

## Committee on Technical Barriers to Trade

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	<b>Member to Agreement notifying:</b> <u>THE NETHERLANDS</u> <b>If applicable, name of local government involved (Articles 3.2 and 7.2):</b>
2.	<b>Agency responsible:</b> Ministry of Health, Welfare and Sport <b>Agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b> National Enquiry Point – EC WTO TBT Enquiry Point
3.	<b>Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b>
4.	<b>Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Herbal preparations and foodstuffs and other products which contain herbal preparations (some examples are: nutritional supplements containing herbs, herbal tea, and soft drinks which contain herbal extracts). Products which are already regulated in another legal framework will be excluded from the operation of this decree. Examples of products which are not covered by this decree are: pharmaceutical products and cosmetics.
5.	<b>Title, number of pages and language(s) of the notified document:</b> Commodities Act Decree herbal preparations.
6.	<b>Description of content:</b> Herbal preparations are prepared from plants. The Commodities Act Decree on herbal preparations contains an appendix in which a number of plants are named whose use is forbidden or strictly controlled. Included in the list are plants which are at the present time known scientifically to be able to exert damaging effects on health. In addition, a number of labelling requirements will be set for herbal preparations. Thus, in the case of an assertion being made about the action or properties of the product, the trader who brings herbs onto the market must be able to substantiate this claim with objective information. In addition, herbal preparations in the form of foodstuffs must contain directions for use and dosage instructions. Herbal preparations in forms other than foodstuffs must include, amongst other things, a list of ingredients, directions for use and dosage instructions.
7.	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> Herbal preparations are being used ever more frequently because of the possible health effects such as a stimulating or calming effect. It is, however, also known that the use of certain herbal preparations can pose serious risks to health. There are well known examples of the use of certain preparations in slimming pills which have led to permanent kidney damage in consumers. Therefore it is necessary for the sake of public health that there is legislation in this field. For the rest, pharmaceutical products and cosmetics (which are regulated on a European level) are outside the scope of this decree.

<b>8.</b>	<b>Relevant documents:</b>
<b>9.</b>	<b>Proposed date of adoption:</b> December 2000 <b>Proposed date of entry into force:</b> 1 January 2001
<b>10.</b>	<b>Final date for comments:</b> 15 December 2000
<b>11.</b>	<b>Texts available from:</b> National enquiry point <input checked="" type="checkbox"/> or address, e-mail and telefax number of the other body: