implementation date for the first stage of electricity deregulation was February 19, 2000, with gas deregulation beginning on August 10, 2000. In general terms, this deadline was achieved. Indeed, the liberalization process was accelerated as a result of EU directives in this area, corporate sector decisions (some large Belgian-based electricity customers switched to other electricity providers) and regional authorities. The years 2002, 2003 and 2004 were characterized by the further liberalization of the electricity and gas markets.

Each of the three regions has also set up their respective regulatory commission: VREG in Flanders, CWAPE in Wallonia and IbgeBim in Brussels. In addition to supervising the operation of the electricity market, they also play a central role in issuing supply licenses, authorizing cogeneration facilities and facilities generating renewable power, and issuing and managing green power certificates. Further information and many legal texts are available on the following websites:

- Federal government <http://mineco.fgov.be/>
- Regulator of the Flemish region <http://www.vreg.be/en/index.asp>
- Regulator of the Walloon region <http://www.cwape.be>
- Regulator of the Brussels region <http://www.ibgebim.be/>

CREG - Regulation Committee for Gas and Electricity
Rue de l'Industrie, 26-38
B-1040 – Brussels
Tel: +32 2/289.76.11
Fax: +32 2/289.76.09
Web Site: <http://www.creg.be>
E-mail: info@creg.be

The CREG is an independent Belgian organization that was established in 1999 to organize the liberalization of the electricity and gas markets. The CREG is the federal regulator, which has four missions: counselor to the federal government, regulator, controller, and dispute settler. CREG carries out studies and conducts research, formulates recommendations and proposals for the Minister, evaluates the requests for authorization of production and transport, and monitors the protection of economic competition. The Control Committee for Electricity and Gas (CCEG) has ceased activities as of June 30, 2003. The CREG has taken over all the remaining CCEG functions.

Flemish Regulation Authority for the Electricity and Gas Markets- VREG
North Plaza B – Boulevard du Roi Albert II 7
B-1210 – Brussels
Tel: +32 2/775.75.11
Fax: +32 2/775.76.79
Web Site: <http://www.vreg.be/nl/index.asp>

Contact: André Pictoel, President
Flemish regional Regulation Authority, created in 2000

Wallonia Energy Commission – CWAPE
Avenue Gouverneur Bovesse 103-106
B-5100 Jambes (Namur)
Tel: +32 81/33.08.10
Fax: +32 81/33.08.11
E-mail: cwape@cwape.be
Web Site: <http://www.cwape.be>
Regional Regulation Authority for Wallonia.

Brussels Energy Round Table (BERT)
Electriciteitsstraat, 35/1404
B- 2800 – Mechelen
Fax: +32 1/520.48.57
The BERT is an informal group of companies, associations, governmental institutions and foreign representations interested in energy. Presently, BERT's main activity is organizing lunch conferences with speakers who address key national and international energy issues. Attendance, which is broadly based, averages 30 to 100 persons.

FEPEG
Ravensteingalerij 3 bus 9
1000 Brussels
Tel.: +32 2 500.85.85
Fax: +32 2 500.85.86
Email: info@fepeg.be

FEPEG – the Belgian federation for electricity and gas companies was recently created from the BFE, or the federation of electricity generators and distributors in Belgium, which defends the interests of electricity companies as they relate to production, distribution and supply; FEPEG represents the sector in safety, standardization and regulation. Figaz, the Belgian Gas federation, defends the common interests of members in the market of import, transport, storage and distribution. They provide publications, calculations and distributions of tariff parameters, and assist with legal and administrative problems.

Inter-Regies
Rue Royale, 55 box10
B-1000 – Brussels
Tel: +32 2/217.81.17
Fax: +32 2/219.20.56
Web Site: <http://www.inter-regies.be>
E-Mail: ir@inter-regies.be
Contact: Gert De Block, General Secretary

Inter-Regies is an association for the electricity, gas and cable-distribution public sector. It represents the interests of its members before the regulation authorities.

APERe (Association pour la Promotion des Energies Renouvelables)
7, rue de la Révolution
B-1000 Brussels
Tel: +32 2/218 78 99
Fax: +32 2/219 21 51
Web Site: <http://www.apere.org>
E-mail: info@apere.org
Contact: Mr. Huart, Managing Director

The purpose of APERe is to promote renewable energies and the thoughtful use of energy within the framework of sustainable development. APERe was created in 1991 by several associations and research centers as a non-profit organization. Today APERe has its own "effective members", and is backed by "sympathizers" and firms from the renewable sector, known as "associated members". Through its realizations, APERe has acquired a large expertise in this sector. It is now at the center of a substantial network of Belgian and European governmental agencies and firms.

Cogen Europe - The European Association for the Promotion of Cogeneration
Rue Gulledele, 98
B-1200 – Brussels
Tel: +32 2/772.82.90
Fax: +32 2/772.50.44
Web Site: <http://www.cogen.org>
E-Mail: info@cogen.org
Contact: Simon Minett, Director Brussels Office

COGEN Europe was created in 1993. It is a non-profit organization and acts as the European Trade Association for the Promotion of cogeneration in Europe and worldwide, to promote sustainable energy for the future. To achieve this goal, COGEN Europe is working at the EU level, and with Member States, to develop sustainable energy policies and remove unnecessary barriers to its implementation. Its membership includes more than 160 power companies, power authorities and companies involved in cogeneration, from 30 countries. It is a member itself, of the World Alliance for Decentralized Energy (WADE). The COGEN Europe network covers the whole of the European Union, Central and Eastern Europe, and also includes Japan, Australia and the United States.

FEBELIEC – Federation of the Belgian Large Industrial Energy Consumers
Square Marie-Louise, 49
B-1000 – Brussels
Tel: +32 2/238.97.11
Fax: +32 2/231.13.01
E-Mail: febeliec@fedichem.be
Contact: Luc BRAET, President,

Febeliec represents the interests of its members, which are large industrial energy consumers. Together, they comprise 90% of industrial electricity and gas consumption in Belgium. Febeliec is part of IFIEC-Europe (the International Federation of Industrial Energy Consumption).

Chemicals and Plastics Materials

Overview

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	2005	2006	2007 (estimated)
Total Market Size	60,03	63,97	66,82
Total Local Production	101,33	102	102,3
Total Exports	104,82	114,62	122,36
Total Imports	93,24	95,68	97,46
Imports from the U.S.	5,55	5,98	5,95
Exchange Rate EUR/USD	.80	.79	.69

(In Billions of \$)

Source: www.essencia.be

With a turnover of 51.2 billion EUR in 2006, the chemical industry is the second largest sector among the various manufacturing industries in Belgium. It represents one fifth of the turnover generated by the whole country's manufacturing industry. The average yearly growth rate for the chemical industry reached 5.3% between 1996 and 2006. In 2006, the total turnover of the chemical industry in Belgium grew by 6.6%, in a favorable global macroeconomic environment, and despite high energy prices. This increase was the result of real output growth, as well as producer price increases.

Best Prospects/Services

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The Belgian long-term outlook for plastics and resins is favorable, due to Belgium's central location in Europe and its port of Antwerp. The Antwerp area has a large concentration of chemical and petroleum industries, which are a strong local source of raw materials for the plastics and resins industries. In addition, the increasing use of plastics in automobiles and in isolating materials for the construction industry is favorable to the sector.

The Belgian plastics and rubber industry, including converters, producers and trading companies, had a combined turnover of approximately \$17.4 billion in 2006, making Belgium the world's top market for the production and processing of plastics, per capita.

Belgium hosts 252 plastics and rubber converting SME companies, and 57 plastics and rubber producers and trading companies. The main markets are: automotive (21.2%), packaging (21%), compounds and recycling (19.2%) and construction (14.8%). Flanders, due to its Port of Antwerp, accounts for 74% of the plastics and rubber converting industry turnover.

Belgium exports of plastics and rubber amounted to \$21.6 billion in 2006, representing 9.1% of total Belgian exports (+11.6% over 2006). 83% of plastics and 88% of rubber industry exports go to other EU countries. Imports into Belgium of plastics and rubber amounted to \$13.8 billion (+9.7% over 2006).

Opportunities

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The U.S ranks as the 4th largest plastics import market (11%) for Belgium. Imports added to local production are much larger than Belgium consumption, with 80% of both imports and local production being re-exported through the Port of Antwerp. Thus, Belgium is primarily a transit market for redistribution to other EU countries and a host country for EU-focused commercial operations. The U.S. ranks as Belgium's 5th largest importer of rubber (8%).

Resources

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Essencia Economic Report 2006 (2005 data not available):
<http://www.essencia.be/EN/Home/page.aspx/1304>

NBB, NIS, Eurostat.

Port and Airport Security

Overview

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1. Maritime & Ports

In Belgium, port security issues are coordinated through the Ministry of Transportation at the federal level. Its working group on port security consists of representatives from the various ports, Belgium's three regions, and officials from the Ministry of Interior, Ministry of Justice, Ministry of Finance and Ministry of Defense. The group coordinates security efforts and initiatives.

At the local level, the ports of Antwerp and Zeebruges, respectively the second and sixteenth largest ports in Europe are actively involved in port security issues. Both ports closely monitor the latest developments in port security and are up to speed with the Container Security Initiative (CSI), Megaports Initiative (MPI), International Ship and Port Security code (ISPS) and the Customs Trade Partnership Against Terrorism (C-TPAT). In 2004, the port of Antwerp became the "showcase of the world" by allowing the Department of Energy to install 76 nuclear detection devices (estimated cost of \$ 40 million) at the entrances and exits of all its container terminals.

2. Airports

Belgium has several regional airports, with one major airport in Zaventem: Brussels Airport. Since the end of 2004, a consortium of Australian investors, led by Macquarie Airports, held 70% of the company's shares. The Belgian state has an interest of 30%. In 2006, Brussels Airport received 16.7 million passengers. Brucargo shipped 719,561 tons of freight in 2006, earning it a sixth-place position in the European airfreight sector. In 2006, Brussels Airport employed 1,249 security people.

Antwerp – Brussels North Airport is one of the Belgian regional airports that target business traffic. It currently hosts three airlines: VLM Airlines, the Austrian airline Welcome Air and The Flying Group, a private business jet company operating 14 planes (from Cessnas to Falcons). This airport's 4,500-foot runway is mainly used for general aviation purposes and some short-haul flights operated by regional aircraft. In 2007, 174,8585 passengers traveled through Antwerp Airport, an increase of 18% over 2006. A new passenger terminal was opened in 2006.

Charleroi Brussels South, also called Brussels South Airport or Brussels South Charleroi Airport, is located in Charleroi in Walloon, 46 km from central Brussels. This airport benefits from generous public funding and aims primarily at scheduled, discounted flights. Ryanair and Wizzair operate flights at Charleroi Airport. Other low cost airlines are Blue Air, Onair and Jet4you. In 2006, 2.5 million passengers used the airport to reach 25 destinations throughout Europe and North Africa. In January 2008, the airport opened a new passenger terminal.

Best Products/Services

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1. Ports

Belgian security firms are constantly looking for new technologies. The Backscatter Technology, already used in the U.S., has potential for the Belgian market. Belgian Customs have shown some interest in this technology.

Although Belgian Customs currently plan to monitor the nuclear detectors supplied by the Department of Energy, there is also a strong interest from the security sector in this type of activity. Other best prospects: RFID devices, cargo container seals and locks for rail, truck and ocean transportation.

2. Airport

Security firms specializing in airport security are always looking for innovative products. In the past, metal detectors were sufficient but companies now want high-performance equipment that combines explosives, drugs and metal detection. Security and the comfort of the passenger play an important role in the final decision-making process.

Other best prospects: baggage and parcel inspection, biometric identification equipment, intelligent closed circuit television systems, sensing and detection equipment and access control.

Opportunities

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In Belgium the major foreign suppliers of airport and port security equipment and systems are the United States, Germany, France and the United Kingdom. The suppliers serve the Belgian market through a local agent/distributor or through a subsidiary. Reliable import data are not available but based on the origin of the equipment, which is already in use in Belgian ports, U.S. and German firms are the leading suppliers. In the field of scanning equipment for containers and cargo, the Chinese suppliers play an important role.

There is also a trend towards integrated systems. Airports and ports are looking at companies that provide not only risk assessment but also security equipment and services when required.

U.S. companies offering innovative security products and services can find a niche in this domestically oriented market. Belgian demand for safety and security systems is very much focused on technically advanced, electronically controlled products and systems.

Resources

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Government

Ports

DG Maritime Transportation
Voouitgangstraat 56
B-1210 Brussels
Tel: +32 2 277 31 11
Fax: +32 2 277 40 51
www.mobilit.fgov.be

Airports

DG Airport
Communicatiecentrum Noord
Vooruitgangsstraat 80, bus 5
B-1030 Brussels
Tel: +32 2 277 43 11
Fax: +32 2 277 42 59
www.mobilit.fgov.be

Airports

Société Wallonne des Aeroports
Chaussée de Liège 624
B-5100 Namur
Tel: +32 81 328 950
Fax: +32 81 313 504
www.sowaer.be

Brussels National Airport
B-1930 Zaventem
Tel: +32 2 753 42 00
Fax: +32 2 753 45 50
www.brusselsairport.be

Trade Associations

Beroepsvereniging van Bewakingsondernemingen
Koningin Fabiolalaan 25
B-1780 Wemmel
Tel: +32 2 462 07 73
Fax: +32 2 460 14 31
www.apeg-bvbo.be
Mrs. Hilde De Clerck
Belgian Association of Security Services Companies

European Corporate Security Association
Domaine de Latour de Freins
Rue Engeland 555
B-1180 Brussels
Tel: +32 475 41 34 00
www.ecsa-eu.org

Mr. Yvan De Mesmaeker, Secretary General

ECSA is an association of professionals from the public, private and academic sector, who are active in, or contribute to, the security, continuity or resilience of corporations, organizations and institutions.

Travel and Tourism (from Belgium to the U.S.)

Overview

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Number of Belgian Arrivals in the U.S.

Year	Arrivals
1999	248,821
2000	249,957
2001	181,693
2002	159,052
2003	151,069
2004	176,000
2005	192,000
2006	188,000
2007	202,000
2008	210,000* * - Projected value

Source: U.S. Department of Commerce

Most Belgians travel within Europe however, long-haul destinations are becoming more popular. According to the Belgian federal government, in 2007 long vacations (i.e., more than four nights) increased by 8% and there was a 12% increase in vacations abroad. Belgians tend to be more mobile than their European counterparts; only 12% of the Belgian population planned to stay within Belgium for their summer holiday in 2006, while France, Spain and Italy had figures as high as 70%. An analysis done by travel industry professionals indicated that the inhabitants of Brussels had the greatest propensity to travel abroad (80%). Regarding age and travel, Belgians over the age of 45 have the highest inclination to travel abroad for vacation (81%), followed by the 25-44 age group (78%). Belgium generates around 4% of the total international holiday travel within Europe, yet the Belgian population only accounts for 1.4% of the total European population.

Most Belgian workers receive 4-5 weeks of paid vacation per year, as well as a holiday bonus. Children have approximately 14 weeks of annual school vacation per year. Since Belgium also has one of the highest per capita incomes in Europe (\$35,749), surpassing both Germany and France, it is an ideal population to target for relatively expensive long-haul trips.

Best Products/Services

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The United States has many industries, attractions, and unique qualities that are appealing to many Belgians. Due to the winter/summer holiday cycle of a typical Belgian, it would be most beneficial to promote season-specific destinations, such as the popular ski resorts in Colorado and New York, or any of the numerous East and West coast beaches.

Since Belgians take most of their leave during the summer months, and the Belgian climate is cold and rainy during large parts of the year, beaches and sunny destinations

are very attractive to Belgian tourists. The United States could take advantage of this trend by placing a promotional emphasis on the Hawaiian Islands, the U.S. Virgin Islands and the Florida keys. In addition, many Belgian travelers are unfamiliar with the extensive amount of nice beaches the U.S. has to offer outside of Florida and California. Destinations like Virginia Beach, Myrtle Beach, the Outer Banks, and Cape Cod would likely attract additional Belgian vacationers, if they were publicized more.

It would also be beneficial to promote shopping trips. The demands for these trips are increasing dramatically due to the strength of the euro. A significant benefit to this type of trip is that it can be promoted all year round, since it is not dependent upon a specific season.

Other non-traditional vacations are increasing in popularity among the Belgians. Cross-country vacations were up by 9% and event holidays were up by 14%. Belgians visiting the U.S. (particularly those who are coming for their second or third visit) are looking for unique vacation spots beyond the typical tourist destinations like Los Angeles, New York, and Miami. They also tend to be very active and enjoy taking excursions that involve a combination of sports and nature. Since Belgium is a small, densely populated country, the open space and diverse landscapes that the United States has to offer are very attractive to Belgian tourists. The number and variety of national parks and their surrounding areas, particularly those in the western U.S., provide a perfect mixture of nature and sporting activities. Promoting U.S. ski resorts may therefore be beneficial, as European resorts are becoming increasingly expensive and are often crowded.

Lastly, amusement and theme parks provide an appealing destination for Belgians looking for a quality family vacation. In relation to European theme parks, those in the United States tend to be much larger with a wider array of rides and attractions. In addition, many tourists enjoy visiting the towns or cities where the theme parks are located, as well as nearby nature reserves.

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Belgium has demonstrated an impressive increase in tourism since 2004. The number of low-cost airlines and online bookings has increased overall competition, convenience and efficiency in the travel industry. Vacations arranged through agencies have also become more popular, due to rising consumer demand for package deals, as they usually offer better prices and are easier and quicker to use.

Although Spain and France combined, represent 50% of Belgium's tourist market share, the United States is the number one long-haul destination for Belgian travelers, accounting for almost 20% of the market, which amounts to more than 2200 flights per year. Annually more than 190,000 Belgians travel to the U.S. It appears that Belgians are less deterred by terrorist attacks and natural disasters than their European counterparts; Post 9/11 the U.S. has witnessed a 17% decrease in European tourists, yet Jetair, Belgium's largest tour operator, reports bookings from Belgium to the US were up 3% percent in 2006. According to official statistics however, there was a decrease in the amount of Belgian visitors in 2006, just as for most other European countries. However, in the foreseeable future, bookings will continue to increase dramatically thanks to the strength of the euro vis-à-vis the U.S dollar. Many Europeans are already increasingly investing their money in the U.S and vice-versa.

The fly-and-drive market represents 50% of the total Belgian vacation package market. As few tourist activities in the United States are directly accessible by public transportation, there is a strong need for private car rental and therefore, fly-and-drive vacations. Although this market tends to consist mainly of leisure travelers, many business travelers combine short vacations with their business trips. Approximately 45% of Belgian tourists in the U.S. rent vehicles for travel between cities, as opposed to the 8% that use the intercity rail system, and the 5% that use the inter-city bus system. These figures are a clear indicator that rental cars are a promising sector to promote.

Five U.S. airlines: American, Continental, Delta, U.S. Airways and United, offer daily flights from Brussels to a number of American destinations. There are seven daily, non-stop flights from Brussels to the U.S. Due to competition, fares have been reduced to affordable levels. In recent years, partnerships between travel agencies, tour operators and airlines have become very popular, making it easier and more comfortable to travel to the U.S.

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Visit USA Committee/Marketing and Promotion Bureau

The most important organization offering information to Belgians desiring to travel to the U.S. is Visit USA. The committee was created in 1978, with the support of the American Embassy and the United States Travel and Tourism Administration. It is now independent and is supported by its 100 subscribing members, which include convention and visitor bureaus, travel wholesalers, rental car companies, hotels, airlines, attractions and tour operators. Commercial Service Belgium works with the Visit USA Committee on a close and cooperative basis. The Visit USA committee offers members a number of services and advantages, ranging from the active promotion of members' products and destinations to the press, the travel industry and the general public, to special rates for fairs and seminars. Visit USA's task is to promote tourism to the United States, particularly travel connected to its members. Joining visit USA is a very simple and highly effective way for U.S. destinations and suppliers to reach the Belgian audience. See: <http://www.visitusa.org>

Travel Associations:

ABTO – Belgian Tour Operators Association

Imperiastraat 10
B-1930 Zaventem, Belgium
Phone: 32/2/242 0040
Fax: 32/2/242 0874
E-mail: info@abto.be
Website: <http://www.abto.be>

BTO – Belgian Travel Organization

Imperiastraat 10
B-1930 Zaventem, Belgium
Phone: 32/2/344 2672
Fax: 32/2/242 0874
Website: <http://www.bto.be>

UPAV – Professional Union of French-speaking Travel Agencies

Rue Louis Scutenaire 8 BUS 1

B-1030 Brussels, Belgium

Phone: 32/2/215 9823

Fax: 32/2/460 6950

E-mail: upav@euronet.be

Website: <http://www.upav.be>

VVR – Association of Flemish Travel Agencies

Vlaminghof-Willem de Dekenstraat ½

B-8000 Brugge, Belgium

Phone: 32/5/122 1789

Fax: 32/5/126 9710

E-mail: vvr@vvr.be

Website: <http://www.vvr.be>



Air Conditioning and Heating Equipment

Overview

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	2005	2006	2007
Total Market Size	1,229,865	1,525,032	1,891,040
Total Local Production	164,582	202,435	251,020
Total Exports	1,065,283	1,310,298	1,624,769
Total Imports	422,308	519,438	644,104
Imports from the U.S.	21,170	26,039	32,288

(In thousands of \$)

The market for air-conditioning, for both the commercial and residential sectors, increased by 20% in the last 5 years. Industry experts predict the most dominant sectors: private homes and small commercial offices, will continue to grow rapidly in the next ten years. There are no major Belgian producers of air conditioning equipment. Some foreign companies have factories that produce air conditioners in Belgium, such as Daikin. However, several domestic companies specialize only in maintenance: Axima and Cegelec are major installers and service providers. The principal American suppliers to the Belgian market are Carrier, Trane, Lennox and York.

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A perceived sense of the effects of rising world temperatures has caused an increased demand for air conditioners. The 2003 and 2006 heat waves, causing the death of many elderly people in Belgium and France, further increased market demand for air conditioning systems in residential properties and homes. In working environments, evidence that air conditioners encourage higher levels of productivity has contributed to a growing market. The Belgian population is also slowly becoming dependent on air-conditioned environments, as a result of the introduction of air conditioning into cars ten years ago.

The residential and small offices sector is predicted to be the most dominant sector over the next five-to-ten years. It now represents 65% of the air conditioning market in Belgium. The number of residences with air conditioning systems will increase as Belgians view air conditioning as a necessity instead of a luxury. Best prospects in this sector are: decentralized multi-split VRF (Variable Refrigerant Flow) systems and energy-efficient equipment to heat and cool residences.

In the medium-to-large sized buildings, cool ceiling/cold beam systems are replacing fan coils because the new systems produce very low noise levels. Businesses realize that while cool ceiling systems are expensive to purchase, they do not require much maintenance. Best prospects are: cool ceiling and VRF systems.

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The market trend for the future will be whatever technology can most efficiently use energy resources while preserving the ozone layer. American companies may find it hard to compete with the Chinese in producing split units for the residential market because the Chinese are able to sell these units at such low prices. Instead, American companies may want to focus on producing heat pumps for the residential sector and cool ceiling systems for medium and large-sized office buildings. Also, producers should be prepared for changing laws in Belgium and Europe in the near future, that relate to energy-efficiency and acceptable refrigerants. An excellent way for U.S. firms to gain local market knowledge and meet with potential distributors is to visit local trade shows.

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Agoria

Diamant Building

August Reyerslaan 8

B-1030 Brussels

Tel: +32 2 706 78 00

Fax: +32 2 706 78 01

www.agoria.be

Agoria is a Belgium technological trade association.

Union Royale Belge du Froid et du Conditionnement de l'Air (UBF-ACA)

Tel: +32 2 215 18 34

www.ubf-aca.be

Contact: Mrs. Linda Buddaert, Secretary General

This association represents manufacturers, distributors, and installers of air conditioners, in Belgium.

Audio-Visual

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The audiovisual sector of the electronics industry is characterized by steady growth, which is closely linked to the fast developing Information and Communications Technology (ICT) sector. In a survey prepared by AWP Research, the revenue for surveyed European AV companies is expected to grow by 10.7 percent. The International Communications Industries Associations (ISIA) estimated an annual growth of 10% until 2010, with niche markets leading the way. The single biggest factor for this growth is the increased demand for networked AV products, due to the integration of AV and IT technology.

R&D is a crucial aspect of long-term competitiveness; market leaders such as Barco in Belgium invest around 10% of income in R&D. Expenditure on the development of video exceeds that of audio.

The Belgian electronics industry recently faced a slowdown due to the overall drawbacks in the communications sector and the migration of production to lower cost locations. Belgium now accounts for 3% of the West European electronics market. Manufacturing makes up a small part of electronics sales; a high percentage of electronics is imported from the US and Asia.

Demand for video conferencing systems is not as high as it could be, according to several suppliers. For displays, due to the presence of a large number of brands, such as BenQ, InFocus, Panasonic, Philips, Pioneer, Samsung, Sharp, Sony, etc., competition is fierce. Prices are slowly declining, as are margins. The market for projectors is not a fast-evolving market. Projectors are most often used for a period of 5-7 years, since they are not sensitive to technological innovations. Single projectors aren't purchased often and they are usually purchased along with other audiovisual equipment. Prices are also declining with decreasing margins. There are no major developments to be expected in the audio market, as there is no major technological innovation in terms of sound and audio systems. In the professional market, demand for microphones and amplifiers is expected to remain stable but not growing. Sound quality and prices are the major differentiation criterion.

Distribution System

The segment mainly distributes through direct sales, as clients demand more and more customized solutions tailored to their needs. The use of system integrators is declining, with the combination of hard- and software solutions offered by a single supplier. Most manufacturers use multi-channel sales networks, with fully owned sales subsidiaries, distributors and agents. Two large importers of audiovisual equipment are ETILUX and AIMS OPTRONIX.

Market Issues & Obstacles

Since August 2005, companies selling electrical goods in Europe must comply with WEEE (Waste Electrical and Electronic Equipment Directive), and as of July 2006, those same companies were required to comply with RoHS (Restriction of Use of Certain

Hazardous Substances Directive). The legislation obligates each importer of electronic appliances into Belgium to take responsibility for the collection and recycling of unwanted electronic appliances. RECUPEL is the Belgian WEEE system in charge of take-back and recycling obligations. Further information is available from: http://www.recupel.be/portal/page?_pageid=531,770792&_dad=portal&_schema=PORTAL and <http://www.buyusa.gov/europeanunion/weee.html>.

The RoHS Directive is complimentary to the WEE Directive; whereas the WEEE directive sets minimum levels for recycling that must be met but may be exceeded, RoHS is very explicit about which substances should be restricted and the precise levels that can be tolerated.

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The two leading markets for AV equipment are business/IT and education.

Display systems have been the major accelerator in growth, in the shape of plasma and flat screens. There haven't been many break-through innovations in recent years, apart from Dolby and DLP in the early 1990s. Reconfigurable tactile display (RTD) will likely be the dominant innovation in the professional market segment; it is a control interface that provides physical touch input, but can be configured through programming.

The products that stand out are customized all-around solutions, i.e., integrated systems that include audio and visual devices; for example, video conferencing systems. Not only large companies but small and medium-sized companies are equipped with video conferencing systems. Prices for a complete system start at around 8,000 – 14,000 USD. There are two systems available, VoIP and IP telephony, of which the latter allows software on the PC to serve as a "soft" phone. Corporations with a corporate network have used VoIP to cut intra-company telephone costs; this development has gained speed and today it is commonplace for intra-company traffic to use VoIP.

A new technology in the projectors/beamers segment is Digital Light Processing. Beamers are lighter and smaller since they use a microchip, but the light intensity is much higher. The advantage beamers and projectors have over e.g., displays and electronic whiteboards, is they are mobile. Therefore, they are not likely to be replaced by any of the latter.

In the audio arena, antennas are vanishing and are being replaced by optical fibers. Cable companies have given a rise to services in this area.

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The technology trends with the greatest impact on the AV industry include the integration of AV systems into the customer's IT networks, the increase in the use of digital signage, content aggregation and content management, and the acceptance of high-definition technology.

Video Conferencing

Two new applications used in vide-conferencing have potential demand. The first is Voice Tracking, i.e., the camera tracks the current speaker in a conference automatically; the second one is "People Content", i.e., several applications can be used simultaneously via only one screen. An example of this would be connecting a laptop to other external devices.

Displays

In the field of displays, such as plasma screens, demand is high and growing steadily. The market potential in the display market is large, as more and more companies are replacing monitors and display systems with the new technologies of LCD or DLP displays. There are no major technological innovations in the market; therefore, product differentiation is achieved through design, price and user friendliness. Demand comes from large corporations as well as SMEs. Government organizations such as European institutions are also potential buyers for display systems, as well as supermarket chains and other shops that are equipping themselves with in-store display systems.

More and more clients prefer TFT (thin-film-transistor) displays to plasma displays, since the former do not have the disadvantage of the burn-in effect. TFT displays also have a longer life and a much higher resolution and brightness. Prices for TFT displays are around 20-30 % higher than prices for plasma displays.

RTD is projected to be the most important technology, as it incorporates both present and future telematics and electronic functionality, while remaining intuitive and easy to use. Furthermore, its appearance and control layout can be individually tailored to customers, therefore offering a value-added product. In-screen solutions in the form of embedded systems and software solutions are potential opportunities for the display market.

Projectors/Beamers

Companies and educational institutions contribute to the demand for projectors. General demand is still large; the trend is moving towards improved light output projectors and value-added projectors, e.g., by adding the option of LAN control.

Audio

The audio sector is dominated by the visualization element, which is getting more and more important. In fact, visualization is the key to a growing audiovisuals branch; e.g., in the radio broadcasting area, visualization--providing not only sound but also vision, is a unique feature that broadcasters are using to differentiate themselves from their competitors.

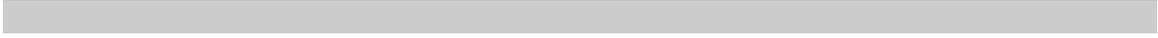
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AGORIA (The Multi-sector Federation for the Technology Industry) www.agoria.be
Tel: +32 2 706 78 00

For more information on WEEE/RoHS contact:
RoHS Enforcement Agency
Federal Ministry of Public Health and Environment

Tel. +32 2 210 49 88



Storage Area Networks (SAN)

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The efficiency of managing, transferring and scaling storage is becoming a crucial aspect for large, as well as small and medium-sized businesses in Belgium. This is partly due to legal provisions and the increased demand for more transparency and higher flexibility from the customer side. The information explosion and the need for high-performance communications from server-to-storage have led to a boost in demand for actual storage facilities as well as for storage and management software. The Belgian SAN market is continuously growing; technological progress enables a more efficient use of space in data warehouses, while at the same time constantly increasing capacity. Major customers are found in the telecom sector, the banking sector and the federal ICT market. An exact growth number cannot be estimated, as these corporations have the choice between managing their own storage systems or outsourcing service and maintenance to one of the many service providers.

The number of storage service providers is vast, ranging from large system vendors to niche providers. Therefore, the market is fragmented and there is no obvious market leader for the different customer needs. The major players in the market meet the demand with standardized storage service offerings for remote management, backup, replication and archiving. The number of actual storage warehouses is limited, divided between a handful of globally active players. A general look at these players shows that only 14.5 % of the Europe/Middle East/Africa (EMEA) market for external storage devices is covered by outside companies.

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A major prospect is actual hardware facilities, i.e., the establishment of storage warehouses.

A major destination for future storage investment will be storage management, according to a study by Hitachi Data Systems. 49 % of IT directors of companies in EMEA said storage management is a major priority, while 77 % of companies already have implemented some storage management software. The main drivers behind storage investment are business continuity and data availability, while meeting compliance regulations at the same time. In Europe, it is the BASEL II regulation that obligates companies to be more transparent, thus demanding a higher amount of data to be available on a 24/7 basis. Automation of storage processes is no longer the only major concern; the ever-growing complexity of storage systems is also a concern.

Fiber Channel SANs continue to be the predominant type of networked storage, although Internet Small Computer System Interface (iSCSI) solutions are slowly emerging, partly because most of the leading storage suppliers are introducing better-priced iSCSIs.

The SAN market is taking its place in small and medium-sized businesses, as well as within departments and edge environments. For IT managers to successfully adopt

Fiber Channel SANs, new products must meet specific requirements of ease of use and affordability.

A major feature in SAN systems is the interoperability of system devices, such as switches and other hardware. The compatibility of products and devices should be a priority for a new player in the Belgian market. Good prospects lie in the field of improved interoperability, not only in standard functions, but also in more advanced functions.

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As IT budgets and staffing levels are becoming stagnant or growing slowly, managing the storage infrastructure is becoming a greater challenge, incorporating the increasing demand for data availability and maintenance of huge storage infrastructures. From these pressures a new trend has emerged, promising a rise in storage outsourcing and third party storage hosting. The ever-increasing data volume demands new storage concepts. Priorities are shifting from simple storage solutions to managing storage data more efficiently. According to the market observers of the Gartner Group, investments in storage systems in EMEA may approach 5 billion USD annually.

The huge growth in demand is due to the opening up of companies to global commercial activities via the internet, and to the trend in customer data collection and analysis in connection with concepts such as Data-Warehousing, Business Intelligence or Customer Relationship Management (CRM).

The most frequently used technology in Belgium is Fiber Channel networking with the SCSI command set. Recently, the new SAN protocol iSCSI, which uses the same SCSI command set over TCP/IP, has evolved as an alternative, and is the preferred technology of a growing number of companies. The reasons for the decision for iSCSI storage lie in its lower total costs, compared to Fiber Channel SANs, and its greater stability.

While large corporations often have their own storage systems or already have implemented a SAN solution via a storage service provider, the focus is shifting to small and medium-sized businesses. These companies often suffer from the challenges of growing volumes of data higher demand for data availability, but avoid investments in SANs and backup structures. Providers offering iSCSI-based solutions with the possibility of real-time data storage via Virtual Tape Library can find a large customer among small and medium-sized businesses.

iSCSI technology could also be sold to companies that have problems with backup procedures and large local amounts of data. If it is doable with Snapshot technologies, it can be offered as a cost effective alternative to Fiber Channel SANs. A storage snapshot creates a separate set of "pointers" from the data, which can be mounted as a volume or file system to another host, and is an exact duplicate of the original data.

The companies using SANs are from a large variety of industries, including banking, healthcare, manufacturing, retailing, education and services. Governments are also major clients in this segment, requiring high performance and high availability SANs.

A number of industry associations, alliances and formal standards bodies are involved in SAN standards.

The Storage Networking Industry Association (SNIA) is an international computer systems industry forum of developers, integrators and IT professionals, who develop and promote storage networking technology solutions. For more information visit: <http://www.snia.org/home>.

The Fiber Channel Industry Association (FCIA) is a non-profit, mutual benefit corporation, helping to develop the broadest market for fiber channel products. It also administers the SANmark programs, a certification process designed to ensure that fiber channel devices conform to fiber channel standards. For more information visit: <http://www.fibrechannel.org/> and <http://www.sanmark.org/>.

The SCSI Trade Association (STA) was formed in 1996 to promote the use and understanding of small computer system interface ("SCSI") parallel interface technology. For more information visit: <http://www.scsita.org>.

The Information Storage Industry Consortium (INSIC) is the research consortium for the information storage industry. Its mission is to enhance the growth and technical strength of the information storage industry and to advance the state of information storage technology. For more information visit: <http://www.insic.org/>.

The Internet Engineering Task Force (IETF) is a large, open international community of network designers, operators, vendors and researchers concerned with the evolution of internet architecture, and its efficient operation. It played a major role in the ratification of the iSCSI protocol. For more information visit: <http://www.ietf.org/>.

Franchising

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Franchising in Belgium is a recently developed industry with a high potential for growth. It is important to understand the factors driving this sector, in order to successfully penetrate the market. This recommendation intends to give a better understanding of the general Belgian economy, as well as of those factors that influence franchising.

The franchise sector in Belgium is slowly growing. There are roughly 170 official franchise systems in Belgium, networked into nearly 3,500 franchise units. These businesses provide direct employment for about 30,000 people and represent an annual turnover of 2.4 billion USD.

Franchising represents 6% of retail in Belgium compared to the European and American average of 11% and 40% respectively. This makes it, along with Denmark and Finland, one of the three smallest European countries in terms of franchise units per capita.

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Over the past 10 years, the franchising of services has grown significantly. Services such as hotel, hairdressing and car maintenance have shown an important increase, while sub-sectors such as building maintenance services, security, car-washing, travel and tourism, express delivery, personnel training and accounting services are also expanding. The fast food segment is highly competitive, with only two major brands covering the whole market.

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The Belgian Franchise Federation (BFF) forecasts important growth over the coming three years, in both franchise units and franchise systems. By the end of 2007, the BFF estimates 11,000 new jobs will have been created; this includes new franchise systems as well as the development of existing ones. This growth will mainly affect the service sectors and the sub-sectors of Do It Yourself (DIY). The BFF underlines however, that a favorable economic and political environment is critical to this growth.

The BFF members set two major goals to attain such an environment:

- A reduction of Belgium's labor costs and VAT rate (currently as high as 21% in some sectors)
- The easing of Belgian labor laws.

As the franchise sector in Belgium is constantly evolving, there are several promising sectors that are expected to develop over the coming years. Here are a few: DIY, car maintenance, business consulting, and consumer goods and appliances.

Resources

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Belgian Franchise Federation: Mr. Gilbert Lardinois
gilbert.lardinois@fbf-bff.be
www.fbf-bff.be

European Franchise Federation:
info@eff-franchise.com
www.eff-franchise.com

International Franchise Association, Washington D.C.:
www.franchise.org

Solid Waste Disposal and Treatment

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Belgium, a small, densely populated and industrialized country, faces numerous pollution problems, much like many other countries in the world. Belgium realizes that the proper management of solid waste represents a central pillar of forward-looking, sustainable environmental policies, and that inadequate waste management results in considerable public health hazards and additional costs, in both the short and the long term. As a result, it is attempting to figure out how to minimize the environmental impacts from waste treatment, while optimizing energy and material recovery and minimizing the costs.

EU and regional environmental legislation and targets primarily drive the Belgian waste disposal market. In comparison to the other EU countries, Belgium is at the forefront of solid waste disposal and treatment. For example, Belgium has a voluntary waste policy program. This means that municipalities can subscribe to an agreement, under which they can receive subsidies if they achieve pre-specified residential solid waste targets.

In addition, the following waste items are already collected separately in Belgium: organic waste, metal and plastic beverage packaging, beverage cartons, glass and paper. As a result, the residual waste items in Flanders (Flemish speaking part of Belgium) has been reduced to about 160 kg per capita, per year. The European average for waste items, on the other hand, is about 320 kg per capita.

Groups from other countries operate a large part of the Belgian waste market. The following table lists the main players.

Main operators in the Belgian waste market	
Company	Estimated Revenue (€ million)
Biffa (Severn Trent, UK group)	86
Indaver (Flemish Government)	199
Shanks (UK group)	154
Suez (French group)	400
Van Gansewinkel (Dutch group)	145

Source: Incidences newsletter, published by Kaydara, Belgium

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Market activity in recent years suggests that further restructuring in the industry is probable. The increasing role of financing in the waste sector has the potential to be a stabilizing or destabilizing force, depending on the origin of the finance (institutional investment, stock market, investment funds or hedge funds).

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Landfill garbage produces a natural gas that can be used to overtake conventional fossil fuels. Landfill gas provides corporations and power producers with a significant business and environmental opportunity to transform a harmful waste by-product into an environmentally beneficial, and potentially cost-saving, fuel source. General Motors, Ford Motor Company, BMW, Daimler-Chrysler, Nestle U.S.A., General Electric, and International Paper have all discovered that landfill gas is a financially attractive alternative to conventional fuels.

The Belgian waste disposal market is leaning towards 'incineration with energy recovery'. Indaver, a Belgian company, is active in this field. Due to its success, it is now planning on expanding. It currently incinerates 370,000 tons of garbage every year, which creates enough energy to supply 184,000 families. After the company's planned expansion, it will be able to incinerate one million tons of garbage per year, providing an impressive 1,000,000 families with energy.

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OVAM (Flanders)

The Flemish waste authority.

www.ovam.be

National Ministry of Social Affairs, Public Health and Environment

The Belgium federal government's Ministry of the Environment.

www.health.fgov.be

AMINAL

The Flanders Regional Ministry of Environment.

www.mina.be

D.G.R.N.E.

The Wallonia Regional Ministry of Environment.

<http://environnement.wallonie.be>

I.B.G.E.-B.I.M.

The Brussels Regional Environmental Management Administration.

www.ibgebim.be

FEBEM-FEGE

The Belgium Federation of Environmental Management Companies.

www.febem.be

www.fege.be

COBEREC

The Belgium Federation of Recycling Industries.

www.coberec.be

UDIAS

Trade association of manufacturers and importers of scientific and laboratory instruments. Its 200 members represent about 85% of the market. This association organizes the Laborama trade show every year.

www.udias.be

FEDICHEM

Federation of Belgium Chemical Industries – Environment Department.

www.fedichem.be

AGORIA

Agoria is the largest multi-sector technological federation in Belgium, with representation for manufacturers of environmental equipment.

www.agoria.be

Waste Management World

www.waste-management-world.com

Leading international publication for waste management professionals.

Eurostats

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1090,30070682,1090_33076576&_dad=portal&_schema=PORTAL

The European Commission's statistics database.

Indaver

www.indaver.be

Highly technological Belgian waste disposal firm.

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Chapter 5: Trade Regulations and Standards

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Import Tariffs

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As a member of the EU, Belgium applies the "common customs tariff of the European Union" to goods imported from non-EU countries. See http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/index_en.htm for specific rates and additional information.

No customs duties are applied to intra-Community trade, as long as the goods concerned contain no components imported from external sources; contain components from external sources **but** on which the customs tariff has been applied; are goods from outside countries in respect of which the common customs tariff has been applied. Goods in these three classes are said to be in "free circulation" and are known as "Union goods".

Value added tax

The EU countries apply the VAT system according to the same basic principles, but are free within certain limits to fix the applicable rates. The VAT is paid by means of a monthly declaration, yet is recoverable under the payment deduction formula provided for in the VAT system. Goods imported into Belgium from the U.S. are subject to VAT, except when they are:

- in transit
- consigned to a customs warehouse
- imported temporarily (in general)

See

http://ec.europa.eu/taxation_customs/taxation/vat/how_vat_works/rates/index_en.htm for specific VAT rates and additional information.

Excise duties

Some domestic and imported consumer products are subject to excise duties. These include tobacco, spirits, beer, coffee, non-alcoholic beverages and mineral oils (such as petroleum and gas).

For information on existing trade barriers, please see the National Trade Estimate Report on Foreign Trade Barriers, published by USTR and available through the following website:
http://www.ustr.gov/Document_Library/Reports_Publications/2007/2007_NTE_Report/Section_Index.html?ht= .

Information on agricultural trade barriers can be found at the following website:
<http://www.useu.usmission.gov/agri/usda.html>.

To report existing or new trade barriers and get assistance in removing them, contact either the Trade Compliance Center at <http://www.trade.gov/tcc> or the U.S. Mission to the European Union at <http://www.buyusa.gov/europeanunion>.

Import Requirements and Documentation

The Integrated Tariff of the Community, referred to as TARIC (Tarif Intégré de la Communauté), is designed to show various rules applying to specific products being imported into the customs territory of the EU or, in some cases, when exported from it. To determine if a license is required for a particular product, check the TARIC.

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.

Many EU Member States maintain their own list of goods subject to import licensing. For example, Germany's "Import List" (Einfuhrliste) includes goods for which licenses are required, their code numbers, any applicable restrictions, and the agency that will issue the relevant license. The Import List also indicates whether the license is required under German or EU law. For information relevant to Member State import licenses, please consult the relevant Member State Country Commercial Guide.

Key Link: http://ec.europa.eu/taxation_customs/common/databases/taric/index_en.htm

Import Documentation**Non-agricultural Documentation**

The official model for written declarations to customs is the Single Administrative Document (SAD). European Free Trade Association (EFTA) countries including Norway, Iceland, Switzerland, and Liechtenstein also use the SAD. However, other forms may be used for this purpose. Information on import/export forms is contained in Title VII, of Council Regulation (EEC) No. 2454/93, which lays down provisions for the implementation of Council Regulation (EEC) No. 2913/92 establishing the Community

Customs Code (Articles 205 through 221). Articles 222 through 224 provide for computerized customs declarations and Articles 225 through 229 provide for oral declarations.

Additional information on import/export documentation can be found in Title III, of Council Regulation (EEC) No. 2913/92 of October 12, 1992, establishing the Community Customs Code (Articles 37 through 57). Goods brought into the customs territory of the Community are, from the time of their entry, subject to customs supervision until customs formalities are completed.

Goods presented to customs are covered by a summary declaration, which is lodged once the goods have been presented to customs. The customs authorities may, however, allow a period for lodging 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 can be made on a form corresponding to the model prescribed by the customs authorities. However, the customs authorities may permit the use, as a summary declaration, of any commercial or official document that contains the particulars necessary for identification of the goods. It is encouraged that the summary declaration be made in computerized form.

The summary declaration is to be lodged 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.

Non-EU goods presented to customs must be assigned a customs-approved treatment or use authorized for such non-Community goods. Where goods are covered by a summary declaration, the formalities for them to be assigned a customs-approved treatment or use must be carried out:

- 45 days from the date on which the summary declaration is lodged in the case of goods carried by sea;
- 20 days from the date on which the summary declaration is lodged in the case of goods carried other than by sea.

Where circumstances so warrant, the customs authorities may set a shorter period or authorize an extension of the period.

The Modernized Customs Code (MCC) of the European Union is expected to be passed into law in the first half of 2008. The MCC will replace the existing Regulation 2913/92 and simplify various procedures such as introducing a paperless environment, centralized clearance, and more. Check the EU's Customs website periodically for updates:

http://ec.europa.eu/taxation_customs/customs/procedural_aspects/general/community_code/index_en.htm.

Batteries

EU battery rules changed in September 2006 following the publication of the Directive on batteries and accumulators and waste batteries and accumulators (Directive 2006/66). This Directive replaces the original Battery Directive of 1991 (Directive 91/157). The updated Directive applies to all batteries and accumulators put on the EU market

including automotive, industrial and portable batteries. It aims 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 also includes provisions on the labeling of batteries and their removability from equipment. EU Member States must implement the EU Directive into their national law by September 26, 2008. For more information, see our market research report:
http://www.buyusainfo.net/docs/x_8086174.pdf

REACH

REACH is a major reform of EU chemicals policy that was adopted in December 2006 and became national law in the 27 EU Member States in June 2007. Virtually every industrial sector, from automobiles to textiles, could be affected by the new policy. REACH stands for the "Registration, Evaluation and Authorization of Chemicals." As of June 1 2008, REACH will require all chemicals produced or imported into the EU in volumes above 1 ton per year to be registered with a central European Chemicals Agency (ECHA), including information on their properties, uses and safe ways of handling them. Most chemicals currently imported into the EU are eligible for pre-registration which provides ECHA with basic information on the substance and allows the continued imports until a later registration deadline. ECHA will accept pre-registrations from 1 June 2008 until 1 December 2008. US companies should take advantage of the pre-registration period if possible. The full registration period for chemicals which are pre-registered ranges from three to eleven years depending on the volume of the substance and its hazard properties. Substances not pre-registered must be registered to stay on the market. Chemicals of very high concern, like carcinogens, will need an authorization for use in the EU. U.S. exporters to Europe should carefully consider this piece of EU environmental legislation. For more information, see the CSEU REACH webpage at: <http://www.buyusa.gov/europeanunion/reach.html>.

WEEE & RoHS

EU rules on waste electrical and electronic equipment (WEEE), while not requiring specific customs or import paperwork, may entail a financial obligation for U.S. exporters. They require U.S. exporters to register the products with a national WEEE authority, or arrange for this to be done by a local partner. Similarly, related rules for EEE restricting the use of the hazardous substances (RoHS) lead, cadmium, mercury, hexavalent chromium, PBBs, and PBDEs, do not entail customs or importation paperwork. However, U.S. exporters may be asked by a European RoHS enforcement authority or by a customer to provide evidence of due diligence in compliance with the substance bans on a case-by-case basis. U.S. exporters seeking more information on WEEE and RoHS regulations should visit:
<http://www.buyusa.gov/europeanunion/weee.html>

Agricultural Documentation

Phytosanitary Certificates: Phytosanitary certificates 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). Many of these certificates are uniform throughout the EU, but the harmonization process has not been finalized yet. During this transition period, certain Member State import requirements continue to apply. In addition to the legally required EU health certificates, a number of 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 can be found at the following website: <http://useu.usmission.gov/agri/certificates-overview.html>.

Sanitary Certificates (Fisheries): In April 2006, the European Union declared the U.S. seafood inspection system as equivalent to the European one. Consequently, a specific public health certificate must accompany U.S. seafood shipments. Commission Decision 2006/199/EC places specific conditions on imports of fishery products from the U.S. Sanitary certificates for live shellfish are covered by Commission Regulation (EC) 1664/2006 and must be used for gastropods, bivalve mollusks, tunicates and echinoderms. The two competent Authorities for issuing sanitary certificates are the FDA and the U.S. Department of Commerce, National Marine Fisheries Service (NMFS/NOAA/USDC).

Since May 1, 2007, with the implementation of the second Hygiene Package, aquaculture products coming from the United States must be accompanied by a public health certificate according to Commission Decision 2006/199/EC and the animal health attestation included in the new fishery products certificate covered by Regulation (EC) 1664/2006. This animal health attestation is not required in the case of live bivalve mollusks intended for immediate human consumption (retail).

For detailed information on import documentation for seafood, please contact the NOAA Fisheries office at the U.S. Mission to the EU (stephane.vrignaud@mail.doc.gov) or visit the following FDA dedicated web site: <http://www.cfsan.fda.gov>

U.S. Export Controls

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A relatively small percentage of U.S. exports and re-exports to Belgium require a license from the Bureau of Industry and Security (BIS). License requirements are dependent upon an item's technical characteristics, destination, end-user, and end-use. The exporter must determine whether the export requires a license. When making that determination consider:

- What are you exporting?
- Where are you exporting?
- Who will receive your item?
- What will your item be used for?

BIS is responsible for implementing and enforcing the Export Administration Regulations (EAR), which regulate the export and re-export of most commercial items. The items that BIS regulates are often referred to as "dual-use" - items that have both commercial and military or proliferation applications, but purely commercial items without an obvious military use are also subject to the EAR. The EAR do not control all goods, services,

and technologies. Other U.S. government agencies regulate more specialized exports. For example, the U.S. Department of State has authority over defense articles and defense services. A list of other agencies involved in export controls can be found on the BIS website: <http://www.bis.doc.gov/index.htm>. The website is designed to give people who are new to exporting, and, in particular, new to export controls, a general understanding of the regulations and how to use them. The EAR include answers to frequently asked questions, detailed step-by-step instructions for determining if a transaction is subject to the regulations, how to request a commodity classification or advisory opinion, and how to apply for a license. The on-line EAR database is available through the following link: [EAR Web site](#).

How an item is transported outside of the United States does not matter in determining export license requirements. For example, an item can be sent by regular mail or hand-carried on an airplane. A set of schematics can be sent via facsimile to a foreign destination, software can be uploaded to or downloaded from an internet site, or technology can be transmitted via e-mail or during a telephone conversation. Regardless of the method used for the transfer, the transaction is considered an export for export control purposes.

Temporary Entry

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Legislation exists that exempts goods from import duties and VAT, if they are brought into Belgium for re-export. Such goods must be kept in a bonded warehouse until they are re-exported. The shipment does not have to be re-exported in total; the portion of the shipment destined for the local or EU market is liable for duties and VAT at the time when the importation takes place. Additionally, goods may be sorted, repacked and relabeled in bonded warehouses. Many customs clearing agents in the main ports and airports are able to provide these services in bonded warehouses.

For temporary entry of goods, Belgium accepts an ATA Carnet. An ATA Carnet is an international customs document that simplifies customs procedures for the temporary importation of commercial samples, professional equipment, and goods for exhibitions and fairs. For further information on goods covered by a Carnet and an online application, see <http://www.uscib.org/index.asp?documentID=718>.

Labeling and Marking Requirements

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An overview of EU mandatory and voluntary labeling and marking requirements has been compiled in a market research report that is available at: http://www.buyusainfo.net/docs/x_4171929.pdf.

The subject has been also been covered in the section about standards (see below).

Prohibited and Restricted Imports

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The TARIC is designed to show various rules applying 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 that product 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 above.

Key Link: http://ec.europa.eu/taxation_customs/common/databases/taric/index_en.htm

Customs Regulations and Contact Information

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Regulation 648/2005 is the "Security Amendment" to the Customs Code (Regulation 2913/92) and outlines the implementing provisions for Authorized Economic Operators, risk management procedures, pre-departure declarations, and improved export controls.

Tariffs and Import Taxes: Information on customs valuation is contained in Title II, Chapter Three, of Council Regulation (EEC) 2913/92, establishing the Community Customs Code, titled, "Value of Goods for Customs Purposes" (Articles 28 through 36). The primary basis for determining customs value set out in Articles 29 is: "... the transaction value, that is, the price actually paid or payable for the goods when sold for export to the customs territory of the Community..." Article 29 lists the following conditions, which must be met in determining customs value:

- There are no restrictions as to the disposal or use of the goods by the buyer, other than restrictions which are imposed or required by a law or by the public authorities in the community, limit the geographical area in which the goods may be resold, or do not substantially affect the value of the goods;
- The sale or price is not subject to some conditional consideration for which a value cannot be determined with respect to the goods being valued;
- No part of the proceeds of any subsequent resale disposal or use of the goods by the buyer will accrue directly or indirectly to the seller, unless an appropriate adjustment can be made in accordance with Article 32; and
- The buyer and seller are not related, or, where the buyer and seller are related, that the transaction value is acceptable for customs purposes.

The "price actually paid or payable" in Article 29 refers to the price for the imported goods. Thus the flow of dividends or other payments from the buyer to the seller that do not relate to the imported goods are not part of the customs value.

Articles 32 and 33 provide for adjustments to the value for customs purposes. Article 32 lists charges that are added to the customs value, such as, commissions and brokerage, costs of containers, packing, royalties and license fees, and the value of goods and services supplied directly or indirectly by the buyer in connection with the production and sale for export of the imported goods. Article 33 lists charges that are not included in the customs value, such as, charges for transport, charges incurred after importation,

charges for interest under a financing arrangement for the purchase of the goods, charges for the right to reproduce imported goods in the Community, and buying commissions.

Effective July 1, 1995, the Commission amended Article 147(1) of Regulation 2454/93 of the Customs Code which affects valuation in the case of successive sales. This amendment "defaults" valuation to the last sale, but allows the value of an earlier sale if it can be demonstrated that such a sale took place for export to the EU. The evidentiary requirements to support the bona fides of any earlier sales will be based upon commercial documents such as purchase orders, sales contracts, commercial invoices, and shipping documents.

Key Link: http://ec.europa.eu/taxation_customs/customs/index_en.htm

For contact information at national customs authorities, please visit:
http://ec.europa.eu/taxation_customs/common/links/customs/index_en.htm

Standards

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Overview

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Products tested and certified in the United States to American standards are likely to have to be retested and re-certified to EU requirements as a result of 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 standards created under the New Approach are harmonized across the 27 EU Member States and European Economic Area countries to allow for the free flow of goods. A feature of the New Approach is CE marking. While harmonization of EU legislation can facilitate access to the EU Single Market, manufacturers should be aware that Regulations and technical standards might also function as barriers to trade if U.S. standards are different from those of the European Union.

The European Union is currently undertaking a major revision of the New Approach that will enhance some aspects, especially in the areas of market surveillance. To follow the revision, please visit:
http://ec.europa.eu/enterprise/regulation/internal_market_package/index_en.htm

Agricultural Standards

The establishment of harmonized EU rules and standards in the food sector has been ongoing for several decades, but it took until January 2002 for the publication of a general food law establishing the general principles of EU food law. This Regulation introduced mandatory traceability throughout the feed and food chain as of Jan 1, 2005. For specific information on agricultural standards, please refer to the Foreign Agricultural Service's website at: <http://useu.usmission.gov/agri/>

Standards Organizations

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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 (ISO). The drafting of specific EU standards is handled by three European standards organizations:

- CENELEC, European Committee for Electrotechnical Standardization (<http://www.cenelec.org/Cenelec/Homepage.htm>)
- ETSI, European Telecommunications Standards Institute (<http://www.etsi.org/>)
- CEN, European Committee for Standardization, handling all other standards (<http://www.cen.eu/cenorm/homepage.htm>)

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 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 gives away its individual standards at no charge on its website. In addition to the three standards developing organizations, the European Commission plays an important role in standardization through its funding of the participation in the standardization process of small- and medium-sized companies and non-governmental organizations, such as environmental and consumer groups. The Commission also provides money to the standards bodies when it mandates standards development to the European Standards Organization for harmonized standards that will be linked to EU technical Regulations. In the last year, the Commission began listing their mandates on line and they can be seen at http://ec.europa.eu/enterprise/standards_policy/mandates/. All the EU harmonized standards, which provide the basis for CE marking, can be found on <http://www.newapproach.org/>.

Due to the EU's vigorous promotion of its regulatory and standards system as well as its generous funding for its business 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 Albania, Croatia, FYR of Macedonia, and Turkey. Another category, called "partner standardization bodies" includes the standards organizations of Bosnia and Herzegovina, Republic of Moldova, Egypt, Serbia, the Russian Federation, Tunisia, the Ukraine, Armenia and Australia, which are not likely to join the EU or CEN any time soon, but have an interest in participating in specific CEN technical committees. They agree to pay a fee for full participation in certain technical committees and agree to implement the committee's adopted standards as national standards. Many other countries are targets of the EU's extensive technical assistance program, which is aimed at exporting EU standards and technical Regulations to developing countries, especially in the Mediterranean and Balkan countries, Africa, as well as programs for China and Latin America.

To know what CEN and CENELEC have in the pipeline for future standardization, it is best to visit their websites. CEN's "business domain" page provides an overview by sector and/or technical committee whereas CENELEC offers the possibility to search its database. ETSI's portal (http://portal.etsi.org/Portal_Common/home.asp) leads to ongoing activities.

With the need to adapt more quickly to market needs, European standards organizations have been looking for "new deliverables" which are standard-like products delivered in a shorter timeframe. While few of these "new deliverables" have been linked to EU Regulations, expectations are that they will eventually serve as the basis for EU-wide standards.

Key Link: <http://www.cenorm.be/cenorm/workarea/sectorfora/index.asp>.

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL: <http://www.nist.gov/notifyus/>

Conformity Assessment

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Conformity Assessment is a mandatory step for the manufacturer in the process of complying with specific EU legislation. The purpose of conformity assessment is to ensure consistency of compliance during all stages of the production process to facilitate acceptance of the final product. EU product legislation gives manufacturers some choice with regard to conformity assessment, depending on the level of risk involved in the use of their product. These range from self-certification, type examination and production quality control system, to full quality assurance system. You can find conformity assessment bodies in individual Member State country in this list by the European Commission.

Key Link: <http://ec.europa.eu/enterprise/newapproach/nando/>

To promote market acceptance of the final product, there are a number of voluntary conformity assessment programs. CEN's certification systems are the Keymark, the CENCER mark, and the European Standard Agreement Group. CENELEC has its own initiative. ETSI does not offer conformity assessment services.

Product Certification

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To sell products on the EU market of 27 Member States as well as 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 a number of 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 or not to use EU-wide harmonized standards. There is no easy way for U.S. exporters to understand and go through the process of CE marking, but hopefully this section provides some background and clarification.

Products manufactured to standards adopted by CEN, CENELEC and ETSI, and published 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. Trade barriers occur when design, rather than performance, standards are developed by the relevant European standardization organization, and when U.S. companies do not have access to the standardization process through a European presence.

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. Although CE marking is intended primarily for inspection purposes by Member State inspectors, the consumer may well perceive it as a quality mark.

The CE marking is not intended to include detailed technical information on the product, but there must be enough information to enable the inspector to trace the product back to the manufacturer or the authorized representative established in the EU. This detailed information should not appear next to the CE marking, but rather on the declaration of conformity, the certificate of conformity (which the manufacturer or authorized agent must be able to provide at any time, together with the product's technical file), or the documents accompanying the product.

Accreditation

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Independent certification bodies, known as notified bodies, have been officially accredited by competent authorities to test and certify to EU requirements. However, under U.S.-EU Mutual Recognition Agreements (MRAs), notified bodies based in the United States and referred to as conformity assessment bodies, are allowed to test in the United States to EU specifications, and vice versa. The costs are significantly lower which results in U.S. products becoming more competitive. At this time, the U.S.-EU

MRAs cover the following sectors: EMC (in force), RTTE (in force), medical devices (in transition), pharmaceutical (on hold), recreational craft (in force) and marine equipment (in force). The U.S. Department of Commerce, National Institute of Standards and Technology (NIST), has a link on its website to American and European Conformity Assessment bodies operating under a mutual recognition agreement.

Key Link: <http://ts.nist.gov/Standards/Global/mra.cfm>

Accreditation is handled at Member State level. "European Accreditation" (http://www.european-accreditation.org/default_flash.htm) is an organization representing nationally recognized accreditation bodies. Membership is open to nationally recognized accreditation bodies in countries in the European geographical area that can demonstrate that they operate an accreditation system compatible with EN45003 or ISO/IEC Guide 58.

Publication of Technical Regulations

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The Official Journal is the official gazette of the European Union. It is published daily on the internet and consists of two series covering draft and adopted legislation as well as case law, questions from the European Parliament, studies by committees, and more (<http://europa.eu.int/eur-lex/lex/JOIndex.do?ihmlang=en>). It lists the standards reference numbers linked to legislation (<http://www.newapproach.org/Directives/DirectiveList.asp>). National technical Regulations are published on the Commission's website <http://ec.europa.eu/comm/enterprise/tris/> to allow other countries and interested parties to comment.

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT) Agreement to report to the WTO all proposed technical Regulations that could affect trade with other member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical Regulations that can affect your access to international markets. Register online at Internet URL: <http://tsapps.nist.gov/notifyus/data/index/index.cfm>

Labeling and Marking

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Manufacturers should be mindful that, in addition to the EU's mandatory and voluntary schemes, national voluntary labeling schemes might still apply. These schemes may be highly appreciated by consumers, and thus, become unavoidable for marketing purposes.

Manufacturers are advised to take note that all labels require metric units although dual labeling is also acceptable until end of December 2009. The use of language on labels has been the subject of a Commission Communication, which encourages multilingual information, while preserving the right of Member States to require the use of language of the country of consumption.

The EU has mandated that certain products be sold in standardized quantities. Council Directive 2007/45/EC, to replace 80/232/EC in April 2009, harmonizes packaging of wine

and spirits throughout the EU. Existing national sizes will be abolished with a few exceptions for domestic producers.

Key Link: http://ec.europa.eu/enterprise/prepack/packsizes/packsiz_en.htm

The Eco-label

EU legislation in 1992, revised in 2000, distinguishes environmentally friendly products and services through a voluntary labeling scheme called the Eco-label. Currently, the scheme applies to 7 product groups: cleaning products, appliances, paper products, clothing, lubricants, home and garden products and tourism services. The symbol, a green flower, is a voluntary mark. The Eco-label is awarded to producers who can show that their product is less harmful to the environment than similar products. This “green label” also aims to encourage consumers to buy green products. However, the scheme does not establish ecological standards that all manufacturers are required to meet to place product on the market. Products without the EU Eco-label can still enter the EU as long as they meet the existing health, safety, and environmental standards and Regulations.

The EU Eco-label is a costly scheme (up to EUR 1,300 for registration and up to EUR 25,000/year for the use of the label, with a reduction of 25% for SMEs) and has therefore not been widely used so far. However, the Eco-label can be a good marketing tool and, given the growing demand for green products in Europe, it is likely that the Eco-label will become more and more a reference for green consumers.

Key Links: http://buyusainfo.net/docs/x_4284752.pdf
http://ec.europa.eu/comm/environment/ecolabel/index_en.htm
<http://www.eco-label.com/>

Contacts

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Listed below are Belgian government offices that can provide information on specific restrictions and control measurements:

Products that are subject to import restrictions and Country of Origin Certificate:

Ministry of Economic Affairs

Office of Licenses

Rue Général Leman 60

Tel: +32/2 206-5811

Fax: +32/2 230-8322

Internet: http://www.mineco.fgov.be/menu/new_en.asp

Agricultural products that are subject to an import certificate:

Belgium Bureau for Intervention and Restitution

Trierstraat 82

B-1040 Brussels, Belgium

Tel: +32/2 287-2411

Fax: +32/2 280-0307

Internet: www.birb.be

Live animals, animal products, plants, fruits and vegetables, food products:

Federal Food Agency
WTC III - Simon Bolivarlaan 30
B-1000 Brussels, Belgium
Tel: +32/2 208-3411
Fax: +32/2 208-3591
Internet: <http://www.favv.be/>

Ministry of Health
General Food Inspection
Eurostation, Blok II (9E10)
Victor Hortaplein 40 bus 10
1060 Brussel
Tel. +32/2 210 4843
Fax: +32/2 210-4816
Internet:

https://portal.health.fgov.be/portal/page?_pageid=56,512460&_dad=portal&_schema=P
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Trade Agreements

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For a list of trade agreements with the EU and its Member States, as well as concise explanations, please see http://tcc.export.gov/Trade_Agreements/index.asp

Web Resources

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U.S. Focus Web Resources:

Office of the U.S. Trade Representative
<http://www.ustr.gov/>

Trade Compliance Center
<http://www.trade.gov/tcc>

USDA Audit, Review & Compliance
<http://www.ams.usda.gov/lsg/arc/audit.htm>

USDA Center for Food Safety and Applied Nutrition
<http://www.cfsan.fda.gov/>

Non-Hormone Treated Cattle (NHTC) Program
<http://www.ams.usda.gov/lsg/arc/nhtc.htm>

National Marine Fisheries Service's Trade & Commercial Services website
<http://www.nmfs.noaa.gov/sfa/PartnershipsCommunications/tradecommercial/index.html>

FAO
Food and Agriculture Organization (FAO)

EU Focus Web Resources:

U.S. Mission to the EU (USEU) website
<http://www.useu.be>

U.S. Mission to the European Union (FCS)
<http://www.buyusa.gov/europeanunion>

Foreign Agricultural Service website, USEU
<http://www.useu.be/agri/usda.html>

EU-approved U.S. Establishments
<http://useu.usmission.gov/agri/estab.html>

EU Marketing Standards for Fruits & Vegetables
<http://useu.usmission.gov/agri/Fruit-Veg.html>

Organic Foods Legislation
<http://useu.usmission.gov/agri/organic.html>

Certification of Animal Products
<http://www.useu.be/agri/certification.html>

EU Hygiene guidelines
Commission Regulation 2073/2005
Commission Regulation 2074/2005
Commission Regulation 2076/2005

EU mandatory and voluntary labeling and marking requirements
<http://www.eurofir.net/public.asp?id=6247>

EU Eco-label Homepage
http://ec.europa.eu/comm/environment/ecolabel/index_en.htm

The European Eco-Label Catalogue
<http://www.eco-label.com/default.htm>

WEEE & RoHS
<http://www.buyusa.gov/europeanunion/weee.html>

Batteries
http://www.buyusainfo.net/docs/x_8086174.pdf

European Union law portal
<http://europa.eu.int/eur-lex/lex/JOIndex.do?ihmlang=en>

European Commission Focus Web Resources:

6/17/2008

National customs authorities

http://ec.europa.eu/taxation_customs/common/links/customs/index_en.htm

European Commission Taxation and Customs Union

http://ec.europa.eu/comm/taxation_customs/customs/index_en.htm

European Commission's TARIC – online customs tariff database

http://ec.europa.eu/comm/taxation_customs/common/databases/taric/index_en.htm

European Commission Regulation on animal by-products

<http://ec.europa.eu/scadplus/leg/en/lvb/f81001.htm>

New Approach Legislation and Standardization in the Internal Market

<http://www.newapproach.org/>

Major Revision of the New Approach (to the marketing of products)

http://ec.europa.eu/enterprise/newapproach/review_en.htm

European Commission Directive on packaging

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31980L0232:EN:HTML>

European Commission Technical Regulations Information System

<http://ec.europa.eu/comm/enterprise/tris/>

European Commission Standardization mandates

http://ec.europa.eu/enterprise/standards_policy/mandates/

Standardization Focus Web Resources:

Government-to-Government Mutual Recognition Agreement Information

<http://ts.nist.gov/Standards/Global/mra.cfm>

List of European Directives and Standards

<http://www.newapproach.org/Directives/DirectiveList.asp>

CEN, European Committee for Standardization

<http://www.cen.eu/cenorm/index.htm>

Advisory and coordinating bodies to CEN

<http://www.cenorm.be/cenorm/workarea/sectorfora/index.asp>

CENELEC, European Committee for Electrotechnical Standardization

<http://www.cenelec.org/Cenelec/Homepage.htm>

ANSI, American National Standards Institute

<http://www.ansi.org/>

ETSI's e-Standardization portal

http://portal.etsi.org/Portal_Common/home.asp

ETSI, European Telecommunications Standards Institute

<http://www.etsi.org/>

European co-operation for Accreditation

http://www.european-accreditation.org/default_flash.htm

WTO

World Trade Organization (WTO)

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Chapter 6: Investment Climate

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Openness to Foreign Investment

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Belgium has traditionally maintained an open economy, highly dependent on imports and international trade for its well-being. Since WWII, foreign investment has played a vital role in the Belgian economy, providing technology and employment. Both the federal and the regional governments encourage foreign investment on a national treatment basis. Foreign corporations account for about one-third of the top 3,000 corporations in Belgium.

Conversion and Transfer Policies

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Payments and transfers within Belgium and with foreign countries require no prior authorization. Transactions may be executed in euros as well as in other currencies.

On May 1, 1998, Belgium was one of the 11 EU member states that agreed to form a de facto currency union (European monetary union), with the euro as its single currency. On January 1, 1999, exchange rates were irrevocably fixed among euro zone currencies, with 1 euro equal to 40.3399 Belgian Francs (bf). Euro coins and bank notes were introduced in early 2002. Old bf notes can only be exchanged for euros at National Bank of Belgium offices; old bf coins can no longer be converted as of January 1, 2005.

Belgium has no debt-to-equity requirements. Dividends may be remitted freely, except in cases in which distribution would reduce net assets to less than paid-up capital. No

further withholding tax or other tax is due on repatriation of the original investment or on the profits of a branch, either during its operations or upon the closing thereof.

Expropriation and Compensation

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There are no outstanding expropriation or nationalization cases in Belgium with U.S. investors. There is no pattern of discrimination against foreign investment in Belgium.

When the Belgian government does use its eminent domain powers to acquire property compulsorily for a public purpose, adequate compensation is paid to the property owners. Recourse to the courts is available if necessary. The only expropriations that occurred during the last decade were related to infrastructure projects such as port expansion, roads, and railroads. In the future, expropriations to reserve space for nuclear waste storage are expected, but the sites will not be near areas of existing economic activity.

Dispute Settlement

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Belgium's legal system is independent of the government and is a means for resolving commercial disputes or protecting property rights. As in many countries, the Belgian courts labor under a growing caseload and backlogs cause delays. There are several levels of appeal.

Bankruptcy in Belgium is covered by an 1851 law and is under the supervision of the commercial courts. Bankruptcy applies only to businesses and may be initiated by a creditor or the company. The commercial court appoints both a judge-auditor to preside over the bankruptcy proceeding and a receiver responsible for selling available assets to pay creditors. Belgian bankruptcy law recognizes several classes of preferred or secured creditors. Judgments in commercial cases, including bankruptcy cases, are generally made in euros. Belgium has a system under which firms in difficulty can restructure their debts through agreement with their creditors. This system is in some respects similar to chapter 11 in the U.S. One major difference with the U.S. is that persons going bankrupt are forever prohibited from starting up a new company.

Belgium is a member of the international center for the settlement of investment disputes (ICSID) and regularly includes provision for ICSID arbitration in investment agreements. The government accepts binding international arbitration of disputes between foreign investors and the state; the most recent example is the international arbitration between the Belgian and the Dutch governments regarding a railway line dispute, the so-called 'Iron Rhine'.

Performance Requirements and Incentives

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Since the law of August 1980 on regional devolution in Belgium, investment incentives and subsidies have been the responsibility of Belgium's three regions: Brussels, Flanders, and Wallonia. Nonetheless, most tax measures remain under the control of the federal government, as do the parameters (social security, wage agreements) that govern general salary and benefit levels. In general, all regional and national incentives are available to foreign and domestic investors alike. Belgian investment incentive programs at all levels of government are limited by EU regulations, and thus are kept in line with those of the other EU member states. The European commission has tended to discourage certain investment incentives, in the belief that they distort the single market, impair structural change, and threaten EU convergence as well as social and economic cohesion. Belgium thus saw its number of underdeveloped areas, into which the EU allowed certain investment subsidies, further curtailed in 2007.

Under the Belgian constitution, promotion of foreign investment is the responsibility of the Belgian regions through the regional investment agencies - Flanders Foreign Investment office (FFIO), the Office for Foreign Investment (OFI) in Wallonia, and the Brussels Enterprise Agency. In their investment policies, the regions emphasize promoting innovation, research and development, energy saving, environmental cleanliness, exports, and most of all, employment. In order to provide coordinated service to foreign investors, the Belgian government established a Federal Agency for Foreign Investors (FAFI), in 1996, at the Ministry of Economic Affairs. This agency is controversial with the regional governments. In addition, the Finance Ministry established a foreign investment tax unit in 2000 to provide assistance and to make the tax administration more "user friendly" to foreign investors.

Performance requirements in Belgium usually relate to the number of jobs created. There are no known cases where export targets or local purchase requirements were imposed, with the exception of military offset programs, which were reintroduced by the Verhofstadt II government in 2006. While the government reserves the right to reclaim incentives if the investor fails to meet his employment commitments, enforcement is rare. In one case in the 1990s, the Flemish administration sued an American firm to recover incentives after the firm was forced by environmental regulations to close its plant.

In 2005 the Belgian Federal Finance Ministry proposed a new investment incentive program in the form of a notional interest rate deduction. This was adopted by Parliament, and as of January 1, 2006, the new tax law will permit a corporation established in Belgium, whether foreign or domestic, to deduct from its taxable profits a percentage of its adjusted net assets linked to the rate of the Belgian long-term state bond. The new law permits all companies operating in Belgium to deduct the "notional" interest rate that would be paid on their locally invested capital - whether or not they actually had paid such interest. This amount gets deducted from profits, thus lowering the sum on which Belgian corporate taxes (currently 33.99%) are calculated. For FY 2007, the Belgian bond interest rate is projected at 4.1 percent, therefore a company could deduct from its profits 4.1 percent of its qualifying net capital. The applicable interest rate will be adjusted annually, but will never be allowed to vary more than 1 percent (100 basis points) in one year nor exceed 6.5 percent.

Both domestic and foreign private entities have the right to establish business enterprises. This right is well established in Belgium's constitution and in law. The right to acquire or sell interests in business enterprises is similarly protected by law.

No restrictions in Belgium apply specifically to foreign investors. Foreign interests may enter into joint ventures and partnerships on the same basis as domestic parties, except for certain professions such as doctors, lawyers, accountants and architects. All investors, Belgian or foreign, must obtain special permission to open department stores, provide transportation and security services, produce and sell certain food items, cut and polish diamonds, or sell firearms and ammunition.

There is competitive equality between public and private enterprises with respect to market access, credit and other business operations such as licenses and supplies.

Protection of Property Rights

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Property rights in Belgium are well protected by law. The courts are independent and considered effective in enforcing property rights. Belgium generally meets very high standards in the protection of intellectual property rights. Rights granted under American patent, trademark, or copyright law can only be enforced in the United States, its territories and possessions. The European Union has taken a number of initiatives to promote intellectual property protection, but in cases of non-implementation, national laws continue to apply. Despite legal protection of intellectual property, Belgium experiences the commercial and private infringement - particularly internet music piracy and software copying – common to most EU states.

Transparency of Regulatory System

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The Belgian government has adopted a generally transparent competition policy and effective laws foster competition. Tax, labor, health, safety, and other laws and policies to avoid distortions or impediments to the efficient mobilization and allocation of investment exist comparable to those in other European Union member states. Nevertheless, foreign and domestic investors in some sectors face stringent regulations designed to protect small- and medium-sized enterprises. Many companies in Belgium also try to limit their number of employees to 49, the threshold above which certain employee committees must be set up, such as for safety and trade union interests.

Recognizing the need to streamline administrative procedures in many areas, the federal government set up a special task force to simplify official procedures. It also agreed to streamline laws regarding the telecommunications sector into one comprehensive volume after new entrants in this sector had complained about a lack of transparency. It also beefed up its Competition policy authority with a number of renowned academic experts. The American Chamber of Commerce has called attention to the adverse impact of cumbersome procedures and unnecessary red tape on foreign investors, although foreign companies do not necessarily suffer more from this than Belgium firms.

Belgium has in place policies to facilitate the free flow of financial resources. Credit is allocated at market rates and is available sufficiently to foreign and domestic investors without discrimination. Belgium is fully served by the international banking community and is implementing all relevant EU financial directives.

Because the Belgian economy is directed toward international trade, more than half of its banking activities involve foreign countries. Belgian's major banks are represented in the financial and commercial centers of dozens of countries by subsidiaries, branch offices and representative offices. In 2007 104 different banks were represented in Belgium; 54 Belgian or foreign-owned institutions are incorporated under Belgian law, and 50 institutions are incorporated under foreign law. Belgium is one of the countries with the highest number of banks per capita in the world; nonetheless it is a highly concentrated banking market, with 85 percent of bank deposits held by the five largest banks. Mergers and acquisitions were a prominent feature in the Belgian banking sector throughout the 1990s. The total assets of the banking system in 2007 were approximately \$1,525 billion. The banking system is considered sound. The country's banks use modern, automated systems for domestic and international transactions. The Society for Worldwide Interbank Financial Telecommunications (SWIFT) has its headquarters in Brussels. Euroclear, a clearing entity for transactions in stocks and other securities, is also located in Brussels.

Belgium also has a well-established stock market. In fact, the first stock market ever was organized in Bruges in the 14th century. At the end of 2000, the Brussels stock market merged with the Paris and Amsterdam bourses into Euronext, a Pan-European stock-trading platform. In 2006, Euronext and NY Stock Exchange shareholders voted to merge the two exchanges. On Euronext, a company may increase its capital either by capitalizing reserves or by issuing new shares. An increase in capital requires a legal registration procedure. New shares may be offered either to the public or to existing shareholders. Public notice is not required if the offer is to existing shareholders, who may subscribe to the new shares directly. An issue of bonds to the public is subject to the same requirements as a public issue of shares: the company's capital must be entirely paid up, and existing shareholders must be given preferential subscription rights.

In Belgium, there are many cases of cross-shareholding and stable shareholder arrangements, but never with the express intent to keep out foreign investors. Likewise, anti-takeover defenses are designed to protect against all potential hostile takeovers, not only foreign hostile takeovers.

Belgium is a peaceful democratic nation comprised of federal, regional, and municipal political units: the Belgian Federal government, the regional governments of Flanders, Wallonia, and the Brussels capital region, and 487 communes (municipalities). Political

tensions do exist between the Flemish and Walloons but they are addressed in democratic institutions, and played out in socially acceptable venues. There is also some tension within the immigrant communities, which sometimes result in acts of violence. There have been cases of violence against immigrants by neo-Nazis or other extremist youth; there were also some violent acts committed by North African youth in response to the perceived police abuse of a North African. A Brussels incident resulted in several nights of sporadic violence near the city's Gare du Midi train station, which was perpetrated by small groups of immigrant youth.

Corruption

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Belgian anti-bribery legislation was revised completely in March 1999, and the competence of Belgian courts was extended to extraterritorial bribery. Bribing foreign officials is a criminal offense in Belgium.

However, Belgium, while asserting nationality jurisdiction, makes nationality jurisdiction principles contingent upon the principles of dual criminality or reciprocity, thus requiring that the laws of the country whose official is bribed or a third country where the bribe is paid also prohibits bribery of foreign officials. Under Article 3 of the Belgian criminal code, jurisdiction is established over offenses committed within Belgian territory by Belgian or foreign nationals. Act 99/808 added article 10 related to the code of criminal procedure. This provides for jurisdiction in certain cases over persons (foreign as well as Belgian nationals) who commit bribery offenses outside the territory of Belgium. Various limitations apply, however. For example, if the bribe recipient exercises a public function in an EU member state, Belgian prosecution may not proceed without the formal consent of the other state.

Under Belgian law, the definition of corruption is extended considerably. Henceforth, it will count as passive bribery if a government official or employer requests or accepts a benefit for himself or somebody else in exchange for behaving in a certain way. Active bribery is defined as the proposal of a promise or benefit in exchange for undertaking a specific action. Until 1999, Belgian anti-corruption law did not cover attempts at passive bribery. The most controversial innovation was the introduction of the concept of 'private corruption', i.e. corruption among private individuals. Corruption by public officials carries heavy fines and/or imprisonment between 5 and 10 years. Private individuals face similar fines and slightly shorter prison terms (between six months and 2 years). The current law not only holds individuals accountable, but also the company for which they work. Contrary to earlier legislation, payment of bribes to secure or maintain public procurement or administrative authorization through bribery in foreign countries is no longer tax deductible. Recent court cases in Belgium suggest that corruption is most serious in government procurement, defense contracting, and public works contracting. American companies have not, however, identified corruption as a barrier to investment.

The responsibility for enforcing corruption laws is shared by the Ministry of Justice through investigating magistrates of the courts and the Ministry of the Interior through the Belgian federal police, which has jurisdiction in all criminal cases. A special unit, the Central Service for Combating Corruption, has been created for enforcement purposes, but still lacks the necessary staff.

In a 1990s corruption case, eight persons were convicted, including a former defense minister. The court found that the minister's immediate staff had commissioned research surveys and projects from a specific research institute. The institute had refunded part of its fees to the minister's staff, which used the money for paying salaries of certain ministerial aides and for campaign funds. The former minister was given a suspended two-year prison sentence, a \$4,000 fine, and a five-year suspension of his civil and political rights.

Following the Iraq war in 2003, the Volcker Commission in 2004 drew up a list of foreign entities that bribed Iraqi officials in the so-called oil for food program. More than 20 Belgian companies were thus fingered, but Belgian judicial authorities to date have been very slow in persecuting these cases.

Bilateral Investment Agreements

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Belgium has bilateral investment treaties in force with Albania, Algeria, Argentina, Armenia, Bangladesh, Bolivia, Bulgaria, Burkina Faso, Burundi, Chili, China, Croatia, Cyprus, Egypt, El Salvador, Estonia, Philippines, Gabon, Georgia, Hungary, Hong Kong, India, Indonesia, Yemen, Cameroon, Kazakhstan, Kuwait, Korea, Lebanon, Lithuania, Macedonia, Malta, Morocco, Mexico, Moldavia, Mongolia, Ukraine, Uzbekistan, Paraguay, Romania, Rwanda, Saudi Arabia, Singapore, Slovenia, South Africa, Sri-Lanka, Thailand, Czech Republic, Tunisia, Uruguay, Russia, Venezuela, Vietnam, and Zaire (now Congo). Additionally, Belgium and Luxembourg have jointly signed (as The Belgium Luxembourg Economic Union - BLEU) as-yet-unimplemented agreements with Cuba, Bulgaria, Liberia, Mauritania, and Thailand. Belgium and Luxembourg also have joint investment treaties with Poland and Russia, but these are not BLEU agreements. All these agreements provide for mutual protection of investments.

OPIC and Other Investment Insurance Programs

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Belgium, as a developed country, does not qualify for OPIC programs. No other countries operates investment insurance programs in Belgium.

Labor

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The Belgian labor force is generally well trained, highly motivated and very productive. Workers have an excellent command of foreign languages, particularly in Flanders. There is a low unemployment rate among skilled workers, such as local managers. Enlargement of the EU in May 2004 and January 2007 has facilitated the entry of skilled workers into Belgium from new member states, however registration procedures are required until mid-2009 for entrants from these new EU member states. Non-EU nationals must apply for work permits before they can be employed. Minimum wages vary according to the age and responsibility level of the employee, and are cost-of-living adjusted.

Belgian workers are highly unionized and usually enjoy good salaries and benefits. According to a recent study, Belgian wage and social security contributions, along with those in Germany, are among the highest in Western Europe. In recent years the unemployment rate as measured according to the EU's definition has diminished, but in 2007 registered slightly above the EU average at 7.4 percent. High wage levels and pockets of high unemployment coexist, reflecting both strong productivity in new technology sector investments and weak skills available from Belgium's long-term unemployed. (Their overall education level is significantly lower than that of the general population.) As a consequence of the high wage costs, over the years, employers have tended to invest more in capital than in labor. At the same time, a shortage exists of workers with training in computer hardware and software, automation and marketing. The resulting bottlenecks cause wage pressures, while trade unions have been successful in stalling the entry of new EU citizens onto the Belgian labor market at least until mid-2009.

Belgium's comprehensive social security package is composed of five major elements: family allowance, unemployment insurance, retirement, medical benefits and a sick leave program that guarantees salary in event of illness. Currently, average employer payments to the social security system stand at 35 percent of salary, while employee contributions comprise 13 percent. In addition, many private companies offer supplemental programs for medical benefits and retirement.

Belgian labor unions, while maintaining a national superstructure, are, in effect, divided along linguistic lines. The two main confederations, the Confederation of Christian Unions and the General Labor Federation of Belgium, maintain close relationships with the Christian Democratic and Socialist political parties, respectively. They exert a strong influence in the country -- politically and socially. A national bargaining process covers inter-professional agreements that the trade union confederations negotiate biennially with the government and the employers' associations. In addition to these negotiations, bargaining on wages and working conditions takes place in the various industrial sectors and at the plant level.

Foreign firms, which generally pay well, usually enjoy harmonious labor relations. Nonetheless, problems can occur, particularly in connection with the shutting down or restructuring of operations. Many strikes are one-day symbolic actions, but longer industrial actions have also occurred.

Firing a Belgian employee can be very expensive. An employee may be dismissed immediately for cause, such as embezzlement or other illegal activity, but when a reduction in force occurs, the procedure is far more complicated. For white-collar workers, the minimum standard is three months' notice or severance pay, or a combination of the two, for each five-year period or fraction thereof the employee has worked for the company. In the case of blue-collar workers, the minimum is four weeks' notice or the wage equivalent. Belgium is a strict adherent to ILO labor conventions.

In those instances where the employer and employee cannot agree on the amount of severance pay or indemnity, the case is referred to the courts for a decision. To avoid these complications, some firms consider providing for a "trial period" (of up to one year) in any employer-employee contract.

Belgium was one of the first countries in the EU to harmonize its legislation with the EU works council Directive of December 1994. Its flexible approach to the consultation and information requirements specified in the Directive compares favorably with that of other EU member states.

Foreign-Trade Zones/Free Ports

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There are no foreign trade zones or free ports as such in Belgium. However, the country utilizes the concept of customs warehouses. A customs warehouse is a warehouse approved by the customs authorities, where imported goods may be stored without payment of customs duties and VAT. Only non-EU goods can be placed under a customs warehouse regime. In principle, non-EU goods of any kind may be admitted, regardless of their nature, quantity, and country of origin or destination. Individuals and companies wishing to operate a customs warehouse must be established in the EU and obtain authorization from the customs authorities. Authorization may be obtained by filing a written request and by demonstrating an economic need for the warehouse.

Foreign Direct Investment Statistics

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TABLE I
BELGIUM DIRECT INVESTMENT POSITION IN THE U.S.
2002 – 2006
(Millions of dollars - stock)

	2002	2003	2004	2005	2006
MANUFACTURING	3,150	3,391	4,101	3,209	2,977
WHOLESALE	1,239	1,619	2,585	1,305	1,817
RETAIL TRADE	NA	NA	NA	NA	NA
FINANCE	647	586	486		530
1,156					
REAL ESTATE	298	317	NA	NA	NA
SERVICES	-33	69	-950	1,134	-32
OTHER	1,586	1,420	2,015	2,128	2,283
TOTAL	10,096	10,678	11,735	9,712	12,590

SOURCE: UNITED STATES DEPARTMENT OF COMMERCE, SURVEY OF CURRENT BUSINESS, SEPTEMBER 2007

TABLE II
U.S. DIRECT INVESTMENT POSITION IN BELGIUM
2002-2006
(Millions of dollars - stock)

	2002	2003	2004	2005	2006
MINING	5	7	13	11	9
MANUFACTURING	7,664	8,230	7,621	3,875	13,754
WHOLESALE	2,235	2,708	3,485	2,339	5,650
BANKING	NA	NA	788	829	
FINANCE	24,079				
FINANCE	7,417	7,437	9,401	9,580	1,288
SERVICES	1,810	1,434	4,098	4,407	3,474
OTHER	4,989	5,151	972	1,241	16,058
TOTAL	24,868	25,804	30,218	36,733	52,054

SOURCE: United States Department of Commerce, Survey of Current Business, September 2007

Web Resources

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Foreign Investment Offices:

Invest in Wallonia <http://www.investinwallonia.be/of-belgium/accueil.php>

Flanders Investment & Trade (FIT): www.investinlanders.com

Brussels Enterprise Agency (BEA): <http://www.abe-bao.be/mystart.aspx>

Belgium Trade and Industry Associations:

The Belgium Foreign Trade Agency: <http://www.abh-ace.org/frameset/aceiframe.html?Language=uk>

Vlaams Economisch Verbond (VEV-Flemish Economic Union): www.vev.be

Union Wallonne des Entreprises (Wallonian Enterprise Association): www.uwe.be

AGORIA (The Multisector Federation for the Technology Industry): www.agoria.be

Federation of Enterprises in Belgium (FEB): www.vbo-feb.be

Belgium Bioindustries Association (BBA): www.bba-bio.be

Federation of Automotive Industry (FEBIAC): www.febiac.be

essenscia - Belgian Federation for Chemistry and Life Sciences Industries:

<http://www.essenscia.be/EN/page.aspx/879>

Federation Petroliere Belge: www.petrofed.be

Federation of Textile Industry (FEBELTEX): www.febeltex.be

Export counseling:

The Ag Exporter Assistance: http://www.fas.usda.gov/agx/exporter_assistance.asp

Trade Leads: www.fas.usda.gov/agexport/tleadsinfo.html.

Foreign Buyer Lists: www.fas.usda.gov/agx/buying/foreignbuyers.htm.

Buyer Alert Programs and US Suppliers: www.fas.usda.gov/agexport/bainfo.html.

Other resources:

American Chamber of Commerce Belgium: www.amcham.be

American Chamber of Commerce EU: www.amchameu.be

Belgium Chambers of Commerce and Industry: <http://www.cci.be/Default.aspx?lc=en>

Brussels Chamber of Commerce: www.ccib.be

Visit USA Marketing and Promotion Bureau: www.visitusa.org

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Chapter 7: Trade and Project Financing

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How Do I Get Paid (Methods of Payment)

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Belgian importers are relatively small and tend to press for the most lenient credit terms possible, since they have fewer sources of inexpensive capital. Belgian importers are also accustomed to being offered flexible payment terms, particularly from neighboring trading partners such as France, Germany, the Netherlands, the U.K., Switzerland, and, to a lesser extent, Italy. Extended payment terms of 30, 60, 90 and even 120 days are not unusual, though the most common payment term is 30 days. Belgian businesses however, like many European ones, routinely delay payment beyond the agreed upon terms. In Belgium, 43 percent of all payments are not made by their anticipated due date, although 80 percent of these are effected within the 30 days following the original deadline. In short, 91 percent of all payments by Belgian businesses are made within 60 days. This is a better record than Italy's or the U.K.'s, and on par with France and the Netherlands.

Since the use of credit is widespread, offering more flexible credit terms can be an important factor in winning sales contracts in Belgium. U.S. firms should consider this option, provided they are able and willing to offer such terms, and have done a full credit check on the Belgian company. Even then however, it is advisable to try several shipments on a secured credit basis before moving to more lenient terms. There are several local credit agencies available, including Dun & Bradstreet and Graydon.

Import duties and value added tax (VAT) are applied to the CIF (Cost Insurance Freight) value of goods. The rate of import duties is the same rate as applied by all EU countries. Since products coming from other EU member states enter Belgium duty free, U.S. products often start off with an average 5-6 percent price disadvantage. By offering favorable credit terms, U.S. suppliers can help their importers offset a portion of that disadvantage.

How Does the Banking System Operate

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The Belgian banking system has long been known to be a sophisticated and liberal banking system. Standardized customer account numbers for all financial intermediaries are widely used, and internet and phone banking are well developed. There are no restrictions on the free movement of capital and regulatory requirements are minimal. There is a particularly wide and flexible range of loan products on offer to companies,

with no discrimination as to the nationality of the investor. There are also many options available when it comes to raising risk capital. Thanks to an efficient branch network, there is a large number of Belgian and foreign banks servicing the country. Due to the sheer volume of international business carried out in Belgium, more than half of all banking transactions are international financial transactions. The majority of Belgian banks also have an extensive international network based on strategically located branches in the main financial markets around the world. A number of the 121 banks located in Belgium feature prominently in the top 100 international banks. The combined assets of the three main banks (Fortis, ING and KB Group) amount to 370 billion U.S. dollars. As a result of the various alliances and mergers that took place in the 1990s, the Belgian banking landscape is particularly healthy and robust.

All credit institutions (banks and savings banks) operate under the same legal framework and are monitored by the same supervisory authorities. The Banking and Finance Commission (BFC) supervises the activities of financial institutions, including banks, investment funds, stock brokers, finance companies and holding companies. As a result of the deregulation of the banking sector in 1993, credit institutions have been able to offer all financial services, as defined by European legislation. The BFC supervises the financial sector in close coordination with the National Bank of Belgium (Belgium's central bank).

Domestic and foreign banks in Belgium are represented by the Belgian Bankers' Association (BBA). Since June 2003, the BBA has been part of the recently created professional organization that represents the whole Belgian financial sector (banks, investment funds, leasing companies, stock brokers, asset managers and companies offering credit to the household sector), called Febelfin.

The four main Belgian banks are ING, Dexia Bank, Fortis Bank and KBC. A full range of financial services is offered, with special account facilities for non-Belgian nationals. Banking services are also available from the Post Office. Banking hours are normally 9.00 a.m. to 4.00 p.m., Monday through Friday.

The main bankcard used in Belgium is the Mister Cash-Bancontact debit card, issued along with a PIN number upon opening a bank account in Belgium. In order to open an account, proof of identity, such as a passport, is required. The Bancontact card can be used to withdraw cash at ATMs, and to pay for almost anything in Belgium, including a newspaper, a parking meter, gasoline and a loaf of bread from the bakery. Credit options are also available on application. All bank ATMs in Belgium accept the Bancontact card; some accept MasterCard, Visa and other credit and debit cards. The major credit cards are generally accepted in stores, restaurants and hotels.

Foreign-Exchange Controls

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There are no foreign exchange limitations on the transfer of capital or profits in Belgium, except in exceptional situations (e.g., as with UN sanctions).

Citibank has branches in Belgium. The below banks have correspondent U.S. Banking arrangements:

Fortis Bank

Internet: <https://www.fortisbanking.be/portal/start.asp>

Fortis is an international financial services provider active in the fields of insurance, banking and investment, and ranks as one of Europe's 20 largest financial institutions. In its home market, the Benelux countries, Fortis occupies a leading position and offers a broad range of financial services to individuals, companies and the public sector.

The bank has offices in New York, Stanford, Dallas, and Boston.

KBC

Website: <https://www.kbc.be/IPA/D9e01/~E/~KBC/>

KBC focuses on five areas in which it focuses its activities: retail and private bank insurance, corporate services, asset management, market activities, and Central Europe. The KBC Group also has a key position in Central Europe, its second home market. In Brussels, Flanders and the German-speaking area, the bank is active under the name KBC; in Wallonia it uses the name of its subsidiary, CBC.

The KBC Group also has branches in New York, Atlanta and Los Angeles.

ING

Website: <https://promo.ing.be/expat/?LANG=EN>

Contact: Mr Dave Deruytter, ING Expatriates and Non-Residents - Tel: 32-2-5478626

ING is the number one financial services company in the Benelux home market. It offers its clients in these markets a wide range of retail-banking, insurance and asset management services. In wholesale banking activities, ING operates worldwide, but maintains a primary focus on the Benelux countries. In the United States, ING is a top-5 provider of retirement services and life insurance.

ING's operations in the U.S. are based in Atlanta, but the bank has a network of approximately 10,000 associates in cities around the country such as Hartford, Minneapolis, Denver, Des Moines and Phoenix.

Dexia Bank

Internet: <http://www.dexia.be>

Dexia is the recognized leader in project/public finance and in providing financial services for municipal and government bodies. Through its subsidiaries and affiliates, it is active in almost all EU countries, as well as in the United States. With its 2002 acquisition of Financial Security Assurance (FSA) in the United States, Dexia became a world leader in the municipal bond insurance market.

The network that exists today provides individual customers and small businesses with retail banking services. Due to its preeminent role in Luxembourg's financial market

(through the Dexia Banque Internationale à Luxembourg), Dexia is a major player in Europe in private banking, asset management, investment fund administration for third parties and financial services for high net worth individuals.

The bank is present in the U.S. through the Dexia Crédit Local New York Agency, the Financial Security Assurance and Dexia Global Structured Finance, all of which are located in New York and Washington.

Project Financing

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EU financial assistance programs provide a wide array of grants, loans, loan guarantees and co-financing for feasibility studies and infrastructure projects in a number of key sectors (e.g., environmental, transportation, energy, telecommunications, tourism, public health). From a commercial perspective, these initiatives create significant market opportunities for U.S. businesses, U.S.-based suppliers, and subcontractors.

The EU supports projects within its Member States, as well as EU-wide "economic integration" projects that cross both internal and external EU borders. In addition, the EU provides assistance to accession countries in Eastern and Southern Europe and Turkey, as well as some of the former Soviet republics.

The European Union provides project financing through grants from the European Commission and loans from the European Investment Bank. Grants from the Structural Funds are distributed through the Member States' national and regional authorities, and are only available for projects in the 27 EU Member States. All grants for projects in non-EU countries are managed through the EuropeAid Cooperation agency in conjunction with various European Commission departments, called "Directorates-General."

The CSEU Tenders Database

The U.S. Commercial Service at the U.S. Mission to the European Union offers a tool on its website to help U.S.-based companies identify European public procurement opportunities. The database features all current public procurement tenders issued by all national and regional public authorities in the 27 Member States of the European Union, plus four other European countries, and that are open to U.S.-based firms under the terms of the Government Procurement Agreement (GPA) implemented in 1995. The database is updated twice weekly and is easy to use with a range of search options, including approximately 20 industry sectors. The database also contains tenders for public procurement contracts relating to structural funds. Readers may access the database at http://www.buyusa.gov/europeanunion/eu_tenders.html.

EU Structural Funds

The EU Structural Funds, including the European Regional Development Fund, were created in 1975 to assist economically depressed regions of the European Union that required industrial restructuring. The EU earmarked EUR 308 billion for projects under the Structural Funds and the Cohesion Fund programs for the 2007-2013 period for the EU-27. In addition to funding economic development projects proposed by Member

States or local authorities, EU Structural Funds also support specialized projects promoting EU socioeconomic objectives. Member States negotiate regional and “sectoral” programs with officials from the regional policy Directorate-General at the European Commission. For information on approved programs that will result in future project proposals, please visit:

http://ec.europa.eu/regional_policy/atlas2007/fiche_index_en.htm.

For projects financed through the Structural Funds, Member State officials are the key decision-makers. They assess the needs of their country; investigate projects; evaluate bids; and award contracts. To become familiar with available financial support programs in the Member States, it is advisable for would-be contractors to meet with local officials to discuss local needs.

Tenders issued by Member States’ public contracting authorities for projects supported by EU grants are subject to EU public procurement legislation if they meet the EU minimum contract value requirement for the eligible sector. Below this threshold, tender procedures are subject to national procurement legislation. There are no overt prohibitions against the participation of U.S. companies, either as developers or concessionaires of projects supported partially by the Structural Funds, or as bidders on subsequent public tenders related to such projects, but it is advisable to team up with a local partner. All Structural Fund projects are co-financed by national authorities and most may also qualify for a loan from the European Investment Bank. The private sector is also involved in project financing. For more information on these programs, please see the market research section on the website of the US Mission to the EU:

<http://www.buyusa.gov/europeanunion/mrr.html>

The Cohesion Fund

The Cohesion Fund is another instrument of EU structural policy. Its EUR 61.5 billion (2007-2013) budget seeks to improve cohesion within the EU by funding transport infrastructure and environmental projects in Portugal, Spain, Greece and the twelve new (since 2004) EU Member States from Central and Eastern Europe. These projects are generally co-financed by national authorities, the European Investment Bank, and the private sector.

Key Link: http://ec.europa.eu/regional_policy/funds/cf/index_en.htm

The Trans-European Networks

The European Union also provides financial support to the Trans-European Networks (TENs) to develop infrastructure, strengthen cohesion and increase employment across greater Europe. Launched at the Essen Council (Germany) in 1994, the TENs are a series of transport, telecommunications and energy projects that are continually being expanded and upgraded. The TENs are largely financed by private sector and non-EU sources. The EU does, however, provide grants from the Cohesion Fund, loans from the European Investment Bank (and loan guarantees from the European Investment Fund), and partial feasibility study grants for the TENs. There are no overt EU restrictions on the participation of U.S. firms in the TENs.

Key Link: http://ec.europa.eu/ten/transport/index_en.htm

Other EU Grants for Member States

Another set of sector-specific grants offers assistance to EU Member States in the fields of science, technology, communications, energy, environmental protection, education, training and research. Tenders related to these grants are posted on the various websites of the directorates-generals of the European Commission. Conditions for participation are strict and participation is usually restricted to EU firms or tied to EU content. Information pertaining to each of these programs can be found on:

http://europa.eu.int/grants/index_en.htm

External Assistance Grants

The EuropeAid Cooperation Office is the European Commission agency in charge of managing the EU's external aid programs. This Agency is responsible for the management of the entire project cycle, from identification to evaluation, while the Directorates-General in charge of External Relations and Development, are responsible for the drafting of multi-annual programs. The EuropeAid website offers extensive information on the range of grant programs, the kind of projects that are eligible, as well as manuals to help interested parties understand the relevant contract law. However, participation to calls for tender for contracts financed by EuropeAid is reserved for enterprises located in the EU Member States and require that the products used to respond to these projects are manufactured in the EU or in the aid recipient country. European subsidiaries of U.S. firms are eligible to participate in these calls for tender.

Key Link: http://europa.eu.int/comm/europeaid/index_en.htm

All tenders related to EU-funded programs outside the territory of the European Union (including the accession countries) are located on the EuropeAid Cooperation Office website: http://europa.eu.int/comm/europeaid/tender/index_en.htm.

Two new sets of programs have been approved for the financing period 2007-2013. As of January 2007, the EU will provide specific Pre-Accession financial assistance to the accession candidate countries that seek to join the EU through a new instrument called the Instrument for Pre-accession Assistance (IPA). Also, the European Neighborhood and Partnership Instrument (ENPI) will provide assistance to countries that are the Southern Mediterranean and Eastern neighbors of the EU.

- IPA replaces the following programs: PHARE (Poland and Hungary Assistance for Restructuring of the Economy), ISPA (Instrument for Structural Pre-Accession financing transport and environment projects), SAPARD (projects in the agriculture sector), CARDS (aid to southern Balkans) and the Turkey Facility Fund. IPA focuses on priorities linked to the adoption of the *acquis communautaire* (the body of European Union law that must be adopted by accession candidate countries as a precondition to accession), i.e., building up the administrative and institutional capacities and financing investments designed to help them comply with European Commission law. IPA will also finance projects destined to countries that are

potential candidate countries, especially in the Balkans. The budget of IPA for 2007-2013 is EUR 11.4 billion.

Key Link: http://ec.europa.eu/enlargement/financial_assistance/ipa/index_en.htm

- ENPI: replaces the former TACIS and MEDA programs. The European Neighborhood Policy program covers the EU's neighbors to the east and along the southern and eastern shores of the Mediterranean i.e. Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, Syria, Tunisia and Ukraine. ENPI budget is € 11,9 billion for 2007-2013.

Loans from the European Investment Bank

Headquartered in Luxembourg, the European Investment Bank (EIB) is the financing arm of the European Union. Since its creation in 1958, the EIB has been a key player in building Europe. As the EIB's lending practices evolved over the years, it became highly competent in assessing, reviewing and monitoring projects. As a non-profit banking institution, the EIB offers cost-competitive, long-term lending in Europe. Best known for its project financial and economic analysis, the Bank makes loans to both private and public EU-based borrowers for projects in all sectors of the economy, such as telecommunications, transport, energy infrastructure and environment.

While the EIB mostly funds projects within the EU, it lends outside the EU as well (e.g., in Central, Eastern and Southeastern Europe; Latin America; and Pacific and Caribbean states). In 2006, the EIB approved loans for projects worth EUR 53.3 billion, of which around 14% was lent outside the EU. The EIB also plays a key role in supporting EU enlargement with loans used to finance improvements in infrastructure, research and industrial manufacturing to help those countries prepare for eventual EU membership.

Projects financed by the EIB must contribute to the socioeconomic objectives set out by the European Union, such as fostering the development of less favored regions; improving European transport and telecommunication infrastructure; protecting the environment; supporting the activities of SMEs; assisting urban renewal; and, generally promoting growth, competitiveness and employment in Europe. Last year, the EIB created a list of projects to be considered for approval and posted the list on its website. As such, the EIB website is a source of intelligence on upcoming tenders related to EIB-financed projects: <http://www.eib.org/projects/>.

The EIB presents attractive business opportunities to U.S. businesses. EIB lending rates are lower than most other commercial rates. Like all EIB customers, however, U.S. firms must apply the loan proceeds to a project that contributes to the European objectives cited above.

The EIB's i2i (Innovation 2010 Initiative) is designed to highlight projects that support innovative technology in the European Union, in particular by financing broadband and multimedia networks; the physical or virtual infrastructure providing local access to these networks; and research and development infrastructures, especially in the less developed regions of the European Union. i2i will also finance projects to computerize

schools and universities and to provide information technology training in conjunction with public authorities.

Key Link: http://www.eib.org/Attachments/thematic/innovation_2010_initiative_en.pdf

The US Mission to the European Union in Brussels has developed a database to help US-based companies bid on EIB public procurement contracts in non-EU countries in particular. The EIB-financed contracts that are open to US-based companies are featured in this database. All the tenders in this database are extracted from the EU's Official Journal. The EIB database contains on average 50 to 100 tenders and is updated twice per week.

Key Link: http://www.buyusa.gov/europeanunion/eu_tenders.html

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Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule: http://www.exim.gov/tools/country/country_limits.html

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation: <http://www.fsa.usda.gov/cc/default.htm>

U.S. Agency for International Development: <http://www.usaid.gov>

EuropeAid Co-operation Office: http://europa.eu.int/comm/europeaid/index_en.htm

EU Grants and Loans index: http://ec.europa.eu/grants/index_en.htm

The European Investment Bank: <http://www.eib.org/>

The EU regional policies, the EU Structural and Cohesion Funds:
http://ec.europa.eu/regional_policy/index_en.htm

European Union Tenders Database:
<http://www.buyusa.gov/europeanunion/euopportunities.html>

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Business Customs

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Business appointments are necessary and the person with whom you are meeting will generally decide the time. Avoid scheduling meetings during July and August, the week before Easter, and the week between Christmas and New Year's, as they are prime vacation times. It is expected to arrive on time to an appointment, as arriving late may create the impression of unreliability. Meetings are formal but first appointments are more social than business oriented, since Belgians prefer to do business with people they know. It is best not to remove your jacket during a meeting.

Business cards are exchanged without formal ritual and it is recommended to have one side translated into Dutch or French (depending on the area of the country where you are doing business). If you have meetings in both the Flemish-speaking and Francophone areas, it is beneficial to have two sets of business cards printed, and to be careful to use the appropriate ones.

Travel Advisory

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SAFETY AND SECURITY: Belgium remains largely free of terrorist incidents. Belgian law enforcement and security officials, in close cooperation with neighboring countries, maintain a solid anti-terrorism effort and a peaceful environment for tourists and business. However, like other countries that are members of the Schengen Agreement of free cross-border movement, Belgium's open borders with its European neighbors allow the possibility for terrorist groups to enter/exit the country with anonymity. Prior police approval is required for public demonstrations in Belgium, and police oversight is routinely provided to ensure adequate security for participants and passers-by. Nonetheless, situations may develop that could pose a threat to public safety. U.S. citizens are advised to avoid areas where public demonstrations are taking place.

CRIME: Belgium remains relatively free of violent crime, but low-level street crime is common. Visitors should always be watchful and aware of their surroundings, however, because muggings, purse snatchings, and pick pocketing occur frequently, particularly in the major cities. Transportation hubs, like the Metro (subway) and train stations, are also frequented by thieves, who take advantage of disoriented travelers carrying luggage. In Brussels, pick-pocketing, purse snatching, and theft of light luggage and laptops are common at the three major train stations -- the North Station (Noordstation or Gare du Nord), the Central Station (Centraal Station or Gare Central) and especially at the South Station (Zuidstation or Gare du Midi). The latter is a primary international train hub, and travelers are advised to pay very close attention to their personal belongings when in the station. Common ploys are to distract the victim by spraying shaving cream or another substance on his or her back or asking for directions while an accomplice steals the luggage. It is a good idea to remain in physical contact with hand luggage at all times, and not to place carry-on luggage on overhead racks in trains. Another growing problem, especially in Brussels, is theft from vehicles, both moving and parked. Do not leave valuables in plain sight where a thief may spot them. Thieves will sometimes position themselves at stop lights to scan for valuables in stopped cars. If they see a purse or other valuable item they break the window and steal the item while the victim is stunned. Expensive car stereos and GPS navigational devices are often stolen from parked cars. Always drive with windows up and doors locked. Travelers to Brussels should be aware that small groups of young men sometimes prey on unwary tourists, usually at night and often in Metro stations. Items such as expensive mobile phones and MP3 players are often the target. Travelers should carry only a minimum amount of cash, credit cards, and personal identification. Wearing expensive jewelry and watches is discouraged.

Americans living and traveling abroad should regularly monitor the Department's Internet web site at <http://travel.state.gov>, where the current Worldwide Caution Public Announcement http://travel.state.gov/travel/cis_pa_tw/pa/pa, and the Belgium Consular Information Sheet http://travel.state.gov/travel/cis_paPtw/cis/cis_1055.html can be found. Up-to-date information on security can also be obtained by calling 1-888-407-4747 toll free in the U.S. and Canada, or, for callers outside the U.S. and Canada, a regular toll line at 1-202-501-4444. These numbers are available from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday through Friday (except U.S. federal holidays).

Visa Requirements

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American Citizens do not need a visa when they travel to Belgium for business or for personal travel. The stay in the Schengen area should not exceed 90 days within a six month period. The American visitor will need to present a valid American passport (that does not expire before the end of the visit), proof of sufficient funds and a return airline ticket.

The Schengen visa is valid for the following 24 European countries: Austria, Belgium, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain and Sweden. A Schengen visa issued by an Embassy or Consulate of the above countries allows the holder to travel freely in all of these countries.

Visas issued on or before December 20, 2007 by the new Schengen States (Latvia, Lithuania, Estonia, Hungary, Poland, The Czech Republic, Slovakia, Slovenia and Malta) are only valid for these nine new Schengen countries, not for the whole Schengen area.

A citizen of the United States of America who intends to reside in Belgium for a period longer than 90 days, or for a succession of periods totaling more than 90 days per 6 month period, must first obtain a temporary residency visa.

When the applicant seeks to engage in a professional activity on an independent basis, the required residency visa can only be issued upon the presentation of a professional card and supporting documents.

The professional card is applied for through the Embassy or Consulate General and must be approved **before** the Embassy can issue a visa.

When the applicant seeks to engage in a professional activity on a salaried basis (employee status), the required residency visa can only be issued upon the presentation of a work permit and supporting documents.

The work permit is applied for and must be obtained by the employer in Belgium at the appropriate regional government office before the prospective employee enters Belgium.

The employer mails the work permit to you, the employee. You can then contact the appropriate consular office in whose jurisdiction you are a resident, to apply for the temporary residency visa. Please request your visa at least three weeks prior to your intended departure date. The normal processing time for this type of visa is one week. See <http://www.diplobel.us/TravelingBelgium/Visas/IndependentProfessionals.asp> for more information on application procedures for the professional card and temporary residence visa.

U.S. Companies that require travel of foreign businesspersons to the United States should be advised that security options are handled via an interagency process. Visa applicants should go to the following links.

State Department Visa Website: <http://travel.state.gov/visa/index.html>

United States Visas.gov: <http://www.unitedstatesvisas.gov/>

<http://belgium.usembassy.gov/service.html>

Telecommunications

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There are several telephone companies in Belgium, but in order to be connected to the landline network, an initial subscription must be taken with **Belgacom**, the national Belgian telephone company. Belgacom offers telephone and Internet services for private individuals as well as small companies and medium to large entities.

There are three major service providers for mobile telephones in Belgium: Base SA (<http://www.base.be/page.aspx/918>), Mobistar NV (<http://business.mobistar.be/en/>), and Proximus (<http://customer.proximus.be/en/index.html>). Each company offers a range of services and packages, and it is recommended to compare tariffs and conditions carefully before entering into a contract. International roaming (which allows a phone on a Belgian contract to work outside the country) is available but must be requested and may cost extra. In order to obtain a mobile phone contract, visit a shop and provide the following:

- ❑ ID (passport or identity card)
- ❑ Proof of address (a utility bill, property rental contract or bank statement)
- ❑ Bank account IBAN number

The alternative to a permanent contract at a fixed monthly rate is a rechargeable/pay as you go card, where the prepaid card must be regularly reloaded with additional credit.

Transportation

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Road and Rail Networks

Belgium has a highly developed road network, the densest in the world. High-capacity motorways are located around Brussels or cut across the country, such as the Wallonia motorway. A network of expressways supports the motorways.

Most of the motorways are part of other European routes. They facilitate access to neighboring countries and make it possible to travel easily from one town to another or across a region.

The Belgian rail network was the first to be built on continental Europe and is the densest in the world. However, the density is not uniform throughout the country, due to the recent trend of eliminating unprofitable lines. Resources are generally poured into large international routes, either completely electrified or in the process of being electrified.

The high-speed train network will comprise a total of 300 km of line, half of which will be newly converted to take speeds of up to 300 km/h.

For more information see Belgian Railways (SNCB/NMBS) <http://www.b-rail.be/main/E/>

Inland waterways

Inland waterways form a relatively evenly dispersed network, although there are none in the southeastern part of the country due to the terrain. The network depends on two large rivers: the Meuse and the Scheldt.

One national airport and four regional airports

Belgium has one international airport (Brussels International Airport) and four regional airports (Antwerp-Deurne, Charleroi-Gosselies, Liège-Bierset and Ostend-Middelkerke).

The airport is currently enhancing its relations with many different regions around the world. It also features a fair balance between scheduled flights and charter flights.

Brussels International Airport is sometimes backed up by the regional airports, which provide extra support. Each of these airports specializes in certain niche markets.

Antwerp-Deurne: small airlines, business flights and freight

Charleroi-Gosselies: industrial airport (aeronautics industry), tourist and business flights, some scheduled services and cargo

Liège-Bierset: air freight (courier express), tourist flights and some scheduled services

Ostend-Middelkerke: air freight (especially with Africa), scheduled services and tourist flights

For more information see: Brussels International Airport <http://www.brusselsairport.be>

As in other countries, each industry/product uses its own mode of transport. For mass retail and merchandise, road networks are utilized for short distances (foodstuffs, etc.). For construction materials, oil and chemicals, inland waterways are typically used. Most energy and steel products are transported via the rail networks.

Language

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Belgium has three national languages: Dutch (also referred to as Flemish), French, and German. English is spoken and understood throughout most of Belgium. In Flanders, the northern region of Belgium, Dutch is the predominant language while in Wallonia, the southern region, most people speak French. Residents in a small section of Belgium near Germany speak German as their primary language. Brussels, the center region, is officially bilingual, speaking both Dutch and French.

As in any other country, language is a crucial part of doing business in Belgium. Many documents must be filed in at least one of the three national languages. It would benefit companies to have personnel who speak one of the languages, or to seek the help of a professional translator.

Health

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MEDICAL FACILITIES AND HEALTH INFORMATION: Good medical facilities are widely available in Belgium. The large university hospitals can handle almost every medical problem. Hospitals in Brussels and Flemish-speaking Flanders will probably have English-speaking staff. Hospitals in French-speaking Wallonia may not have staff members who are fluent in English, however. The Embassy Consular Section maintains a list of English-speaking doctors, which can be found on the Embassy web site at http://brussels.usembassy.gov/medical_facilities.html

Information on vaccinations and other health precautions, such as safe food and water precautions and insect bite protection, may be obtained from the Centers for Disease Control and Prevention's hotline for international travelers at 1-877-FYI-TRIP (1-877-394-8747) or via the CDC's web site at <http://wwwn.cdc.gov/travel/default.aspx>. For information about outbreaks of infectious diseases abroad consult the World Health Organization's (WHO) web site at <http://www.who.int/en>. Further health information for travelers is available at <http://www.who.int/ith>.

MEDICAL INSURANCE: The Department of State strongly urges Americans to consult with their medical insurance company prior to traveling abroad to confirm whether their policy applies overseas and whether it will cover emergency expenses such as a medical evacuation. Please see our information on [medical insurance overseas](#).

Local Time, Business Hours, and Holidays

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Belgium is six hours ahead of Eastern Time in the United States (Greenwich Mean Time [GMT] + 01:00 Standard Time).

Business Hours:

8.30 am to 5.30 pm - Offices (Monday to Friday with 30-60 minutes for lunch)

9.00 am to 3.30 pm - 5.00 pm - Banks (Monday to Friday)

9.00 am to 6.00 pm - Shops (Monday to Saturday and until 9.00 pm on Fridays)

Typical hours for museums are 10.00 am to 5.00 pm, six days a week, and are closed on either Monday or Tuesday. Belgians usually have lunch between 1.00 pm and 3.00 pm and dinner, their main meal, between 7.00 pm and 10.00 pm, with peak traffic around 9.00 pm. Some stores close from noon to 2.00 pm, but stay open until 8.00 pm to compensate. In many towns, stores will stay open until 9.00 pm one evening a week, normally Fridays.

2008 Holidays:

January 1	New Year's Day
March 21	Good Friday
March 24	Easter Monday
May 1	Labor Day
May 2	Ascension Day
May 12	Whit Monday
July 21	National Day
August 15	Assumption Day
November 3	All Saints Day
November 11	Armistice Day
December 25	Christmas
December 26	Boxing Day

Temporary Entry of Materials and Personal Belongings

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Legislation exists that exempts goods from import duties and VAT, if they are brought into Belgium for re-export. Such goods must be kept in a bonded warehouse until they are re-exported. The shipment does not have to be re-exported in total; the portion of the shipment destined for the local or EU market is liable for duties and VAT at the time when the importation takes place. Additionally, goods may be sorted, repacked and relabeled in bonded warehouses. Many customs clearing agents in the main ports and airports are able to provide these services in bonded warehouses.

For temporary entry of goods, Belgium accepts an ATA Carnet. An ATA Carnet is an international customs document that simplifies customs procedures for the temporary importation of commercial samples, professional equipment, and goods for exhibitions and fairs.

Personal belongings are acceptable for transport to Belgium and can be processed with customs approval with exemption from duty and taxes. A Commercial Invoice is required for all shipments seeking this type preference from customs. In order to ensure that the goods are properly identified and processed as Personal Effects, the shipper should mark both the Bill of Lading / Air Waybill and Commercial Invoice with this wording: "USED PERSONAL BELONGINGS".

Shipments of personal effects that are received without the proper documents and descriptions will be subject to normal entry, and documentation requirements and delays may result in the clearance. Shippers are cautioned to submit only qualified personal effects (used personal goods having been in the owner's possession for a period of at least one year) and **not** to include articles (new clothing, souvenirs, etc.) that do not qualify. See http://www.fedex.com/us/international/irc/profiles/irc_be_profile.html?gtmcc=us for further information on document requirements.

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www.VisitBelgium.com

<http://www.diplobel.us/>

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Contacts

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Foreign Commercial Service Belgium:

Mr. Paul J. Kullman

Counselor for Commercial Affairs
www.buyusa.gov/belgium

Mrs. Heidi Pichler-Schubert

Commercial Attaché

Mr. Ira Bel

Tel: +32 2 508 2434

- Information/Communications Technology
- Services
- Aerospace/Defense
- NATO procurement

Ms. Danny Dumon

Tel: +32 2 508 2888

- Medical/Pharmaceutical
- Safety/Security
- Energy and Power Generation
- Security equipment and services

Mrs. Brigitte de Stexhe

Tel: +32 2 508 2454

- Travel and Tourism
- Textile and Apparel
- Books, Media, Paper and Allied products
- Seafood

Mr. Stephane Croigny

Tel: +32 2 508 2456

- Automotive
- Franchising

- Environmental Technologies
- General Industrial Equipment

Other Contacts:

Regional Governments:

Ministry of the Walloon Region: <http://mrw1.wallonie.be/>

Ministry of the Brussels Region-Brussels Capitol:

<http://www.brussels.irisnet.be/en/citoyens/home.shtml>

Ministry of the Flemish Region:

http://www.flanders.be/NASApp/cs/ContentServer?pagename=MVG_FL/Page/MVG_FL_Home&cid=1018548008451&c=Page

The Belgium Foreign Trade Board: <http://www.abh-ace.org/frameset/aceiframe.html?Language=uk>

Belgium Export Promotion:

Walloon Export Agency (AWEX): <http://awex.wallonie.be/awex/EN/>

Brussels Export: <http://www.bruxelles-export.be/index.cfm?fromhome&lang=en>

Flanders Investment & Trade (FIT): www.investinlanders.com

Belgium Trade and Industry Associations:

AGORIA (The Multisector Federation for the Technology Industry): www.agoria.be

Federation of Enterprises in Belgium (FEB): www.vbo-feb.be

Belgium Bioindustries Association (BBA): <http://www.bba-bio.be/index.cfm?lang=en>

Federation of Automotive Industry (FEBIAC): www.febiac.be

Federation of Belgium Chemical Industries (FEDICHEM):

<http://www.essenscia.be/EN/page.aspx/879>

Federation Petroliere Belge: www.petrolfed.be

Federation of Textile Industry (FEBELTEX): www.febeltex.be

Vlaams Economisch Verbond (VEV-Flemish Economic Union): www.vev.be

Union Wallonne des Entreprises (Wallonian Enterprise Association): www.uwe.be

Export counseling:

The Ag Exporter Assistance: <http://www.fas.usda.gov/default.asp>

Trade Leads: www.fas.usda.gov/agexport/tleadsinfo.html.

Foreign Buyer Lists: www.fas.usda.gov/agx/buying/foreignbuyers.htm.

Buyer Alert Programs and US Suppliers: www.fas.usda.gov/agexport/bainfo.html.

Foreign Investment Offices:

Office for Foreign Investors in Wallonia: <http://www.investinwallonia.be/ofi-belgium/>

Flanders Investment & Trade (FIT): www.investinlanders.com

Brussels Enterprise Agency (BEA): <http://www.abe-bao.be/mystart.aspx>

American Chamber of Commerce Belgium: www.amcham.be

American Chamber of Commerce EU: www.amchameu.be

Belgium Chambers of Commerce and Industry: <http://www.cci.be/Default.aspx?lc=en>

Brussels Chamber of Commerce: www.ccib.be
Visit USA Marketing and Promotion Bureau: www.visitusa.org

Market Research

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To view market research reports produced by the U.S. Commercial Service please go to the following website: <http://www.export.gov/marketresearch.html> and click on Country and Industry Market Reports.

Please note that these reports are only available to U.S. citizens and U.S. companies. Registration to the site is required, but free of charge.

Trade Events

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Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents.html>

http://www.buyusa.gov/belgium/en/trade_events.html

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Chapter 10: Guide to Our Services

The U.S. Commercial Service offers customized solutions to help your business enter and succeed in markets worldwide. Our global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers

For more information on the services the U.S. Commercial Service offers U.S. businesses, please click on the link below.

<http://www.buyusa.gov/belgium/en/partnership.html>

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U.S. exporters seeking general export information/assistance or country-specific commercial information should consult with their nearest **Export Assistance Center** or the **U.S. Department of Commerce's Trade Information Center** at **(800) USA-TRADE**, or go to the following website: <http://www.export.gov>

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.