



**U.S.
COMMERCIAL
SERVICE**
United States of America
Department of Commerce

Doing Business in Romania:

2018 Country Commercial Guide for U.S. Companies

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Doing Business in Romania

-- Market Overview

Romania is a market with excellent potential, a strategic location, and a favorable business climate. Its economy is among the EU's fastest growing; 4.8% growth in 2016 and 6.9% growth in 2017 (the highest since 2008). This growth is primarily consumption-based driven by the Government of Romania's (GOR) lax fiscal policy, namely tax cuts, minimum wage increases and public sector and pension increases. Nevertheless, the economy is booming in nearly every sector.

The National Bank of Romania maintained a relaxed monetary policy to support the economy after the Financial Crisis in 2008. The central bank gradually cut interest rates from 10.25% at the beginning of 2009 to 2.5% at present. However, beginning in early 2018, the Bank has started monetary tightening - raising rates from 1.75 to 2.5% and likely to 3% by year end. Public debt is currently at 35% of GDP, and the Romanian currency has been relatively stable against the euro since 2009.

Romania is eligible to receive approximately €43 billion (\$57.1 billion) in EU funding for the 2014-2020 programming period, but Romania's lack of institutional capacity has limited its ability to effectively access these funds. Bilateral trade in goods between Romania and the United States amounted to \$3.149 billion in 2017, with \$2.2 billion in Romanian exports to the United States and \$948 million in U.S. exports to Romania¹.

The balance of this report is intended to aid American companies in developing and executing new and increased sales to this important and promising – yet still transitional – EU market.

-- Market Challenges

Romania overthrew its communist regime more than 28 years ago, yet the Romanian government still plays an oversized role in the economy in terms of employment, ownership of assets, and influence on the business environment. State-owned enterprises shape many industries as dominant customers, suppliers or, in some cases, competitors. Despite pleas

¹ <https://www.census.gov/foreign-trade/balance/c4850.html>

from the international finance and business community, state-owned enterprises in the country do not regularly utilize private management.

While some progress has been made since joining the EU in 2007, companies in Romania still report challenges regarding the independence and efficiency of the judicial system, corruption, bureaucracy, and political instability. Romania's poor infrastructure continues to negatively impact business costs, productivity, public safety, and the country's ability to attract foreign investment. The country's connections to the rest of the EU's transportation infrastructure are still underdeveloped, thus thwarting the country's ability to realize its full potential for new investment, trade and tourism.

Romania is not a member of the "Euro Zone", so all payments are made in local currency – the New Romanian Lei (RON). However, many companies and consumers have debt denominated in euros, and most big-ticket consumer items (i.e., real estate, cars, and major appliances) are priced in euros.

-- Market Opportunities

Romanians are generally very welcoming of Americans and very favorable towards products and services from in the USA. Despite the challenges, several underlying attributes of the economy allow it to keep positive momentum. As an EU member state, Romania offers a sizable domestic market and a comparatively low-cost foothold for accessing the entire EU market. The country's location in Southeast Europe, bordering on the Black Sea, provides a view beyond Europe and shortens the distance for export sales to Turkey, the Balkans, the Middle East, Ukraine and Moldova.

The U.S. Commercial Service Romania believes that the best prospects for U.S. companies in Romania are in the following sectors - each of which is explored in greater detail later in this report:

- Agricultural Machinery and Equipment
- Defense
- Energy, Oil & Gas, Renewable Energy
- ICT (Information & Communications Technology)

- Transportation (Road & Rail, Technical Equipment)
- Agricultural Products

-- The European Union and EU Funding

Romania has been a member of the European Union since January 2007. The country benefits from EU funds in two subsequent programming periods, namely 2007-2013 and 2014-2020.

For the first programming period, the EU allocated approximately €19.2 billion (\$21.12 billion) for Romania. The eligible sectors ranged from areas such as transport and rural development, education and social inclusion, to energy and environment. The funds were slowly utilized during the first years; however, the absorption rate ultimately reached almost 90%. However, this high absorption rate was largely because the EC agreed to roll over uncompleted funding from the 2014-2020 cycle. In infrastructure, for example, the absorption rate would have been below 70% without this roll-over provision.

The Government has taken several measures to improve the absorption rate, such as decreasing the procedural timeframe needed to process reimbursement claims. In addition, the Government adopted a simplified award procedure of contracts for goods and services. Despite these measures, the absorption rate for the current period remains under 10%.

For the current programming period 2014-2020, the EC has allocated to Romania €43 billion (\$ 57.1 billion in 2014) including the following programs below:

- **Competitiveness Operational Program** (€1.33 billion/\$1.76 billion from European Regional Development Fund): focusing on strengthening research, development and innovation (RDI), supporting economic competitiveness and the development of business, as well as enhancing access to information and communication technologies (ICT), for a competitive digital economy.
- **Human Capital Operational Program** (€4.22 billion/\$5.6 billion from European Social Fund and Youth Investment Initiative): represents an important source of investment in employment, education and social inclusion, with a focus on youth, Roma integration and rural population.

- **Large Infrastructure Operational Program** (€9.41 billion/\$12.5 billion from European Regional Development Fund and Cohesion Fund): addresses the development challenges in the fields of transport infrastructure, sustainable urban transport, environment, and energy and risk prevention.
- **Regional Operational Program** (€6.7 billion/\$8.9 billion from European Regional Development Fund): aims at promoting smart sustainable and inclusive growth in all regions in Romania.
- **Administrative Capacity Operational Program** (€0.55 billion/\$0.73 billion from European Social Fund): has the objective to improve the efficiency, the transparency and the accessibility of Romania's public administration and judicial system.
- **Technical Assistance Operational Program** (€0.21 billion/\$0.278 billion from European Regional Development Fund): covers support for the management of European Structural and Investment Funds.
- Other programs include the **National Rural Development Program** (€8 billion/\$10.628 billion), **Fisheries Operational Program** (€0.17 billion/\$0.22 billion) and **Territorial Cooperation Programs** (€0.45 billion/ \$0.59 billion).

Additionally, the European Investment Bank concluded an agreement with the Government of Romania and the European Commission in early 2016 for the implementation of an SME Initiative in Romania. It is expected that €0.5 billion (\$0.555 billion) of new SME financing will be provided under this Initiative.

To ensure that U.S. companies get the full benefits of the trade agreements the United States has negotiated, the U.S. Government has developed a trade compliance initiative that includes the establishment of the [Interagency Trade Enforcement Center \(ITEC\)](#). U.S. trade agencies work closely and diligently with the business community to ensure that the EU and its member states comply with their bilateral and multilateral trade obligations, and to minimize market access problems affecting U.S. firms.

-- Market Entry Strategy

A local business presence is essential to success in the Romanian market. This can take the form of a distributor agreement, subsidiary, joint venture, or acquisition. Regardless of the form of investment or entry strategy, American businesses considering the Romanian market should research their specific prospects thoroughly, perform due diligence, and be prepared to adapt their business models as necessary. Retaining legal and financial counsel with solid knowledge of Romanian law is valuable, and firms should also develop relationships with other service providers, such as banks and accountants.

Political Environment

See the State Department's website for background on the country's political environment:

www.state.gov/r/pa/ei/bgn/35722.htm

Selling U.S. Products & Services

-- Using an Agent to Sell U.S. Products and Services

While not legally required in Romania, local agents, distributors and joint venture partners can contribute significantly to the success of an American company by bringing knowledge of the market, industry experience, access to key contacts, and other resources. Selecting a distributor is a serious strategic decision, with long-term business and legal implications. When establishing a contract with a distributor or joint venture partner, American companies are advised to seek legal advice to draft a distribution agreement that is compliant with local regulations and standard business practices.

The U.S. Commercial Service Romania (CS Romania) advises against relying on internet searches, association lists, or other passive methods for finding a partner. Through its matchmaking services, CS Romania helps U.S. companies find and qualify prospective agents, distributors or representatives, and can perform background checks on Romanian companies.

Companies' agents and distributors can take advantage of the European Ombudsman. Complaints can be made to the European Ombudsman only by businesses and other bodies with registered offices in the EU. The Ombudsman can act upon these complaints by investigating cases in which EU institutions fail to act in accordance with the law, fail to respect the principles of good administration, or violate fundamental rights. In addition, SOLVIT, a network of national centers, offers online assistance to citizens and businesses who encounter problems with transactions within the borders of the single market.

Key Links:

European Ombudsman: www.ombudsman.europa.eu/home/en/default.htm

SOLVIT Solutions to problems with your EU rights:
www.ec.europa.eu/solvit/site/about/index_en.htm

-- Establishing an Office

Opening a local office in Romania involves several steps:

1. Choose the type of company

General Partnership (SNC): A general partnership is an *intuitu personae* company (in consideration of the shareholders' quality) and can be set up by at least two shareholders. The partnership relationship is based upon a contract, and any person able to enter into a binding contract may enter into a partnership. Like with the other four types of companies (briefly described below), the shareholders must register their partnership with the National Trade Register Office of the Ministry of Justice. The shareholders in a general partnership have unlimited and joint liability towards the company's debts and obligations.

Limited Partnership (SCS): As with other jurisdictions, a limited partnership consists of one or more general shareholders, who manage the company's business, and one or more limited shareholders who contribute capital (money or other property) to the partnership, but do not participate in its management. Limited shareholders are not liable for the debts and obligations of the partnership beyond their contribution to the registered capital, while the other shareholders (who also manage the company) have unlimited and joint liability towards the company debts and obligations.

Joint-Stock Company (SA): A joint stock company is a limited liability corporation with registered share capital of at least RON 90,000 (\$22,600 at the current exchange rate) and with at least two shareholders. Shares, with a nominal value of at least RON 0.1 each, can be nominative shares or bearer shares, and can be freely traded or pledged. A joint stock company may be set up privately or by public subscription. At the time of the company's registration, each shareholder must pay at least 30% of his/her portion of the subscribed share capital, with the remaining 70% to be paid within a maximum of 12 months (in case of shares issued following a cash contribution to the share capital) or 2 years (in case of shares issued following an in kind contribution to the share capital).

Limited Partnership by Shares (SCA): This type of company has the same legal regime as a Limited Partnership, other than the fact that the share capital is divided into shares. Thus, the company's obligations are guaranteed by the capital and by the unlimited and joint liability of the general partners. The limited partners are liable only within the limit of the

subscribed share capital. Like the joint stock company, the SCA's share capital cannot be less than RON 90,000.

Limited Liability Company (SRL): A limited liability company is a company set up by at least one shareholder and cannot have more than 50 shareholders. An individual or a legal entity can act as sole shareholder in only one SRL. At the same time, an SRL cannot have as sole shareholder another company that is owned in its turn by a sole shareholder. The subscribed share capital of an SRL is at least RON 200 (around \$50 at the current exchange rate) and is divided into shares with a nominal value of at least RON 10 each. Shares can be freely traded among shareholders. The transfer of shares to third parties must be approved by the shareholders holding at least $\frac{3}{4}$ of the company's capital.

Representative Offices: Foreign companies may open representative offices in Romania following registration with the Department of Foreign Trade in the Ministry of Economy. Representative offices cannot carry out commercial activities on their own behalf, but are entitled to promote the business of their parent organizations.

Branches: Foreign companies may establish branches in Romania. These entities have no legal capacity and can only carry out the activities within the object of activity of the parent company. They must be registered with the relevant trade registry office.

2. Determine location of headquarters

Foreign companies are required to have a physical location (not a postal address, as is possible in the United States) as their headquarters and must demonstrate that the premises are fully operational, i.e., the company fulfills all the conditions to carry out the activities authorized at the said location (necessary equipment, computer(s), personnel allocated at the company's premises, etc.). Such conditions are strictly verified by the fiscal administration, upon control on site, to approve the company's fiscal registration with the relevant local authority. As an exception, upon initial registration, a newly set up Romanian legal entity may choose to establish its registered office with an attorney at law/law firm, for a maximum period of one year.

3. Register the name of the company

The company's name should be registered with the Trade Registry Office in the jurisdiction where the company is to be located.

4. Bylaws and binding documents

General partnerships and limited partnerships are usually set up by their founders through by-laws. Joint-stock companies, limited partnerships by shares and limited liability companies are set up through by-laws and articles of incorporation. By-laws and articles of incorporation may be concluded under a single document - the Constitutive Deed. The Constitutive Deed sets forth the rights and obligations of the shareholders, the company's object of activity, the quorum required for adoption of resolutions, the management and organization of the company's activity, the dissolution procedure, and so forth.

5. Company account

A company account is opened in the registered name of the company, prior to its official registration, for the shareholders (or their designees) to deposit the share capital. The amount depends on the form of business organization, but as an example, a limited liability company has a minimum starting capital of RON 200 (around \$50 at the current exchange rate).

6. Other required legal documents

Other documents are required to be filed with the local Trade Registry Office under the setting-up file, such as the decision of the competent body of the company's shareholders (in case such shareholders are legal entities), statement(s) of the company's director(s), statements from the company's shareholders that they fulfill the legal requirements to be shareholders in a Romanian company, powers of attorney fiscal records, bank letter, etc.

7. Submission of the complete dossier to the One-Stop Office

Once the application, or *dossier*, is complete, it is submitted to the One-Stop Office in the proper jurisdiction. This office falls under the National Trade Registry Office of the Ministry of Justice.

The forms of business most commonly used by foreign investors are limited liability company (SRL), joint stock company (SA) and branch of a foreign parent company. Representative offices are often used as a market entry tactic, allowing a company to assess opportunities before making a more substantial investment.

-- Franchising

Franchising regulations in Romania are much the same as in other countries, basically granting the franchisee the right to operate or develop a business, product, technology or service. The contract, generally called a Franchising Agreement, reflects the interests of the members of the franchise network, and protects the franchiser's industrial or intellectual property rights by maintaining the common identity and reputation of the franchise network. The franchising agreement must define, free of any ambiguity, the obligations and liabilities of all the parties, and must contain clauses covering the following elements: object of the contract, rights and obligations of the parties involved, financial clauses, contract duration, clauses related to amendment, extension, and cancellation of the agreement.

When franchising in Romania, a franchisor must be the holder of the relevant intellectual or industrial property rights, and must register it with the Romanian State Office for Inventions and Trademarks.

In 2015, the Romanian franchise market had an overall turnover of €1.9 billion (\$2.09 billion). There are 345 active concepts, according to Inventure Franchise Consulting, 11% more than in 2014. 25% of concepts have 10 outlets or more and 50% have at least three. While the market is dominated by international franchises, future growth is expected to be fueled primarily by domestic concepts, which currently account for one-third of the brands. Most foreign concepts originate in the United States, France and Italy.

The segments in highest demand for franchise businesses are food & beverage, coffee shops and services, and most especially fitness centers. The fashion retail segment has become crowded and competitive, saturated at both the premium and middle levels.

Romanian customers and investors have an appetite for U.S. franchises due to their good reputation and high degree of competitiveness, as well as the fact that they are based on U.S. franchise law, which imposes quality standards and requirements on franchisees. Franchisors, however, should analyze taxation regulation on fees and royalties to avoid common mistakes. Finding local entrepreneurs with the capital to pay a franchisee fee is not as difficult as identifying those with the expertise and acumen to introduce and grow a new franchise successfully.

-- Direct Marketing

The direct marketing industry is still developing, but has been growing in Romania in recent years. The Romanian Direct Marketing Association (ARMAD) is a member of the Federation of European Direct Marketing (FEDMA) and the European E-commerce and Mail Order Trade Association (EMOTA). Romania does not have a national "do-not-call list," but in 2007 ARMAD implemented a "do-not-mail" list. ARMAD also has a Code of Conduct for processing personal data in the direct marketing sector, with strict regulations to be observed by its members.

The EU has yet to adopt legislation harmonizing the direct-selling of consumer products. However, there is a wide range of EU legislation that impacts the direct marketing sector. Compliance requirements are stiffest for marketing and sales to private consumers. The following gives a brief overview of the most important provisions flowing from EU-wide rules on distance-selling and on-line commerce.

After four years of preparation and debate the GDPR was finally approved by the EU Parliament on 14 April 2016. The enforcement date was 25 May 2018, and those organizations in non-compliance may face heavy fines.

The EU General Data Protection Regulation (GDPR) replaces the Data Protection Directive 95/46/EC and was designed to harmonize data privacy laws across Europe, to protect and empower all EU citizens data privacy and to reshape the way organizations across the region approach data privacy.

-- Processing Customer Data

The EU has strict laws governing the protection of personal data, including the use of such data in the context of direct marketing activities. It's recommended to discuss this topic with counsel prior to engaging in any activities that may involve the collection of consumer data.

-- Distance Selling Rules

In 2011, the EU overhauled its consumer protection legislation and merged several existing rules into a single rulebook - "the Consumer Rights Directive." The provisions of this Directive have been in force since June 13, 2014.

-- Alternative Dispute Resolution

In 2013, the EU adopted rules on Alternative Dispute Resolution which provide consumers the right to turn to quality alternative dispute resolution entities for all types of contractual disputes, including purchases made online or offline, domestically or across borders.

Key Link: *Online Dispute Resolution Platform*: <http://ec.europa.eu/odr>

-- New Legislation

In December 2015, the European Commission released a package of two draft Directives on “contracts for the supply of digital content” and on “contracts for the online and other distance sales of goods.” This package addresses the legal fragmentation and lack of clear contractual rights for faulty digital content and distance selling across the EU. The package is currently under scrutiny at both the European Parliament and Council. Its adoption is expected the first half of 2017.

Key Links:*Consumer Affairs Homepage*: www.ec.europa.eu/consumers/index_en.htm

ConsumerRights:

www.ec.europa.eu/justice/consumer-marketing/rights_contracts/directive/index_en.htm

-- Distance Selling of Financial Services

Financial services are the subject of a separate Directive that came into force in June 2002 (2002/65/EC). This piece of legislation is designed to ensure that consumers are appropriately protected with respect to financial transactions taking place where the consumer and the provider are not face-to-face. The Directive was transposed into Romanian legislation by Government Ordinance no. 85/2004 on consumer protection upon the conclusion and execution of distance contracts concerning financial services, as republished on May 13, 2008, and further amended.

Key Link:

www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002L0065:EN:NOT

-- Direct Marketing over the Internet

The e-commerce Directive (2000/31/EC) imposes certain specific requirements connected to the direct marketing business. The Directive stipulates that marketing e-mails must be identified as such to the recipient and requires that companies targeting customers online must regularly consult national opt-out registers where they exist. Vendors of electronically supplied services (such as software, which the EU considers a service and not a good) must also collect value added tax (see eCommerce section below). The Directive was transposed into Romanian legislation by Law no. 365/2002 on electronic commerce, as republished on November 29, 2006, and further amended.

Key Link: www.ec.europa.eu/internal_market/e-commerce/index_en.html

-- Joint Ventures/Licensing

U.S. companies may enter the Romanian market as partners with Romanian counterparts or may operate 100% foreign-owned companies. The main advantages offered by joint ventures include quick market access through the knowledge, relationships, and existing capacities of the local partner. Joint ventures may be in the form of an incorporated limited liability company (*SRL*) or unincorporated (contractual) relationship between the partners (the latter being exempt from registration formalities with local authorities (such as Trade Registry, Registry of Associations and Foundations, etc.)

-- Selling to the Government

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

In its capacity as an EU member state, Romania has previously transposed the European public procurement directives. The relevant Romanian regulatory framework is fully in accordance with the Treaty of European Union, with the Treaty on the Functioning of the European Union, as well as with the directives on public procurement. Currently, in Romania, the public procurement regulatory framework is represented by primary and tertiary legislation, with the primary enactment represented by the public procurement law, Emergency Ordinance 34/2006, which is aligned with relevant EU standards. This ordinance has been amended repeatedly.

The Government maintains an electronic system for public procurement concessions and establishment of public-private partnership structures to provide a fully transparent procurement process. A government decision passed in March 2010 requires public authorities to use the e-procurement system for at least 40% (with such percentage potentially increasing in the upcoming period) of their procurements, but compliance is uneven.

The EU Directives on public procurement have recently been revised and new legislation on concession has also been adopted. Consequently, the four relevant pieces of legislation:

- [Directive 2014/24/EU](#) (replacing Directive 2004/18/EC) on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts applying to the general sector;
- [Directive 2014/25/EU](#) (replacing Directive 2004/17/EC) coordinating the procurement procedures by entities operating in the water, energy, transport and postal services sectors;
- [Directive 2009/81/EC](#) on public procurement by entities operating in the defense and sensitive security sector. This Directive sets Community rules for the procurement of arms, munitions and war material (plus related works and services) for defense purposes, but also for the procurement of sensitive supplies, works and services for non-military security purposes;
- [Directive 2014/23/EU](#) on the award of concession contracts. A concession contract (either for the delivery of works or services) is conducted between a public authority and a private enterprise that gives the right to the company to build infrastructure (also to provide relevant financing) and operate businesses that would normally fall within the jurisdiction of the public authority (e.g., road infrastructure, large infrastructure, waste and water infrastructure).

The Romanian legislative procurement package transposing the new rules into national law was enacted in May 2016

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

Electronic versions of the procurement documentation must be available through an internet URL immediately on publication of the Official Journal of the European Union (OJEU) contract notice. Full electronic communication (with some exceptions) will become mandatory for public contracts 4.5 years after the Public Contracts Directive 2014/24 comes into force (i.e., October 2018). For central purchasing bodies, the deadline is three years (April 2017).

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

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

- Water sector
- Airport services
- Urban transport sector as described above, and railways in general
- Dredging services and procurement related to shipbuilding

Key Links:

National Agency for Public Procurement - www.anap.gov.ro,

Electronic System for Public Procurement - <https://sicap-prod.e-licitatie.ro/pub>

-- Distribution & Sales Channels

Distribution of goods and services in Romania is similar to other European countries. Wholesale and retail tiers, and support services such as packaging, warehousing and merchandising, are fully developed in Romania.

Romania's range of retail outlets is likewise European and includes specialty shops, supermarkets, hypermarkets, cash and carry, department stores, gas station convenience stores, do-it yourself shops, kiosks, street vendors, open-air markets and wholesale centers.

For several years the local market has been dominated by Carrefour and Cora on the hypermarket (or Big Box) segment, while Metro and Selgros have competed on the cash-and-carry market. The Government is considering legislation that would require large retailers in Romania (with an annual turnover exceeding €2 million/\$2.2 million) to purchase at least 51 percent of total volume of meat, eggs, vegetables, fruits, honey, dairy products, and bakery products from local producers and to promote products of Romanian origin.

-- Express Delivery

All major express delivery companies are present locally: FedEx, TNT, DHL, and UPS. While U.S. to Romania delivery for envelopes takes two days to four days, packages & freight might take four to seven days. Companies handle customs clearance and offer door-to-door delivery.

The most affordable international service and, at the same time, the slowest, is the Romanian Post, which connects with USPS. They also offer customs brokerage, specifically requested upon arrival of a package.

Local courier services are reliable, fast and affordable, especially for in-country delivery. The most common are:

Cargus Curier: www.cargus.ro/ro

DPD: www.dpd.com/ro_en/home/produse_i_servicii

FAN Courier: www.fancourier.ro/en/companie/despre-noi

Sameday Courier: www.sameday.ro/en

-- Selling Factors and Techniques

Price, payment conditions, value and quality are critical factors for success in Romania's business and consumer markets. In almost any business domain, European competitors exist and enjoy the advantages of tariff-free status within the EU. American firms may not always compete on price but need to demonstrate a clear value proposition. Sales materials are primarily printed in the local language; however, many Romanians understand English.

-- eCommerce

B2B/B2C ecommerce sales channel

With more than 11 million internet users, and a mobile internet penetration rate of 85%, Romanians purchased 2.8 billions euro worth of products online in 2017. Internet penetration rate increased slightly compared to 2016, with 4.6 million broadband internet connections (+ 6% compared to 2016) and 16.6 million mobile internet connections (+ 13% compared to 2016). Thus, the penetration rate of the fixed internet per 100 households is 55%, and mobile internet penetration per 100 inhabitants is 85%. 44% of urban internet users made at least one purchase a month and there are more than 7000 e-shops in Romania. Total online card payment value registered in 2017 was valued at 1.2 billion euros compared to 745 million euros in 2016, a significant increase.

Currently, IT&C (both hardware and software), home appliances, the auto sector, home & deco, fashion and related agricultural products have the largest share in B2B e-commerce in Romania, the last two areas recording an accelerated growth.

For eCommerce, Romanians are primarily looking for: free delivery, discounts and promotional campaigns, free returns (even though the current national laws leave the cost of the return to the shopper), and fast delivery.

Online purchases

In 2017 Romanians spent 2.8 billion euros (\$3.31 billion) online, at least 40% more than in 2016. However this amount doesn't include services, utility bills, air tickets, holidays, hotel bookings, show tickets, downloadable content, etc.

As in other countries, e-commerce solutions that rely on existing payment relationships have been very successful in Romania. Currently, about three in ten online orders are placed from a mobile device.

There are more than 7,000 online stores in Romania, an increase of 2,000 units since 2016, and are estimated to be around 14,000 next year. The biggest online stores in Romania are eMAG.ro, Altex, Domo, Flanco and Okazii, and Elefant.

The preferred method of payment for Romanians remains the pay on delivery (approx. 85%). However, according to the information provided by mobilPay and PayU processors,

the percentage of online card payments has increased significantly, from approx. 8% in 2016 to 12-14% in 2017. According to estimates, the total amount of online card payments exceeded 1.2 billion euros in 2017, up from 2016, when it was 745 million euros (source: RomCard).

-- Trade Promotion & Advertising

According to the European Audiovisual Observatory, there are more than 40 on-demand audiovisual services established in Romania including the catchup TV services of the main broadcasters. The main distribution companies RCS/RDS, Telekom Romania and Orange also offer on-demand services of their own alongside third party services such as HBO on Demand. Voyo is the SVOD service of Pro TV (part of the Central European Media Enterprises). Netflix also became available in Romania following the global launch of the service in January 2016.

The main players in this market are international companies: advertising agencies (McCann Erikson, Lowe Lintas, Publicis, Leo Burnett, Ogilvy), media agencies (Zenith Media, Optimedia, Initiative Media, Mindshare, Mediacom, Mediaedgencia), and advertisers (Vodafone, Coca-Cola, ING Bank). The largest advertising investments come from companies working in telephone services, retail and fast moving consumer goods.

A list of TV stations and their ratings can be found at:

<http://www.cna.ro/Lista-sta-ilor-TV-pentru-2018-in.html>

http://www.cna.ro/IMG/pdf/Lista_statiilor_TV_-_2018_pct_III.pdf

Key Links:

National Audiovisual Council - <http://www.cna.ro>

The International Advertising Association - <http://www.iaa.ro>

The Romanian Advertising Association (UAPR) - <http://www.uapr.ro/en>

IAB Romania – member of IAB Europe - <http://iab-romania.ro/#>

Media Fact Book - <http://www.mediafactbook.ro/about>

-- Pricing

Pricing structures in Romania are similar to those used in most other countries: prices are increased by wholesale and retail markups as well as by taxes including VAT. Exporters that quote prices in local currency and offer credit terms, instead of requiring Letters of Credit or cash in advance, can realize greater sales success. There are numerous banks in the United States and Romania offering appropriate trade finance tools to manage both currency and payment risk. The U.S. Export-Import Bank and private providers offer credit insurance for Romanian buyers as well. The costs of these products should be factored into the export price.

-- Sales Service/Customer Support

After-sales customer service and support are still developing among Romanian businesses. As a consequence, Romanian consumers are increasingly sensitive to the quality of after-sales services in making their buying decisions. American firms generally hold an advantage in this area, but local partners may prove the weak link that damages brand perception. U.S. companies should be prepared to work closely with local partners (distributors, value-added resellers) to help them develop their service and support capabilities.

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

Product Liability

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

Key link:

www.ec.europa.eu/growth/single-market/goods/free-movement-sectors/liability-defective-products/index_en.htm

Product Safety

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

Key link:

www.ec.europa.eu/consumers/consumers_safety/product_safety_legislation/index_en.htm

Legal Warranties and After-sales Service

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

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

Key link:

www.ec.europa.eu/consumers/consumer_rights/rights-contracts/sales-guarantee/index_en.htm

-- Protecting Intellectual Property

Romania remains on USTR's Special 301 report watch list. Online piracy, unlicensed software use, and distribution of counterfeit goods are key challenges for U.S. IP-intensive industries in Romania. In order to increase the odds of IPR cases being heard in court, law

enforcement authorities, when appropriate, are bundling related charges of fraud, tax evasion, embezzlement, and organized crime activity alongside IPR violations. This also strengthens the evidence of “social harm” stemming from IPR violations. Lack of social harm has often been cited as a reason for dismissing IPR cases in the past.

Romania’s Customs Authority has reported drops in the seizure of counterfeit goods in recent years. The declining trend continues at an accelerated pace, in line with growing purchasing power and demand for genuine physical goods. Cigarettes, razor blades, pens and pencils, toys, bearings, clothing, stickers, footwear, footballs, footwear, and cosmetics and accessories accounted for the majority of those seizures. According to both the National Customs Authority and the national police, the vast majority of counterfeit goods seized in Romania originate in China.

The complete USTR list 301 Report can be found here:

<https://ustr.gov/sites/default/files/files/Press/Reports/2018%20Special%20301.pdf>

The World Intellectual Property Organization (WIPO) provides 186 Country Profiles. These are available at: <http://www.wipo.int/directory/en>

Due Diligence

Romania offers attractive opportunities for investment, acquisition, and business partnerships ranging from joint ventures and licensing agreements to distributorships and franchises. There are few activities more important in Romania than conducting thorough due diligence on potential investments or business partners.

CS Romania advises American firms to engage reputable legal counsel. Legal advisers are retained for incorporation, obtaining permits, IPR registration, contract preparation, collection and commercial disputes. Additionally, counsel can also be an excellent resource for identifying potential problems based on their experience in the market.

It is very important for American firms to know with whom they are doing business, whether selecting a consultant, distributor or deciding to extend credit terms. In addition to introductions to local legal counsel, CS Romania offers a service for investigating the background, financial status and references of Romanian firms. This service, the International Company Profile (ICP), includes findings from interviews with the target

company, supplier and customer references, and a recommendation regarding the subject's reliability as a business partner.

-- Local Professional Services

A directory of local business service providers offering clear value to U.S. firms is available on the website of the U.S. Commercial Service in Bucharest, Romania:

www.export.gov/romania/businessserviceproviders/index.asp

-- Principal Business Associations

American Chamber of Commerce in Romania: www.amcham.ro (accepts U.S. companies)

American-Romanian Business Council: www.amrobiz.org (accepts U.S. companies)

Automotive Manufacturers and Importers Association (APIA): www.apia.ro/en (accepts U.S. companies)

Business Development Association: www.asociatia-ada.ro

Businessmen's Association of Romania: <http://www.aoar.ro/>

Chamber of Commerce and Industry of Romania: www.ccir.ro

Employer's Federation of Textile, Clothing and Leather Industry (FEPAIUS): www.fepaius.ro

Financial Companies Association: www.alb-leasing.ro/en (accepts U.S. companies)

Local American Working Group: <http://www.lawg.ro/home>

National Association of Internet Service Providers from Romania: www.anisp.ro

National Association of Romanian Exporters and Importers (ANEIR): <http://www.aneir-cpce.ro/>

National Association of Software Industry & Services: <http://www.anis.ro/>

National Council of Small and Medium Sized Private Enterprises (CNIPMMR): www.cnipmmr.ro

National Union of Road Haulers from Romania: <https://www.untrr.ro/>

Romanian - American Chamber of Commerce: www.racc.ro (accepts U.S. companies)

Romanian Association for Electronic Industry and Software (ARIES): www.aries.ro

Romanian Association of Building Contractors ARACO: <http://www.araco.org/>

Romanian Association of International Drug Manufacturers (ARPIM): <http://arpim.ro/>

Romanian Association for Quality ARC: <http://www.quality.ro/>

Romanian Banking Association (RBA): www.arb.ro/en (accepts U.S. credit institutions present in Romania)

Romanian Business Leaders Summit: <http://www.rbls.ro/>

-- Limitations on Selling U.S. Products and Services

As a general rule, there are no absolute restrictions regarding the sale of U.S. products and/or services in Romania. However, applicable legislation does provide specific requirements for the manufacturing, import, trade, sale and supply of certain products and services in the country; foreign entities and individuals may need to obtain certain authorizations, licenses, permits, endorsements and/or approvals and, as the case may be, to set up local/EU subsidiaries. Some noteworthy examples are:

- Pharmaceutical products may only be imported and sold in Romania if they are authorized for marketing in the country and their price is approved by the Romanian Ministry of Health.
- Medical devices can only be placed on the Romanian market if they bear the CE marking.
- Food supplements must be notified and approved by the local regulatory authorities in order to be traded in Romania.
- Imports and sales of firearms, ammunition and explosives are subject to specific licenses and authorizations.
- Transportation, telecommunications, and audiovisual services are subject to licensing in Romania.
- Trade in nuclear products has a specific legal regime and requires mandatory authorizations.
- The trade, supply, distribution, transmission and generation of energy generally require specific authorizations and a physical presence in Romania (subsidiary, branch, office, etc.).

- For financial services, capital market activities, payment and e-money institutions, a U.S. entity must obtain specific authorizations and have a subsidiary located in Romania or another EU member state.

-- Web Resources

Ministry of Justice's Trade Registry: www.onrc.ro

Ministry of Economy, Trade and Business Climate: www.minind.ro

Ministry of Finance: www.mfinante.ro

National Agency of Fiscal Administration: www.anaf.ro

Chamber of Fiscal Consultants: www.ccfiscali.ro

European Union legislation database: www.eur-lex.europa.eu

European Ombudsman: www.ombudsman.europa.eu

European Commission, DG Health and Consumer Protection, Consumer Affairs:
www.ec.europa.eu/consumers/index_en.htm

Leading Sectors for U.S. Exports & Investments

-- Agricultural Machinery & Equipment

Overview

U.S. manufacturers and exporters of agricultural equipment have good prospects in Romania, in both the short and long term. However, several structural issues affect demand for this equipment.

While Romania has an abundance of rich soil, the predominance of subsistence farming means that the country has a minimal amount of arable land per holding. Some small commercial farms are realizing that they can increase profitability by voluntarily forming associations or co-ops to aggregate production and marketing. Relatively few large farms coexist with many small ones, which influence the competitiveness of Romanian agriculture.

U.S. manufacturers of agricultural equipment will find strong demand in the Romanian market, but a limited, yet growing, number of buyers. Farms with more than 100 hectares, or 250 acres, make up a very small proportion of Romania's farms. However, commercial farms are investing to increase productivity. They have also become more adept at using financing from EU programs and the U.S. Export-Import Bank's financing tools. Discounted land prices, good-quality soil, low labor costs, and the potential for large productivity gains are attractive opportunities for well-capitalized foreign investors.

Romania's principal crops - corn, wheat, and sunflower - account for about 15 million acres of farmland. In addition, the country's fertile soil and varied topography support forestry, pasture and rangeland, orchards, vegetables, and vineyards. These offer opportunities for silos, agricultural machinery, irrigation equipment, greenhouses, and agricultural inputs such as fertilizers and feed supplements.

Leading Sub-Sectors

Irrigation Technology & Equipment

In the Communist period, Romania had a large, national network of irrigation canals. However, this infrastructure has long since fallen victim to neglect, pilferage, and deterioration. Only a small portion of the irrigation network is in use. Currently, of the 9 million hectares (22 million acres) of arable land in Romania, less than 10% is irrigated.

The Ministry of Agriculture & Rural Development in Romania has recently launched a program to rehabilitate the irrigation canal network. Upcoming tenders present a clear opportunity for U.S. suppliers of irrigation canal building technologies, pumping stations and irrigation systems related to the reconstruction of irrigation canals. The program is approved with a budget of \$1.12 billion for Romania's irrigation sector to build primary irrigation canal infrastructure and a secondary irrigation system network throughout Romania from 2018-2020.

The EU has provided millions of euros in grants annually to rural businesses, including farms, for investment in agricultural machinery and equipment, manufacturing facilities, and other agricultural purposes. Between 2014 and 2020, a substantial percentage of EU structural funds (about \$24 billion) are destined for agriculture within the European Agricultural Fund for Rural Development. Farmers access this money by submitting eligible projects to the Ministry of Agriculture and Rural Development. This is also a growing opportunity for U.S. suppliers of farming machinery to export their equipment to Romania.

Opportunities

Trade Events

Expo AgriPlanta – RomAgroTec: Open-Air Exhibition, Trial Fields & Machinery Demonstration, 8th Edition, [AgriPlanta](#)

May 17-20, 2018, Fundulea, Calarasi County, Romania

INDAGRA - International Trade Fair of Equipment and Products in Agriculture, Horticulture, Viticulture and Animal Husbandry, 23rd Edition, [Indagra](#)

October 31 – November 4, 2018, Bucharest, Romania

Web Resources

[Ministry of Agriculture and Rural Development](#)

[Banca Comerciala Romana – BCR \(Romanian Commercial Bank\)](#)

[U.S. Export Import Bank](#)

[Romanian Association of Producers and Importers of Agricultural Machinery – APIMAR](#)

[ROMEXPO Exhibition Center, Bucharest](#)

[DLG InterMarketing, Bucharest](#)

-- Defense Industry

Overview

Romania has been an active member of the North Atlantic Treaty Organization (NATO) since 2004 and a member state in the European Union since 2007. While they maintain good relations with their neighbors and regional partners, they consider their strategic partnership with the United States to be a critical national interest. With respect to defense spending, Romania has committed to meeting the NATO guideline of spending at least 2.0% of GDP on defense through 2027. In 2017, Romania budgeted 2% of their projected GDP, but due to faster-than-predicted growth in their economy and an inability to adjust the budget mid-year, they fell short of the 2% target by year's end. However, they succeeded in spending over 30% of their defense budget on new acquisition, which far exceeds NATO's 20% baseline.

The expected increased spending levels present a clear opportunity for the US defense equipment and service providers. However, in conjunction with modernizing their forces, Romania is also looking to reenergize its own defense industry through international partnerships--American firms may be asked to contribute to this goal. Companies should note that the Romanian Parliament must approve defense acquisitions in excess of €100 million (\$110 million).

Leading Sub-Sectors

Establishing joint ventures with U.S. partners and other kinds of cooperation in terms of co-production and marketing of:

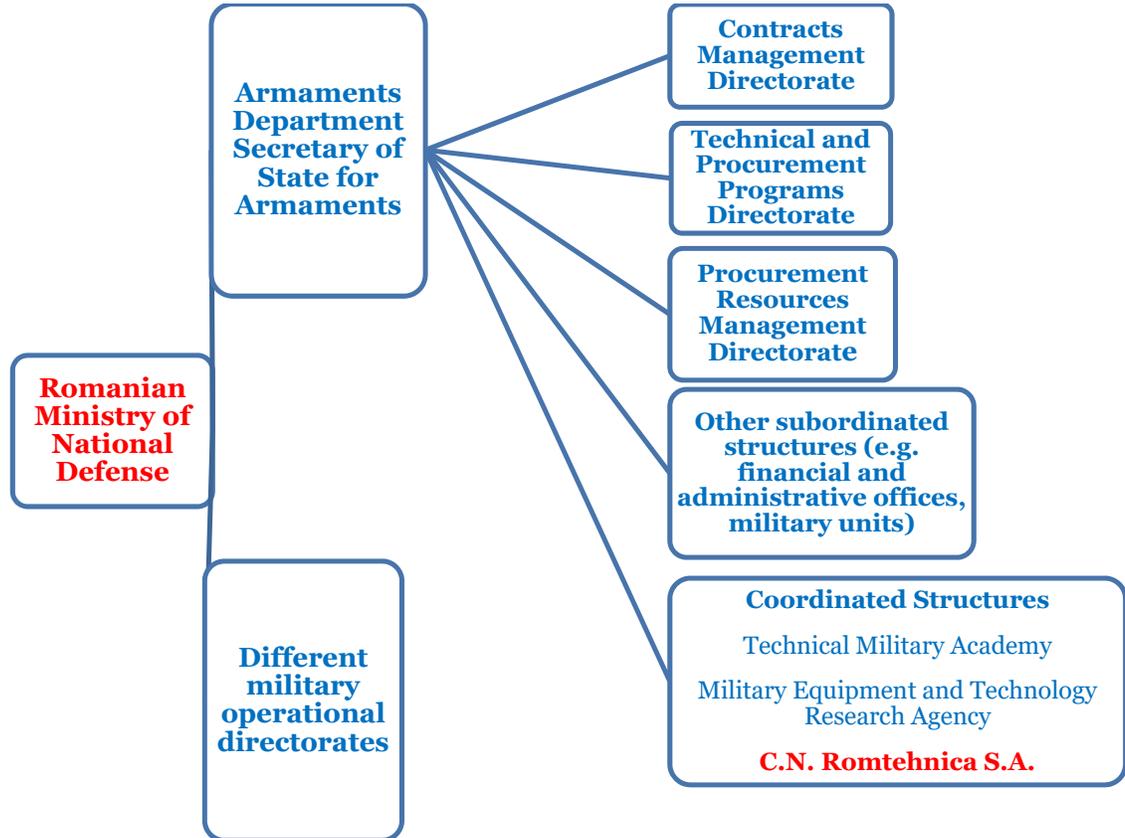
- Tracked and Wheeled-Armored Vehicles
- Infantry weapons and ammunition
- Artillery systems and ammunition
- Missiles systems and rockets
- Powders, explosives
- Equipment and subsystems
- Low and medium altitude radar systems
- Used U.S. fighter aircraft upgrades
- Replacement Parts and Service
- Defense Training and Consultation

Opportunities

Actors involved in the Defense Procurement Process:

1. **The contracting authorities:** Romanian Ministry of National Defense (MoND).

Romtehnica: (<http://www.romtehnica.com.ro/site/en/>) the Ministry of National Defense' Export-Import Company.



2. Romanian state owned defense companies:

The National Company Romarm (<http://romarm.ro/>) is the largest local industry player for military equipment, ammunition and maintenance services. Romarm is composed of 15 subsidiaries:

- Arsenal Resita
- Carfil
- Electormecanica Ploiesti
- Fagaras Powders Plant
- Cugir Arms Factory
- Metrom
- Moreni Mechanical Plant

- Pirochim Victoria
- Ploeni Mechanical Plant
- Tohan
- Mija Mechanical Plant
- Sadu Mechanical Plant
- Bucharest Mechanical Factory
- Cugir Mechanical Plant
- UPS Dragomiresti

3. **The Office for Offsetting Special Technique Procurements** (<http://www.acats.gov.ro/?lang=en>) **Offset Agency's major responsibilities include:**

- Framing procurement policies
- Providing guidance to contracting authorities/entities and tenderers
- Preparing legislation
- Monitoring the implementation of public procurement rules
- Publishing and information sharing
- Maintaining relations with their counterparts

4. **The Electronic System of Public Procurement** (<https://www.e-licitatie.ro>) **(SEAP)** ensures:

- Unitary informatics infrastructure that allows the public Romanian institutions to acquire suppliers, services and works, using electronic means
- Transparency and efficiency for the acquisition process involving public funds
- Simplifying the suppliers' procedure for participating in tenders
- Efficient and standard work procedures

- Lowering the public expenses by reducing the acquisition prices
- Providing public information about the public acquisition processes
- Auditing the public procurement process
- Ensuring a high security and trusted framework for public funds management

5. **The Controllers: ANAP and DNA**

The National Agency for Public Procurement (<http://www.anap.gov.ro/>) (**ANAP**)

- Policy and law making, guidance, help-desk and operational support, ex-ante control, monitoring and supervision of the public procurement system
- Ensuring a coherent and harmonized legal framework in the field of public procurement in line with the obligations derived from the application of the EU Directives
- Implementing a proper verification system to ensure the unitary application of the legal provisions and procedures by the contracting authorities
- Ensuring an efficient system of public procurement and supervising its functionality
- Ensuring a permanent communication channel with the structures within the European Commission, the correspondent public institutions from the Member States and with the national bodies of public interest

The National Anti-Corruption Division (<http://www.pna.ro/>) (**DNA**)

- Is a prosecutor's office specialized in combating high and medium-level corruption
- Set up as a necessary tool in discovering, investigating and indicting high and medium level corruption cases
- Contributes to reducing corruption, giving its support for a democratic society aligned to the European values

6. The Referees:

The National Council for Solving Complaints (<http://www.cnsc.ro/en/>) (NCSC)

- First administrative body with jurisdiction over public procurement
- Aims to guarantee the compliance of contracting authorities with the legislation through the resolution of complaints submitted by any person

The Administrative Litigation Section of the Court of Appeals

Romania's defense industry is set to mature considerably as a result of active support from the government to restructure and modernize some of its sectors, but remains relatively small compared to its European counterparts.

Web Resources

Ministry of National Defense: www.english.mapn.ro

Armaments Department: www.dpa.ro

National Company ROMTEHNICA SA: www.romtehnica.com.ro

Ministry of Economy and Commerce, Defense Industry Department: www.minind.ro

National Company ROMARM SA: www.romarm.ro

Romanian Civil Aeronautical Authority: www.caa.ro

National Agency for Controlling Exports of Strategic Products (ANCEX):
www.ancex.ro

Association of Romanian Defense Producers (PATROMIL): www.patromil.ro

Black Sea Defense and Aerospace Trade Show: <http://www.bsda.ro>

Contact

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-- Energy

Overview

The energy sector has a pivotal role in Romania's economy and security policy. At present, the country is shifting from coal and onshore fields, hydro and other renewable energies. Romania's oil and gas deposits could dramatically increase from recently discovered oil and gas deposits in the Black Sea basin.

Energy mix March 2018

	%	GWh	MWh/h
Hydro	33.19	1900	2,554
Coal	23.69	1356	1,823
Nuclear	15.72	900	1,210
Wind	10.25	587	789
Hydrocarbons	14.69	841	1,130
Solar	1.97	113	152
Biomass	0.49	28	38
Total	100.00	5725	7,695

Romania's Energy Strategy 2016-2030 has been finalized by the government, and includes the following priorities:

1. Maintaining a balanced and diversified energy mix
2. Enhancing the natural gas infrastructure and supply
3. Increasing the role of biomass in household heating
4. Implementing high-efficiency cogeneration and modernization of SACET (combined heat and power producers for central heating)
5. Increasing energy efficiency in buildings and countering energy poverty.

Generation

The main electricity generation companies in Romania are state-owned, including the Cernavoda nuclear power plant operated by Nuclearelectrica, the hydropower plants operated by Hidroelectrica and around 20 thermal power plants using coal fired power plants. In the private sector, OMV Petrom owns the biggest gas power plant with a capacity of 860MW and CEZ owns the biggest wind farms cluster with a total capacity of 600MW.

Transmission

The electricity transmission system in Romania and the interconnection system with the neighboring countries is managed and operated by the majority state-owned Transelectrica. The company is responsible for the electricity transmission, system and market operation, grid and market infrastructure development, and ensuring the security of the Romanian power system. Romania has an estimated import capacity of 2,000MW and an export capacity of 1,900MW.

Distribution

In Romania, the level of consumers connected to the electricity distribution system is relatively high (at national level, about 96%), but there are isolated areas that are still not connected. The electricity distribution service is ensured by eight independent Distribution System Operators (DSOs) having exclusive electricity distribution rights in specific regions of the country.

Leading Sub-Sectors

Oil & Gas

Romania is the largest producer of oil and gas in Central and Eastern Europe and is set to play a major role in the European oil and gas market as a result of the oil and gas discoveries in the Black Sea.

The top three importers of petroleum products were Rompetrol Rafinare, Petrotel Lukoil and OMV Petrom, covering a totaled market share of 83.88% in 2017.

Natural gas production in Romania was provided by 6 producers: Romgaz SA, OMV Petrom SA, Amromco Energy SRL, Raffles Energy SRL, Foraj Sonde SA, and Stratum Energy LLC.

Nuclear Sector

According to the Energy Strategy, nuclear will continue to play an important role in the energy mix for decades to come.

Romania currently has one nuclear power plant, Cernavodă, with two units in operation and two more under construction (pressurized heavy water reactors of CANDU 6 design - CANadian Deuterium Uranium), each with a design gross output of 706.5 MWe. The two reactors in operation at the Cernavodă nuclear power supply approximately 17% of Romania's total energy production.

Coal Sector

The country's Energy Strategy confirms the role of traditional fuel such as oil, natural gas, coal and uranium in the energy mix. Romania currently produces coal and lignite, and maintains several coal burning powerplants – all of which are in need of upgrades in the immediate future.

Renewable Energy Sector

Romania is seeking to derive more of its energy needs from renewable sources. Romania was seen as a fast growing market for wind energy in the region, with installed wind generation capacity skyrocketing from as little as 7 MW in 2007 to 1,941 MW in 2018.

Opportunities

Prospects for American companies in the Romanian energy sector

American companies can find opportunities in electrical power systems, products and services related to energy efficiency (including efficient construction materials), smart grid implementation, power distribution, power and gas storage and potentially construction of new power generation capacities. These opportunities may include equipment, know-how, technologies, design and construction, installation, upgrading, maintenance, and repairs.

BRUA, a strategic gas pipeline project through Bulgaria-Romania-Hungary and Austria, is the major project to be finalized in 2019, valued at €800 million/\$880 million. This project will offer ample opportunity for American companies in contracting of various engineering services, equipment and consulting. When completed BRUA will connect Eastern and Central Europe to the gas fields in the Caspian Sea and the Black Sea.

The discovery of new oil and gas reserves in the Black Sea basin presents an opportunity for companies with expertise in oil drilling, transmission, refining and retrofitting existing facilities.

Trade events:

SEE Upstream Conference & Exhibition: <http://www.blackseaevents.com/>

Romania Oil & Gas Conference & Exhibition 2018, (Bucharest): Nov. 2018

2019 RoEnergy Bucharest: <https://www.tradefairdates.com/RoEnergy-M9544/Bucharest.html>

IEAS – International Electric & Automation Show Sep 2018:

<http://www.ieas.ro/en/program/>

Web Resources

Ministry of Economy: <http://economie.gov.ro/>

Ministry of Energy: <http://energie.gov.ro/>

National Regulatory Agency for Energy: <http://www.anre.ro/en>

National Agency for Mineral Resources: <http://www.namr.ro/home-page/>
<http://www.anre.ro/ro/energie-electrica/legislatie/metodologii-tarife/distributie-energie-electrica>

Transelectrica : <http://transelectrica.ro/en/web/tel/home>

List of Licensed Electrical Energy and/or Natural Gas Supply Companies:

<http://licitatii.furnizorenergie.ro/furnizori/>

Crude Oil Reserves 2017: <https://knoema.com/atlas/Romania/topics/Energy/Oil/Crude-oil-reserves>

Oil Imports 2017: <https://www.energyworldmag.com/romania-oil-imports-3-8-2017/>

Romanian Petroleum Exploration and Production Companies Association:

<http://www.ropepca.ro/en/articole/ropepca-association-presentation/53/>

Romanian Black Sea Titleholders Association: <http://rbsta.ro/en/>

Coal Production in 2017: <http://www.capital.ro/productia-de-carbune-a-crescut-cu-10-in-2017.html>

Transgaz: <http://new.transgaz.ro/en>

Romgaz : <https://www.romgaz.ro/>

Nuclear Agency and for Radioactive Waste : <http://agentianucleara.ro/en/>

Nuclearelectrica: <http://www.nuclearelectrica.ro/>

Petroleum Club of Romania: <http://www.petroleumclub.ro/>

Romania Energy Center (ROEC): www.roec.biz

Romanian Association of Drilling Contractors: <http://www.acfr.ro/>

Romanian Association of Petroleum: <http://www.arpetrol.ro/>

Employers Federation of Companies Associations in Energy Utilities: <https://www.acue.ro/>
<http://licitatii.furnizorenergie.ro/furnizori/>

Romanian Association of Companies for Oil Exploration and Production:
<http://www.ropepca.ro/>

Romanian Photovoltaic Industry Association: <http://rpia.ro/>

Romanian Wind Energy Association: <http://rwea.ro/>

Romanian association for biomass and biogas: <http://www.arbio.ro/en/#all>

Statista <https://www.statista.com>

EnergyNomics <http://www.energynomics.ro>

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-- Information Technology/Cybersecurity

Overview

Romania's IT market is one of the fastest growing markets in Central and Eastern Europe. The IT market is forecasted to grow at 3.1% over 2017-2021 to a value of RON 9.9 billion (\$2.47 billion) in 2021.

Cybersecurity is a key component of the ITC sector in Romania. According to the National Strategy on Digital Agenda for Romania 2020 (ec.europa.eu/digital-single-market/en/country-information-romania), fully implementing the strategic vision of the ICT will require a total investment of around €2.4 billion (\$2.64 billion). The National Strategy for the Digital Agenda defines four areas for action. Notably, the first aims to increase efficiency and reduce costs in the public sector by investing in e-Government, Interoperability, Security Cybernetics, Cloud Computing, and Social Media.

As of May 25th, 2018, the General Data Protection Regulation (GDPR) is applicable as part of European union's efforts to protect that privacy of its citizens. This is expected to have a substantial impact on the development of the Romanian cybersecurity market. Data processors are expected to purchase substantial amount of cybersecurity consulting to meet the requirements related to data protection by design and by default.

Software and IT Services in Romania

The Romanian market of software in IT services has been growing substantially at a high rate and is likely to become the most important contributor to the local GDP on a medium to long run. Since 2000 the industry has grown at a rate of 15%-20% per year.

Research and Development

Romania has had an important tradition in research, development and innovation in the technical field. Romanian engineers have always been appreciated abroad and lower labor costs have helped attracting interesting and more significant projects towards the local industry. Industry clusters can be found in major university cities: Bucharest, Cluj Napoca, Iasi, Timisoara, Craiova, and Brasov.

Market Demand

The Software and IT Services market is around 1 billion euro (\$1.15bn) in Romania and is estimated to grow by 10% by 2020. The structure of the domestic market is:

- Major buyers: Industry (39%), finance (20%), services and consumers (16%)
- Most important growth rates: finance (26%), services and consumers, telecom, industry, retail
- Services 64% vs. Products 36%

The cybersecurity market in Romania is still emerging. Romania boasts the highest rate of per capita technology workers in Europe. However, the Romanian cybersecurity market is open to foreign players too, with U.S. suppliers well represented. Market entrants should be aware of the various applicable EU and Romanian market regulations.

Market Entry

Selling through an established local Romanian channel partner is the lowest risk market entry strategy for most U.S. manufacturers. However, when selling to Romanian government departments, it may be necessary to establish a direct business presence in Romania, especially when competing for projects related to national security. The cooperation with ANSSI (www.anssi.ro), the most important local association in cybersecurity, offer US companies interested in the Romanian market the best approach in finding partners, information about the market and business opportunities with the public sector.

Special incentives for expenses related to research and development activities

Companies can benefit from an additional deduction of 50% of the eligible expenses for research and development. Moreover, accelerated depreciation may be applied for devices and equipment used in research and development activity. For large investments, state aid schemes or individual aid may be available.

Laws, rules and regulations on the use of Internet

Romania has laws on electronic commerce, online copyrights, electronic signature, electronic payment, online advertising, the protection of personal data, cybercrime, internet pornography, and electronic communications. There are also some draft laws developed by

the Ministry for Information Society for minimum security conditions of the digital systems for the Public Administration and the national electronic records.

Income tax exemption for the IT employees providing software development activities

Romania does not tax the income for the IT employees providing software development activities; Thus, Romania is one the most competitive market for outsourcing with an average of labor cost of \$1,500 for a net salary of \$1,000.

Leading Sub-Sectors

There are important opportunities for expertise, products and services, addressing three fundamental pillars:

Regulate:

- Incident response and disaster recovery
- Software reporting, forensic tools and security information team
- Use of certified software products and technologies, under the interoperability umbrella

Facilitate:

- Validation of security environment
- Emergency response team working with private/public sector teams, shared intelligence

Collaborate:

- Research on cyber warfare
- Exchanging information, forums and communities
- Education

As of 2017, The Romanian Education Ministry has introduced coding (with some cybersecurity concepts) as a mandatory discipline for all K5-K8 children in all accredited schools. Efforts are currently being made in order to expand the process for all K1-K12. There are about 2,500 students that were trained in the areas of

coding and cybersecurity and the number is increasing. The process can be monitored online at www.informaticainscoli.ro

Opportunities

The biggest need for both funding and cybersecurity protection programs is within the Government and its departments.

The health sector could become an important buyer of cybersecurity services due to the large volumes of personal data that are managed by the health system. Large telemedicine projects are currently under discussion and they should have an important cybersecurity component. However, certain steps need to be taken in order to implement telemedicine projects. The most important part is to introduce a medical data representation standards (such as HL7).

Also opportunities exist in the private sector: to supply organizations of all sizes from SMEs to large corporations. Currently, enterprise application is noticeably below the EU-28 average. Thus, there is high potential for companies to target enterprises by offering low cost solutions. The most substantial opportunities are to be found in organizations for which IT security is mission critical:

- Financial, banking and insurance sectors
- Critical infrastructure networks (energy and utilities)
- Telecommunications (Telco)
- Utilities and Energy Transport

Cloud-related solutions have large potential on short and mid-term. The GOR is considering establishing a cloud agency, “National Agency of E-Services and Cloud (ANSEC)”, within a future public-private partnership (PPP), eventually consolidating all the public administrations’ IT platforms.

Web Resources

Source: BMI, national sources

Web Resources

<http://gov.ro/en>

<http://www.cert-ro.eu>

<http://www.anssi.ro>

<http://www.enisa.europa.eu>

<https://ec.europa.eu/digital-single-market/>

<https://joinup.ec.europa.eu/>

<http://www.aries.ro/en>

<http://www.amcham.ro/>

www.brainspotting.ro/wp-content/.../Brainspotting_ITC_Talentmap_2015-2016.pdf - an annual report presenting the status of the IT skills in Romania

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-- Transport infrastructure

RAIL, ROADS and PORTS

Overview

The Romanian transport infrastructure is underdeveloped and need of significant investment and modernization. Fortunately, the EU has allocated several billion euros to support the development needs in this sector.

Leading Sub-Sectors

Road Infrastructure

Road infrastructure in Romania is some of the least developed in Europe. While the government has had a long-term master plan for highways in place for over a decade, very few kilometers of highway have been constructed since joining the EU in 2007.

At the end of 2017 there were 86,099 km of public roads in Romania, of which 20.5% were national roads, 40.8% were county roads and 38.7% were communal roads. Out of the total length of national roads, 35.1% (6,200 km) were European roads and 4.3% (763 km) were highways. By number of lanes, 1.6% of were three-lane roads, 10.3% were four-lane roads and 0.1% were six-lane roads.

The government has prioritized several highway projects to be constructed in the coming ten years which presents an opportunity for American companies in the sector to compete. For a complete list of these projects, please contact the Commercial Service Romana.

Road Opportunities

The EU allocated €9.5bn to Romania for large infrastructure projects.

Among the most important infrastructure projects that were launched this year is the Sibiu-Pitesti motorway, an important part of the Pan-European Corridor IV.

With a value of almost RON 2.6 billion (around EUR 570 million), the offers for lots 1 and 5 are currently in their evaluation phase, and next year the two objectives will enter their projection and execution phases.

Another important project is the new Bucharest Belt Motorway, which will enter its projection phase in 2019. The south sector, which is 51 kilometers long and a total value of over RON 2.6 billion (around EUR 580 million), is part of the capital's new ring road and will be like traffic decongestion projects built in major European cities.

Romania is also launching tenders for four lots of the Craiova-Pitesti Expressway, with a total length of 121 km and a total value of around RON 3.76 billion (around EUR 820 million).

The suspension bridge over the Danube in Braila, is the most complex infrastructure project launched in Romania over the last 27 years is estimated to cost RON 2 billion (around USD 500 million).

Rail Infrastructure

Like the road network, the rail system in Romania is in great need of upgrading and investment. The average freight rail speed in country is 13 km/hr – one of the slowest in Europe. While this presents a challenge for managing supply chains, U.S. companies can benefit from the opportunity of rail upgrades.

Towards the end of 2017, there were 10,774 km of public railroads in use in Romania, of which 98.7% were normal gauge lines, 5 km narrow gauge lines and 1.3% were large gauge lines. The length of electrified railways in use was 4,030 km, representing 37.4% of the

entire length of the railway network. The network is well connected with Europe, including the cities of Vienna, Budapest, Prague, Warsaw and Venice among others, providing pan-European passenger services through several passes.

Rail Opportunities

In March 2018, according to National Railway Company “CFR” S.A., there are certain new projects which are under signing/starting the execution, such as:

1. Rehabilitation works for bridges, footbridges and tunnels – SRCF Galati (16 bridges, 3 footbridges): value of the contract estimated to 16,624,930.2 US dollars
2. Rehabilitation works for bridges, footbridges and tunnels – SRCF Craiova (8 bridges, 7 footbridges): value of the contract estimated to 15,369,046.5 US dollars
3. Modernization of the railway line Bucuresti Nord – Jilava – Giurgiu Nord – Border Line 100 km (Feasibility Study Phase): value of the contract estimated to 1,987,500 US dollars
4. Electrification and rehabilitation of the railway line Cluj – Oradea – Episcopia Bihor 165 km (Feasibility Study): value of the contract estimated to 1,139,550.26 US dollars
5. Rehabilitation of the railway line Craiova – Calafat, component of the Orient/East-Mediterranean Corridor 107 km (Feasibility Study): value of the contract estimated to 978,000 Us dollars
6. Rehabilitation of the Brasov – Simeria railway line, component of Rhine-Danube Corridor, for the maximum speed of 160 km/h; Section: Brasov – Sighisoara, Subsections: 1. Brasov – Apata and 3. Cata-Sighisoara 84,36 km: value of the contract estimated to 797,642,500 US dollars
7. Rehabilitation of the Brasov – Simeria railway line, component of Rhine-Danube Corridor, for the maximum speed of 160 km/h; Section: Brasov – Sighisoara, Subsection: Apata – Cata 28,2 km: value of the contract estimated to 716,986,000 US dollars.

The rehabilitations include a variety of works for rail infrastructure and superstructure: embankments, consolidations, bridges and viaducts, culverts, tunnels, overpasses, roads, catenary, rail traffic, passenger information system, telecommunications, communications, signaling, optical cables, video surveillance, architectural works, electrical works, plumbing, thermo-ventilators, bank protection, signage, environmental protection.

According to National Railway Company “CFR” S.A., in 2018, there are many projects which are under preparation or ready to be launched, which concentrates on rehabilitation and modernization of the railways.

Constanta Maritime and River Port Infrastructure

Located at the crossroads of the trade routes linking the markets of the landlocked European countries to the Caucasus, Central Asia and the Far East, the Constanta port has excellent connections with the Central and Eastern European countries through the Corridor IV (rail and road), Corridor VII - Danube (inland waterway), to which it is linked by the Danube-Black Sea Canal, and Corridor IX (road), which passes through Bucharest. The two satellite ports Midia and Mangalia that are not far from Constanta Port are part of the Romanian maritime port system under the coordination of the Constanta Port Administration.

The port of Constanta is one of the main distribution centers for the Central and Eastern Europe, being a multi-purpose port with the deepest operational water in the Black Sea in the port basins to accommodate the largest vessels passing through the Bosphorus narrows (Turkey). The Constanta Port has a handling capacity of over 100 million tons per year and 156 berths, of which 140 berths are operational. The total quay length is 29.83 km, and the depths range between 8 and 19 meters (the deepest in the Black Sea). In terms of capacity, the port could receive sea-going vessels of 165,000 dwt and bulk carriers of 220,000 dwt, containers – 10,000 TEU (due to Bosphorus limitations).

The connection of the port with the Danube River is made through the Danube-Black Sea Canal, which represents one of the main strengths of Constanta Port. Due to low costs and important cargo volumes that can be carried, the Danube is one of the most advantageous modes of transport, an efficient alternative to the European rail and road congested transport.

Port Opportunities

The Port is currently planning several major projects that are related to: the development of the artificial island (new operational berths and transport infrastructure - phase 1, approx. \$336 million, until 2020); modernization of pier 3 (approx. \$315 million, until 2020) and pier 4 (approx. \$340 million, until 2025).

Events

55th ESReDA Seminar (9-10 October 2018, Bucharest, Romania):

<https://www.esreda.org/event/55th-esreda-seminar/>

Expo Trafic Romania Trade Show (18-19 October 2018, Bucharest, Romania):

<http://www.expotrafic.ro/en/>

The 15th Romanian National Congress of roads and bridges (19-22 September 2018)

<http://www.apdp.ro/en/>

Web Resources

SeeNews: <https://seenews.com/news/length-of-modernized-roads-in-romania-up-29-in-2017-610318#sthash.lcCnxlvs.dpuf>

Wikiwand: http://www.wikiwand.com/en/Highways_in_Romania

Business Review: <http://business-review.eu/news/national-road-company-auctioned-infrastructure-projects-worth-eur-4-billion-in-2017-154759>

<http://business-review.eu/featured/eib-lends-eur-1-blm-for-romanian-transport-infrastructure-143608>

Port of Constanta: <http://www.portofconstantza.com/apmc/>

Situation of projects funded by European Funds – National Railway Company “CFR” S.A.:

<http://www.cfr.ro/>

Rail Investments Opportunities Romania: <https://www.railwaypro.com/wp/rail-investments-opportunities-romania/>

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-- Agriculture

Overview

Romania is an important player in the EU in terms of planted area with a 9% share. In terms of harvested production, however, the share is only about 5% due to low yields. Romania is among the European Union member states with the least efficient farms, mainly because of the highly fragmented land ownership, and lack of adequate irrigation.

Romania continues to strengthen its position as a grain and oilseed producer and as a leading exporter among EU member states. In 2017, due to favorable planting for winter grain and favorable weather conditions over the course of development, total grain and oilseed production increased by 12%. Grain exports expanded by an estimated 11%, mainly due to corn and sunflower crops that expanded by 40%, respectively 25%.

The expansionary fiscal measure adopted since 2015, such as Value Added Tax (VAT) cut and the disposable income growth, brought advantages for both food suppliers and consumers, as the food prices went down in various percentages allowing consumers to either increase the range of food purchased or orient towards higher-quality products. At the same time the measure offered food suppliers some savings, encouraging them to invest further in this sector. Nevertheless, the demand increase was not fully satisfied by domestic sources, and foreign suppliers played an important role in meeting this demand. Imports increased by 11% and exports by only 7%, so the trade deficit in agriculture deepened by 53% in 2017 (See table 1).

Table 1 – Total Agricultural trade - Romania (2011-2017)

<i>million U.S. \$</i>	2011	2012	2013	2014	2015	2016	2017
Agricultural Imports	6,197	6,161	6,579	6,797	6,706	7,512	8,359
Agricultural Exports	5,581	5,193	7,042	7,371	6,574	6,825	7,303
Agricultural Trade Deficit/Surplus	-615	-967	463	575	-132	-687	-1,056

Source: Global Trade Atlas

EU member states are the major source and destination for local agri-food products. In general, around 80% of imported agricultural goods originate from the EU. Hungary, Germany, Poland and Bulgaria are Romania's major trading partners. Romanian exports to the EU account for about 60-70% of total agri-food exports, with Italy, Bulgaria, the Netherlands and Germany as the main markets. The major food-product import categories

are meats, grains, protein meals, dairy, edible fruits, and sugar. Exports consist of grains, seeds, live animals and fats. The major share of exports consists of bulk commodities, while imports are comprised of further processed products.

U.S. agri-food exports to Romania reached a new peak in 2017, growing from \$122 million to nearly \$150 million (22%), which is a record for the past six years. U.S. exports flow either directly to Romania, mainly bulk and intermediate, or transshipped through the main EU trade gates, such as the Netherlands, Italy, Germany and the United Kingdom. U.S. agri-food indirect exports rose by 15%, while direct exports expanded by 29% over last year.

The main U.S. commodities exported to Romania consist of planting seeds, food preparations, beverages, fruits and nuts, and seafood. While the bulk and intermediate categories experience year-to-year fluctuations, subject to competition from South America for protein meals, consumer-oriented products exports have been more stable. Within the category of consumer-oriented products, tree nuts, dried fruits, seafood, beef, and sauces & condiments are expected to have very positive prospects, while within the category of intermediate products planting seeds, protein beans and animal genetics demonstrate growth potential.

Leading Sub-Sectors

Tree Nuts: Almonds

In 2017, total Romanian nut imports reached nearly \$40 million which is a 42% increase by value compared to the previous year. Within the tree nut category, almonds imports expanded by 3% in terms of value and 22% in terms of volume. United States remains a major supplier of almonds, enjoying a rising annual trend in terms of quantity (see Table 2 below).

Table 2 – Tree Nuts imports (almonds), Romania, 2015-2017

Imports into Romania	2015		2016		2017	
	<i>Value (USD)</i>	<i>Quantity (MT)</i>	<i>Value (USD)</i>	<i>Quantity (MT)</i>	<i>Value (USD)</i>	<i>Quantity (MT)</i>
Almonds	6,818,217	746	7,773,210	944	7,992,602	1,154

- Of which U.S.	1,755,946	239	3,210,691	441	2,897,132	458
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Source: Global Trade Atlas

Distilled Spirits: Whiskey

Consumer demand for beverages continued the upward trend in 2017. Total Romanian import of distilled spirits expanded 24% in value in 2017 and 17% in volume. U.S. spirit exports followed the general trend, increasing 36% by volume, and 21% by value. The changes introduced in January 2016 in the fiscal regime - a drop in the excise level from €1,000/HL (\$1,100/HL) to €750 /HL (\$825/HL) and the VAT cut from 24 to 19% – maintains positive prospects for this industry. The United States continues to be a significant whiskey supplier to Romania, being the leading provider of Bourbon whiskey (please see Table 3 below).

Table 3 – Distilled spirits imports, Romania, 2015-2017

Imports into Romania	2015		2016		2017	
	Value (USD)	Quantity (LPA)	Value (USD)	Quantity (LPA)	Value (USD)	Quantity (LPA)
Distilled spirits	34,918,716	1,944,804	41,778,332	2,242,570	51,860,052	2,618,141
- Of which U.S.	8,629,277	307,609	10,608,417	308,058	12,794,527	418,607

Source: Global Trade Atlas; *LPA – liters of pure alcohol

Fish and seafood

In Romania, the pace of fishery sector development remains slow, so imports continue to cover a large share (70-80%) of consumption. The limited range of local valuable species and poor processing opportunities stimulate imports. In 2017, fish and seafood imports increased in value by 15% and 4% in volume compared to the previous year (see Table 4

below). U.S. fish and seafood exports to Romania remained relatively flat in 2017. In terms of species, Pacific salmon accounts for the largest share of U.S. fish exports to Romania, followed by Alaska pollock, mackerel, hake, and carp.

Table 4 –Fish and seafood imports, Romania, 2015-2017

Imports into Romania	2015		2016		2017	
	Value (USD)	Quantity (MT)	Value (USD)	Quantity (MT)	Value (USD)	Quantity (MT)
Fish and seafood	168,090,969	75,012	192,491,121	75,328	221,784,554	78,498
- Of which U.S.	1,174,314	483	1,606,825	571	1,469,431	566

Source: Global Trade Atlas

Animal Genetics: Bovine semen

The import value of genetics (bovine frozen semen) grew in 2017 by 57% in volume and 21% in value. The United States was the second provider of bovine genetics on the Romanian market in 2017, as exports rose by 37% in terms of value and 34% in volume. The substantial couple support received by livestock farmers starting with 2016 and the measures adopted at the EU level to improve the dairy market environment reactivated the demand for high-quality genetics from the United States.

Table 5 – Animal Genetics imports, Romania, 2015-2017

Imports into Romania	2015		2016		2017	
	Value (USD)	Quantity (NO)	Value (USD)	Quantity (NO)	Value (USD)	Quantity (NO)

Bovine semen	1,059,375	426,024	801,821	329,937	1,259,439	399,522
- Of which U.S.	211,715	14,978	190,968	16,698	260,796	22,314

Source: Global Trade Atlas

Opportunities for additional U.S. **exports**

Beef

Dried Fruits and Vegetables

Wines

Fruit and vegetable juices

Protein meal

Web Resources

agbucharest@fas.usda.gov

www.fas.usda.gov

<http://gain.fas.usda.gov/Pages/Default.aspx> (GAIN reports)

Customs, Regulations and Standards

-- Trade Barriers

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:

<https://ustr.gov/sites/default/files/2016-NTE-Report-FINAL.pdf>

Information on agricultural trade barriers can be found at the following website: www.usda-eu.org

-- Import Tariffs

Since January 1, 2007, when Romania became an EU member state, it has applied the common EU tariff system. U.S. exports to the EU enjoy an average tariff of three percent. The highest customs duty rates are applicable for products such as: cars (between 10% and 22%), textile industry (up to 12%) or shoes (up to 17%). All the same, U.S. exporters should consult “The Integrated Tariff of the Community,” referred to as TARIC (Tarif Intégré de la Communauté), to identify the various rules which apply to specific products being imported into the customs territory of the EU. 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.

Key Link:

www.ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.html

The U.S. and the EC are signatories to the World Trade Organization’s (WTO) Government Procurement Agreement (GPA), which grants access to most public supplies and services and some work contracts published by national procurement authorities of the countries that are parties to the Agreement. In practice, this means that U.S.-based companies are

eligible to bid on supplies and services contracts from European public contracting authorities above the agreed thresholds:

Key Link:

www.ec.europa.eu/internal_market/publicprocurement/rules/gpa-wto/index_en.html

Key Links: www.anrmap.ro, www.e-licitatie.ro

Import licensing requirements: http://europa.eu/youreurope/citizens/work/professional-qualifications/recognition-of-professional-qualifications/index_ro.htm

Certain products are subject to anti-dumping and countervailing duty measures when imported into the EU, as follows (HS codes mean the six-digit codes in the Nomenclature to the Harmonized System):

HS codes	Type of charges applicable upon import into the EU of U.S. originating products (AD = antidumping charges, C = countervailing charge)
1516 20	AD & C
1518 00	C
2207 10	AD
2207 20	AD
2208 90	AD
2210 12	AD
3814 00	AD
3820 00	AD
3824 99	AD

Regarding the import licensing requirements, products bans and quarantine measures for agricultural products, information is available (depending on the tariff classification of the products), on the following website:

Key Link: http://taric3.customs.ro:9080/taric/web/main_EN

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

-- Import Requirements and documentation

The TARIC, described above, is available to help determine if a license is required for a particular product. Moreover, the EC maintains an export helpdesk with information on import restrictions of various products.

http://www.exporthelp.europa.eu/thdapp/display.htm?page=rt%2Frt_ImportRestrictions.html&docType=main&languageId=en

-- Import requirements and documentation

The Single Administrative Document

The official model for written declarations to customs is the Single Administrative Document (SAD). The SAD describes goods and their movement around the world and is essential for trade outside the EU, or of non-EU goods. Goods brought into the EU customs territory are, from the time of their entry, subject to customs supervision until customs formalities are completed. Goods are covered by a Summary Declaration, which is filed once the items have been presented to customs officials. The customs authorities may, however, allow a period for filing the Declaration which cannot be extended beyond the first working day following the day on which the goods are presented to customs.

More information on the SAD can be found at:

www.ec.europa.eu/taxation_customs/customs/procedural_aspects/general/sad/index_en.htm

Economic Operator Registration and Identification (EORI)

'Economic Operators Registration and Identification number' (EORI number) means an identification number, unique in the customs territory of the Union, assigned by a customs authority to an economic operator or to another person in order to register him for customs purposes.

Since July 1, 2009, all companies established outside of the EU are required to have an EORI number if they wish to lodge a customs declaration on the customs territory of the UE or an Entry/Exit Summary declaration. All U.S. companies should use this number in relation with EU customs. Along with the application for an EORI number, the following documents must also be submitted:

1. the registration document issued by the competent authority of the third country in photocopy;
2. the VAT registration certificate(s) issued by the Competent Authority in the Member States of the European Union, where applicable.
3. documents showing the address of the registered office or the current fiscal domicile, where applicable, if it does not correspond to the one entered in the documents mentioned above issued by the responsible authorities within the Trade registry or by the Chambers of Commerce from the European Union or from the third country, in original or legalized copy, no later than 6 months before the date of submission of the application;
4. a photocopy of the valid passport or other travel document in the case of natural persons.

In specific cases, economic operators and other persons which are not established in the customs territory of the Union shall register with the customs authorities responsible for the place where they first lodge a declaration or apply for a decision.

Once a company has received an EORI number, it can use it in relation with the UE customs authorities to any of the 28 EU member states. There is no single format for the EORI number. Once an operator holds an EORI number he can request the Authorized Economic Operator (AEO) status, which can give quicker access to certain simplified customs procedures.

More information about the EORI number can be found at:

www.ec.europa.eu/taxation_customs/dds2/eos/eori_home.jsp?Lang=en

U.S. - EU Mutual Recognition Arrangement (MRA)

Since 1997, the United States and the EU have had an [agreement](#) on customs cooperation and mutual assistance in customs matters. For additional information, please see:

www.ec.europa.eu/taxation_customs/customs/policy_issues/international_customs_agreements/usa/index_en.htm

In 2012, the United States and the EU signed a new MRA aimed at matching procedures to associate one another's customs identification numbers. The U.S. customs identification numbers (MID) are recognized by customs authorities in the EU, as per Implementing Regulation 58/2013 (which amends EU Regulation 2454/93 cited above):

www.ec.europa.eu/taxation_customs/resources/documents/customs/procedural_aspects/general/implementing_regulation_58_2013_en.pdf

Additional information on the MRA can be found at:

www.cbp.gov/newsroom/national-media-release/2013-02-08-050000/eu-us-fully-implement-mutual-recognition-decision

Revised AEO guidelines (published March 2016):

http://ec.europa.eu/taxation_customs/resources/documents/customs/policy_issues/customs_security/aeo_guidelines_en.pdf

Batteries

The EU Battery Directive adopted in 2006 ([Directive 2006/66](#)) applied to all batteries and accumulators placed on the EU market including automotive, industrial and portable batteries. The Directive seeks to protect the environment by restricting the sale of batteries and accumulators that contain mercury or cadmium (with an exemption for emergency and alarm systems, medical equipment and cordless power tools) and by promoting a high level of collection and recycling. It places the responsibility on producers to finance the costs associated with the collection, treatment, and recycling of used batteries and accumulators. The Directive also includes provisions on the labeling of batteries and their removability from equipment. The EC publishes a FAQ document – last updated in May 2014 - to assist

interested parties in interpreting its provisions. For more information, see our market research report:

<http://www.export.gov/europeanunion/marketresearch/index.asp>

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

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

In addition to the registration requirement, U.S. exporters should carefully review the REACH ‘Candidate List’ of Substances of Very High Concern (SVHCs) and the ‘Authorization List’. Under certain conditions, substances on the Candidate List are subject to communication requirements prior to their export to the EU. Companies seeking to export chemicals on the ‘Authorization List’ will require an authorization.

The Candidate List can be found at: <http://echa.europa.eu/web/guest/candidate-list-table>.

The Authorization List is available at: <http://echa.europa.eu/addressing-chemicals-of-concern/authorisation/recommendation-for-inclusion-in-the-authorisation-list/authorisation-list>

Waste Electrical and Electronic Equipment (WEEE) Directive

EU rules on WEEE, while not requiring specific customs or import paperwork, may entail a financial obligation for U.S. exporters. The Directive requires U.S. exporters to register relevant products with a national WEEE authority or arrange for this to be done by a local partner. The WEEE Directive was revised on July 4, 2012, and the scope of products covered was expanded to include all electrical and electronic equipment. Romania's initial obligation was to implement the Directive by February 14, 2014; however, it did not comply and, as a result, the EC started a preliminary procedure against Romania on March 31, 2014, and applied significant fines until the WEEE Directive was finally implemented in 2015. The revised

scope will apply from August 14, 2018, with a phase-in period that has already begun. U.S. exporters seeking more information on the WEEE Directive should visit:

<http://apps.export.gov/article?id=European-Union-Waste-Electrical-and-Electronic-Equipment-WEEE>

Restriction on Hazardous Substances (RoHS)

The RoHS Directive imposes restrictions on the use of certain chemicals in electrical and electronic equipment. It does not require specific customs or import paperwork; however, manufacturers must self-certify that their products are compliant and affix a “CE” Mark. The 2011 revisions to the RoHS Directive significantly expanded the scope of covered products. Generally, U.S. exporters have until July 22, 2019, to bring products into compliance that were once outside the scope. U.S. exporters seeking more information on the RoHS Directive should visit: www.export.gov/europeanunion/weerohs/index.asp

Cosmetics Regulation

The EU legislation harmonizing the regulation of cosmetic products has applied since July 11, 2013. The most controversial element of the regulation was the introduction of an EU-wide system for the notification of cosmetic products to the EC prior to their placement on the EU market. Only an EU-established entity may submit such a notification. Therefore U.S. exporters must either retain a “Responsible Person” to act on their behalf, rely on their exporter, or establish a presence in the EU.

For more general information, see: <http://apps.export.gov/article?id=The-EU-Cosmetics-Regulation>

Agricultural Documentation

Phytosanitary certificates are required for most planting seeds, 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). The vast majority of these certificates are uniform throughout the EU, but the harmonization process is still ongoing. Most recently, certificates for a series of highly processed products including chondroitin

sulphate, hyaluronic acid, hydrolyzed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids are being harmonized. Until harmonization is finalized, 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://www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/fairs-export-certificate-report/>.

Sanitary Certificates (Fisheries)

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

Since June 2009, the only U.S. competent authority for issuing sanitary certificates for fishery and aquaculture products is the U.S. Department of Commerce, National Marine Fisheries Service (NOAA-NMFS). In addition to sanitary certificates, all third countries wishing to export fishery products to the EU are requested to provide a catch certificate. This catch certificate certifies that the products in question have been caught legally.

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

<https://www.fisheries.noaa.gov/national/seafood-commerce-certification/export-certification-european-union>

Labeling/Marking Requirements

Summary

There is a broad array of EU legislation pertaining to the marking, labeling and packaging of products, with neither an “umbrella” law covering all goods nor any central directory containing information on marking, labeling and packaging requirements. This overview is meant to provide the reader with a general introduction to the multitude of marking, labeling and packaging requirements or marketing tools to be found in the EU.

Introduction

The first step in investigating the marking, labeling and packaging legislation that might apply to a product entering the EU is to draw a distinction between what is mandatory and what is voluntary. This text is focused primarily on the mandatory marks and labels seen most often on consumer products and packaging, which are typically related to public safety, health and/or environmental concerns. It also includes a brief overview of a few mandatory packaging requirements, as well as more common voluntary marks and/or labels used in EU markets.

It is also important to distinguish between marks and labels. A mark is a symbol and/or pictogram that appears on a product or its respective packaging. These range in scope from signs of danger to indications of methods of proper recycling and disposal. The intention of such marks is to provide market surveillance authorities, importers, distributors and end-users with information concerning safety, health, energy efficiency and/or environmental issues relating to a product. Labels, on the other hand, appear in the form of written text or numerical statements, which may be required but are not necessarily universally recognizable. Labels typically indicate more specific information about a product, such as measurements, or an indication of materials that may be found in the product (such as in textiles or batteries).

Mandatory Marks & Labels

- Textiles
- Cosmetics
- Dangerous Substances
- Explosive Atmosphere

- Electrical & Electronic Equipment
- Household Appliances
- Pricing
- Footwear
- Units of Measurement
- Automotive
- Tire labeling
- Maritime
- Materials in Contact with Food
- Noise Emissions
- Wood packaging
- Energy Efficiency

Voluntary Marks and Labels

- Cup/Fork Symbol (material in contact with food)
- Eco-Label
- Green Dot
- Energy Star
- 'e' Mark
- Recycling Marks

Mandatory Marks and Labels

CE Marking

This is probably the most widely used and recognized marking required by the EU. Found in all “New Approach” legislation with a few exceptions, the CE marking demonstrates that a product meets all essential requirements (typically related to safety, health, energy efficiency and/or environmental concerns). CE marking is required for the following products/product families:

- Cableway installations
- Civil explosives
- Construction products

- Electrical/electronic products
- Electromagnetic compatibility
- Low voltage
- Restriction of Hazardous Substances
- Energy efficiency
- Equipment and protective systems in potentially explosive atmospheres (ATEX)
- Gas appliances
- Hot water boilers
- Lifts
- Machinery
- Medical devices
- Non-automatic weighing instruments
- Personal protective equipment
- Pressure equipment
- Radio equipment
- Recreational crafts
- Refrigeration appliances
- Simple pressure vessels
- Toys

While other non-EU standards may be used to demonstrate a product's compliance with the applicable directive(s), the manufacturer will have to provide detailed information regarding the compliance process. An array of standardized safety warning symbols/pictograms may also be applicable to each of the above product categories.

In February 2014, to align product harmonization legislation with the provisions of the NLF (most notably Decision 768/2008), the EU adopted an "Alignment Package" consisting of eight revised CE marking directives. These newly aligned directives will be applicable in 2016.

For more information access:

http://ec.europa.eu/growth/single-market/ce-marking/index_en.htm

http://ec.europa.eu/growth/single-market/european-standards/harmonised-standards/index_en.htm

http://ec.europa.eu/growth/single-market/goods/new-legislative-framework/index_en.htm

<http://apps.export.gov/article?id=Revised-CE-Marking-Laws-Applicable-in-2016>

The Waste Electrical and Electronic Equipment Directive (WEEE)

This Directive is designed to tackle the rapidly increasing waste stream of electrical and electronic equipment, and complements EU measures on landfills and waste incineration. Increased recycling of electrical and electronic equipment, in accordance with the directive requirements, limits the total quantity of waste going to final disposal. This directive affects the following product categories:

- Large and small household appliances
- Consumer equipment
- Lighting equipment
- IT and Telecommunications equipment
- Electrical and Electronic Tools
- Toys and Sports equipment
- Medical Devices
- Monitoring and control equipment
- Automatic dispensers

The symbol must be displayed on all products that fall under this directive, and indicates that the product is not to be discarded with normal household waste. It is a required mark on batteries. In instances where this symbol cannot be displayed on the equipment itself, it should be included on the packaging.

For more information:

Directive 2012/19/EU is available online at:

http://ec.europa.eu/environment/waste/weee/legis_en.htm

Energy Labeling

Directive 2010/30/EU “on the indication by labeling and standard product information of the consumption of energy and other resources by energy-related products” sets a framework for the adoption of product-specific directives on the proper energy efficiency

labeling for each concerned product. This 2010 Directive broadens substantially the energy labeling scope.

Suppliers are to supply free of charge labels or product fiches containing information about consumption of electric or other energy sources to their dealers. Dealers display labels in a visible and legible way and make the fiche available in product brochure or other literature.

For more information:

<http://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficient-products>

Directive 2010/30/EU :

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:153:0001:0012:EN:PDF>

Devices for Use in Potentially Explosive Atmosphere (ATEX)

In addition to applying a CE marking for products falling under the ATEX Directive (2014/34/EC), it is necessary to display the Ex mark, which is a specific marking of explosion protection. Located next to the 'Ex' mark will be a symbol designating the product group or category as specified in the directive.

The revised ATEX Directive (2014/34/EC) was adopted in February 2014 as part of the New Legislative Framework alignment package. It replaced the existing directive and became applicable on April 20, 2016.

For more information:

http://ec.europa.eu/growth/sectors/mechanical-engineering/atex/index_en.htm

Directive 2014/34/EU :

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0034&from=EN>

Noise Emission of Outdoor Equipment

Machines used outdoors are subject to CE marking requirements. Noise emission levels are covered separately. The mandatory label specifies noise emission levels.

For more information:

http://ec.europa.eu/growth/sectors/mechanical-engineering/noise-emissions/index_en.htm

Maritime

The “steering wheel” mark is the equivalent of CE marking for marine equipment. It applies to equipment for use on board any new EU ship, wherever the ship is situated at the time of construction, and to equipment placed on board existing EU ships, whether for the first time or to replace equipment already carried on board. It does not apply to equipment already on board on the date on which the Directive entered into force in 1997. The Directive applies to the following equipment categories:

- Life-saving appliances
- Marine pollution prevention
- Fire protection
- Navigation equipment
- Radio-communication equipment

A revised Marine Equipment Directive (2014/90/EC) was adopted in July 2014 and will be applicable on September 18, 2016.

For more information:

Directive 96/98/EC on Marine Equipment is available online at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1996L0098:20101210:EN:PDF>

Directive 2014/90/EC is available online at:

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.257.01.0146.01.ENG

Textiles

Textile products must be labeled or marked whenever they are put onto the market for production or commercial purposes (sale). The names, descriptions and details of a textile’s

fiber content must be indicated on products available to consumers. Except for trademarks or the name of the undertaking, information other than that required by the Directive must be listed separately. Romania requires labels to be in Romanian, English or all languages.

For more information access:

http://ec.europa.eu/growth/sectors/fashion/textiles-clothing/legislation/index_en.htm

Footwear

Labels must convey information relating to the upper, the lining and insole sock, and the outer-sole of the footwear article. The information must be conveyed by means of approved pictograms or textual information, as defined by the Directive.

The label must be legible, firmly secured and accessible, and the manufacturer or his authorized agent established in the Community is responsible for supplying the label and for the accuracy of the information contained therein. Only the information provided for in the Directive need be supplied. There are no restrictions preventing additional information being included on the label.

For more information:

http://ec.europa.eu/growth/sectors/fashion/footwear/index_en.htm

Cosmetics

Containers and/or packaging (in certain cases) must bear, in indelible, easily legible and visible characters, the following:

- The name, trade name and address, or registered office of the manufacturer or person responsible for marketing the cosmetic product within the Community
- The nominal contents at the time of packaging (by weight or volume)
- The date of minimum durability indicated by "Best before end," for products with a minimum durability of less than 30 months. In this case the following must figure on the packaging:

- The period after opening during which the product can be used without harm to the consumer, for products with a minimum durability of less than 30 months (indicated by a symbol representing an open cream jar, as shown below)
- Particular precautions for use
- The batch number or product reference, for identification
- The product's function

If it is impossible for practical reasons to print on the packaging all the conditions of use and warnings, an enclosed leaflet, label or tape has to be provided and the following symbol has to be on the packaging:

Member States are to draw up procedures for providing the information set out above in the case of cosmetic products that have not been pre-packaged. The product function and list of ingredients also have to appear on the container or packaging. Romania requires that the information on the label be in Romanian.

About the labeling of nanomaterials present in cosmetics:

The Cosmetics regulation indicates that from July 2013 “all ingredients present in the form of nanomaterials shall be clearly indicated in the list of ingredients” and that “the names of such ingredients shall be followed by the word ‘Nano’ in brackets.”

For more information:

Regulation 1223/2009 is available online at:

http://ec.europa.eu/growth/sectors/cosmetics/legislation/index_en.htm

Market Research Report on “EU Cosmetics Legislation”:

<http://apps.export.gov/article?id=The-EU-Cosmetics-Regulation>

Dangerous Substances

New Regulation on the Classification, Labeling and Packaging of Chemicals

The labeling of dangerous substances must indicate the following:

- The name of the substance
- The origin of the substance (the name and address of the manufacturer or distributor)
- The danger symbol and an indication of danger involved in the use of the substance
- A reference to the special risks arising from such dangers.

The dimensions of the label must not be less than a standard A8 sheet (52 x 74mm), and each symbol must cover at least one-tenth of the label's surface area. Romania requires that the labeling of dangerous substances be in Romanian. Where the packaging is too small, the labeling may be affixed in some other manner. The packaging of products considered dangerous which are neither explosive nor toxic may go unlabeled if the product contains such small quantities of dangerous substances that there is no danger to users.

Symbols must be employed if the substance can be defined as any one of the following: explosive, oxidizer, flammable, harmful, toxic irritant, corrosive, or harmful to environment. Containers of hazardous substances should include, in addition to the appropriate symbols, a raised triangle to alert the vision-impaired to their contents. Note that this directive has undergone numerous amendments relating, among other things, to the marking and labeling of additional substances. Accordingly, it is advisable to consult all literature.

Regulation 1272/2008 introduces new classification, labeling and packaging requirements for chemicals based on the Worldwide United Nation's Globally Harmonized System (UN GHS). It replaced the Dangerous Substances Directive (65/548/EEC) and the Dangerous Preparations Directive (1999/45/EC).

For more information:

Regulation 1272/2008/EC on the classification, labeling and packaging can be found at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:353:0001:1355:EN:PDF>

Legal Metrology and Metric Units of Measurement

This legislation specifies permissible ranges of nominal quantities, container capacities and the weights or volumes of prepackaged products. Manufacturers are advised to take note that all labels require metric units, although dual labeling is also acceptable.

For more information access:

http://ec.europa.eu/growth/single-market/goods/building-blocks/legal-metrology/index_en.htm

Price Display

The Directive requires an indication of the selling price, and price per unit of measurement, on all products offered to consumers. The aim is to improve the information available to the consumer and to facilitate price comparison. This information must be unambiguous, clearly legible and easily identifiable. If advertising mentions the item's selling price, it must also indicate its unit price. For products sold in bulk, the unit price is the only item whose indication on the label is mandatory.

For more information:

Directive 98/6/EC, on the indication of the prices of products offered to consumers, available online at: http://eur-lex.europa.eu/resource.html?uri=cellar:b8fd669f-e013-4f8a-a9e1-2ff0dfce7de6.0008.02/DOC_1&format=PDF

Automotive

Nearly every vehicle component must be certified for safety as specified under the various directives relating to automobiles. The number shown in the rectangle on the label indicates the Member State in which the approval process was conducted. The number for Romania is "19". A "base approval number" must also be provided adjacent to this certification. This four-digit number will correspond to the directive and type of device in question.

For more information:

All existing directives on motor vehicles, in chronological order, available online at:

http://ec.europa.eu/growth/sectors/automotive/legislation/index_en.htm

Photometry

A similar marking is an 'E' surrounded by a circle, which applies to the testing of headlight lamps, brake light lamps and turning signal lamps of all vehicles seeking EU market entry. These include consumer vehicles, low-volume production trucks, light and heavy goods vehicles, trailers, motorcycles, cranes, agriculture and forestry tractors, and special-purpose and off-road vehicles.

For more information:

http://ec.europa.eu/growth/sectors/automotive/legislation/index_en.htm

Tire Labeling

Tire label legislation requires that tire manufacturers declare fuel efficiency, wet grip and external rolling noise performance of C1, C2 and C3 tires (i.e., tires mainly fitted on passenger cars, light and heavy-duty vehicles). The objective of the regulation is better information for the consumer and a contribution to a more energy efficient transport policy.

For more information access:

<http://ec.europa.eu/energy/en/topics/energy-efficient-products-and-labels/tyres>

Directive 1222/2009/EC:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1222&from=EN>

Directive 228/2011/EC:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:062:0001:0016:EN:PDF>

Packaging Material

The EU Packaging and Packaging Waste Directive harmonized member state legislation regarding packaging material composition and the management of packaging waste. Composition of packaging material is addressed in a series of EU-wide standards.

For more information access:

Directive 94/62/EC, available online at:

<http://ec.europa.eu/environment/waste/packaging/legis.htm>

Wood Packaging

Like the United States, the EU has adopted legislation to ensure pest control in wood packaging. The marking used for regulated materials is based on the International Plant Protection Convention compliance symbol.

For more information:

http://ec.europa.eu/food/plant/plant_health_biosecurity/non_eu_trade/wood_packaging_dunnage/index_en.htm

VOLUNTARY MARKS AND LABELS

Materials in Contact with Food

Manufacturers of containers, plates, cups, and other material that is intended to meet food are required to check the compliance of their product with EU chemical safety requirements. Using the symbol shown above shows compliance with these requirements. It is mandatory to comply with the legislation, but the use of the symbol is voluntary.

For more information access:

http://ec.europa.eu/food/safety/chemical_safety/food_contact_materials/legislation/index_en.htm

The e-mark

The e-mark acts as a metrological "passport" to facilitate the free movement of prepackaged goods. It guarantees that certain liquids and other substances have been packed by weight or volume in accordance with the Directives. While compliance is not mandatory, free movement throughout the EU is guaranteed for prepackaged products that comply with the provisions of the Directive.

Containers with an e-mark also bear an indication of the weight or volume of the product, known as its "nominal" weight or volume. The packer (or importer, if the container is produced outside the EU) is responsible for ensuring that the containers meet the Directive's requirements.

For more information access:

http://ec.europa.eu/growth/single-market/goods/building-blocks/legal-metrology/pre-packaging/index_en.htm

The Eco-label

The European Eco-label enables European consumers, including public and private purchasers, to easily identify officially approved green products across the EU, Norway, Liechtenstein and Iceland. Introduced in 1992, the label communicates to the customer that the marked products meet specific eco-friendly criteria that have been developed to apply to everyday consumer goods and services.

The symbol may apply to the following 27 product and services groups:

All-purpose cleaners and cleaners for sanitary facilities	Household cleaning products	Textile products
Bed mattresses	Laundry detergents	Tissue paper
Campsite Services	Light bulbs	Tourist accommodation service
Copying and graphic paper	Lubricants	Vacuum cleaners
Detergents for dishwashers	Paints and varnishes	Washing machines
Dishwashers	Personal computers	Wooden coverings
Footwear	Printed paper products	Wooden furniture
Furniture	Refrigerators	

Growing media and Soil improvers	Soaps, shampoos and hair conditioners
Hand dishwashing detergents	Soil improvers
Hard floor coverings	Televisions
Heat pumps	Textile coverings

The Eco-label program has recently been expanded to cover fish and fishery products. This means that eco-labeled products have been produced in accordance with specific environmental standards.

Private eco labels have been developed by the seafood industry to “influence the purchasing decision of consumers and the procurement policies of retailers selling seafood products, to reward producers involved in responsible fishing and aquaculture practices leading towards sustainable use of natural resources.”

There are multiple eco-label schemes, and logos, developed by a variety of operators and according to different characteristics. This confusing situation has led to a need for harmonization and coherence. In response, the UN Food and Agriculture Organization (FAO) has developed a “Guideline for the Eco-Labeling of Fish and Fishery Products from Marine Capture Fisheries” (<http://www.fao.org/docrep/012/i1119t/i1119t.pdf>).

The U.S. government has decided not to engage in the development of such marketing tool. Instead, NOAA Fisheries has developed a comprehensive website where stakeholders, including consumers, can find facts about a specific species of fish and related fisheries. Consumers can then make their own purchasing choice: <http://www.fishwatch.gov>

The EC is currently preparing, at the request of the European Parliament and the Council, a feasibility report on options for a EU-wide eco-label scheme for fishery and aquaculture products.

For more information access:

European Eco-label website: http://ec.europa.eu/environment/ecolabel/index_en.htm

http://ec.europa.eu/dgs/maritimeaffairs_fisheries/consultations/ecolabel/index_en.htm

Recycling

The “mobius loop” (sometimes known as the “chasing arrows”), based on an international standard, may be found on products throughout Europe and is meant to help consumers identify and participate in recycling schemes for product packaging and materials. As well as being used on printed packaging, the chasing arrows symbol is sometimes featured in the molds of glass, metal, paper, or plastic products. Various kinds of loops indicate whether the product is recyclable, recycled or contains recycled material.

For more information access:

http://europa.eu.int/comm/environment/waste/waste_topics.htm

Plastics

The symbol above is an example of how a plastic’s type may be indicated on a product as part of the EU voluntary identification system for plastics.

The EU has mandated that certain products be sold in standardized quantities. Council Directive 2007/45/EC harmonizes packaging of wine and spirits throughout the EU. Existing national sizes will be abolished with a few exceptions for domestic producers.

Key Link:

www.ec.europa.eu/growth/single-market/goods/building-blocks/legal-metrology/pack-sizes/index_en.htm

Glass

There are no EU-wide symbols used to designate the recyclable nature of glass. However, it is certainly encouraged on the national level with an array of symbols.

The Energy Star

The Energy Star symbol is a voluntary labeling program to help consumers identify the most energy-efficient office equipment on the market, i.e., computers, monitors, printers, copiers, scanners and multifunction devices. The Energy Star may be placed on products that meet or exceed energy-efficiency guidelines. Initiated by the United States, agreement with the EU was signed in December 2000 and then renewed in 2006 with the goal of coordinating the labeling program in the two markets. The agreement lays out a common set of energy-efficiency specifications, with a common logo that doubles as a marketing tool.

For more information:

https://www.energystar.gov/index.cfm?c=partners.intl_implementation#europe

The Green Dot

The Green Dot system is a scheme in which participating bodies coordinate the collection, sorting and recovery of used packaging. This system is administered according to national packaging laws (adhered to by packaging manufacturers, fillers, retailers and importers), and it should be noted that all participating national systems operate independently. The umbrella organization, PRO-Europe, is responsible for managing the Green Dot labeling system in Europe. Use of the Green Dot in Romania is voluntary; Eco-Rom Ambalaje issues the Green Dot licenses. More than 460 billion pieces of packaging marked with the Green Dot are distributed worldwide. Interested applicants should contact one of the national administering authorities at: <http://www.pro-e.org> <http://ecoromambalaje.ro/?lang=en>

-- U.S. Export Controls

The U.S. Department of Commerce's Bureau of Industry and Security (BIS) is responsible for implementing and enforcing the Export Administration Regulations (EAR), which regulate the export and re-export of some commercial items, including "production" and "development" technology. The items that BIS regulates are often referred to as "dual use" since they have both commercial and military applications. Further information on export controls is available at: www.bis.doc.gov/licensing/exportingbasics.htm

BIS has developed a list of "red flags," or warning signs, intended to discover possible violations of the EAR. These are posted at:

<http://www.bis.doc.gov/enforcement/redflags.htm>. Also, BIS has "Know Your Customer" guidance at: <http://www.bis.doc.gov/Enforcement/knowcust.htm>

If there is reason to believe a violation is taking place or has occurred, report it to the Department of Commerce by calling the 24-hour hotline at 1(800) 424-2980, or via the confidential lead page at: <https://www.bis.doc.gov/forms/eeleadsntips.html>

The EAR does 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 services. A list of other agencies involved in export control can be found on the BIS website at: <http://www.bis.doc.gov>.

For further details about BIS and its programs, please visit the BIS website at: www.bis.doc.gov

-- Temporary Entry

The General Customs Directorate from Romania developed technical application norms referring to temporary storage. Some of the measures are described below. All temporary storage facilities shall obtain an operation authorization from the regional customs offices. Such authorization shall not be required where the operator of temporary storage facility is the customs authority itself. The authorization shall be granted only to persons who satisfy all of the following conditions:

- a) they are established in the customs territory of the Union
- b) they provide the necessary assurance of the proper conduct of the operations
- c) maintains bookkeeping in a format agreed by the customs authority
- d) they provide a guarantee according to art. 89 of the UCC: for customs debts which have been incurred and for those which may be incurred.

An authorization can include one or more locations (similar to the bonded warehouse regime). According to art. 149 of Regulation R952/2013 the maximum period for temporary storage of non-Union goods is 90 days; within this period the goods shall be placed under a customs procedure or re-exported.

According to art. 250 of the Union Customs Code, the temporary admission procedure allows the use in the customs territory of the Union, with total or partial relief from import duties without their being subject to commercial policy measures, of non-Union goods intended for re-export without having undergone any change except normal depreciation, due to making use of them.

In cases qualifying for partial relief from import duties, the duties are levied at 3% of the amount due, had the goods been imported. The duty is calculated for every month or partial month in which the goods are under temporary admission, but the amount cannot exceed the total due had the goods been imported.

In cases qualifying for total exemption of import duties, but which are subsequently imported, the taxation elements will be the one in force at the registration date of the temporary importation customs declaration.

According to art. 259 of the Union Customs Code, the outward processing procedure shall allow Union goods to be exported temporarily from the customs territory of the Union in order to undergo processing operation and the products resulting from those operation to be released for free circulation with total or partial relief from import duties.

-- Prohibited & Restricted Imports

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 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:

www.ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm

-- Customs Regulations

The following provides information on the major regulatory efforts of the EC Taxation and Customs Union Directorate:

The Union Customs Code (UCC) was adopted in 2013 and its substantive provisions apply from May 1, 2016. It replaces the Community Customs Code (CCC). In addition to the UCC, the EC has published delegated and implementing regulations on the actual procedural changes. These are included in Delegated Regulation (EU) 2015/2446, Delegated Regulation (EU) 2016/341 and the Implementing Regulation (EU) 2015/2447.

There are a number of changes in the revised customs policy which also require an integrated IT system from the customs authorities. In April 2016, the EC published an implementing decision (number: 2016/578) on the work program relating to the development and deployment of the electronic systems of the UCC.

Homepage of Customs and Taxation Union Directorate (TAXUD) Website

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

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

In Romania, the standard rate of VAT is 19% and applies to the base of taxation for any taxable operation that is not exempt or that is not subject to the reduced VAT rate. A reduced rate of 9% applies for services and goods such as prostheses of any type and accessories to them, with the exception of dental prostheses, deliveries of orthopedic products, medicines for human use and veterinarian use, accommodations within the hotel sector or with a similar function, such as campgrounds. The same reduced also applies to books, newspapers and tabloids, including textbooks, except for those used for advertising. As of June 1, 2015, the VAT for foodstuffs was also lowered to 9%.

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

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

These objectives are met using a single instrument - the rules on customs value. The EU applies an internationally accepted concept of 'customs value'.

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

Key Link:

www.ec.europa.eu/taxation_customs/customs/customs_duties/declared_goods/index_en.htm

Consecutively, starting in April 2016, Romanian Customs implemented a working schedule to develop and install the electronic systems envisioned by the EU Customs Code. Presently, Romanian Customs has drafted 25 legislative orders to be signed by the President of National Agency for Fiscal Administration and published in the local Official Journal in the near future. The new orders will impact procedures referring to: companies' registration, customs representation, origin of goods, taxation, special regimes and free-zones, temporary warehouses, re-export notification and electronic signatures.

The General Customs Directorate from Romania

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Phone: +4021 315 58 58

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E-mail: relatiipublice@customs.ro; vama@customs.ro

-- Standards for trade

Overview

Products tested and certified in the United States to American standards likely have to be retested and re-certified to EU requirements as a result of the EU's 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.

EU legislation and standards created under the New Approach are harmonized across the member states and European Economic Area countries to allow for the free flow of goods. A feature of the New Approach is CE marking.

The concept of New Approach legislation is slowly disappearing as the New Legislative Framework (NLF), which entered into force in January 2010, was put in place to serve as a blueprint for existing and future CE marking legislation. Existing legislation has been reviewed to bring them in line with the [NLF concepts](#), which means that new requirements and reference numbers will have to be used as of 2016, new requirements will have to be addressed and new reference numbers will have to be used on declarations of conformity. The date of applicability depends on the product category. For example, the new Electromagnetic Compatibility Directive (2014/30/EU) replaced the existing law and became applicable on April 20, 2016.

While harmonization of EU legislation can facilitate access to the EU Single Market, manufacturers should be aware that regulations (mandatory) and technical standards (voluntary) might also function as barriers to trade if U.S. standards are different from those of the EU. For more information about the NLF, go to: <http://ec.europa.eu/growth/single-market/goods/new-legislative-framework>.

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: www.usda-eu.org

There are also export guides to import regulations and standards available on the Foreign Agricultural Service's website: www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/fairs-export-certificate-report/

Standards

ASRO is the Romanian national institution for standardization. It is a national private legal entity of public interest, non-governmental and apolitical, set up as a national standards body. ASRO is a full member of CEN, CENELEC, ISO and IEC and an observer member of ETSI. ASRO's main duties include establishing the principles and methodologies of the national standardization, developing and approving national standards, and participating in European and international standardization activities. In addition, the institution is responsible for providing information to the public in the field of standardization, as well as publishing and disseminating standards.

The National Standardization Program is the annual working plan of the national standardization body covering the list of topics to be developed. Details included in the 2016 National Work Program can be found in Romanian at http://www.asro.ro/?page_id=443.

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:

1. CENELEC, European Committee for Electrotechnical Standardization (www.cenelec.eu)
2. ETSI, European Telecommunications Standards Institute (www.etsi.org)
3. CEN, European Committee for Standardization, handling all other standards (www.cen.eu/cen/pages/default.aspx)

Key Link:

www.ec.europa.eu/enterprise/policies/european-standards/standardisation-policy/index_en.htm

Conformity Assessment

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, from design to production, to facilitate acceptance of the final product. EU product legislation gives manufacturers some choice regarding 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. Conformity assessment bodies in Romania are listed in NANDO, the European Commission's website.

Key Link: www.ec.europa.eu/enterprise/newapproach/nando

Product Certification

Products manufactured to standards adopted by CEN, CENELEC or ETSI, and referenced in the Official Journal as harmonized standards, are presumed to conform to the requirements of EU Directives. The manufacturer then applies the CE marking and issues a declaration of conformity. With these, the product will be allowed to circulate freely within the EU. A manufacturer can choose not to use the harmonized EU standards, but then must demonstrate that the product meets the essential safety and performance requirements. 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. As market surveillance was found lacking, the EU adopted the New Legislative Framework, which went into force in 2010. As mentioned before, this framework is like a blueprint for all CE marking legislation, harmonizing definitions, responsibilities, European accreditation and market surveillance.

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 local contact established in the EU. This detailed information should not appear next to the CE marking, but rather on the declaration 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.

Independent test and certification laboratories, known as notified bodies, have been officially accredited by competent national authorities to test and certify to EU requirements.

Accreditation

"European Accreditation" (www.european-accreditation.org) 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 to appropriate EN and ISO/IEC standards. For Romania, the accreditation body is:

RENAR/Romanian Association for Accreditation

Phone: + 40 21 402 04 71

Fax: + 40 21 402 04 89

Website: www.renar.ro

E-mail: renar@renar.ro

Publication of technical regulations

The Official Journal is the official publication of the EU. It is published daily on the internet and consists of two series covering adopted legislation as well as case law, studies by committees, and more

(www.eur-lex.europa.eu/JOIndex.do?ihmlang=en). It lists the standards reference numbers linked to legislation (www.ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index_en.htm).

National technical Regulations are published on the Commission's website: www.ec.europa.eu/growth/tools-databases/tris/en to allow other countries and interested parties to comment.

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: www.nist.gov/notifyus

Contact Information

Marianne Drain, Standards Attaché

Marianne.Drain@trade.gov

Contact Information

Romanian Standardization Association

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General Manager – Mr. Mircea Martiș

Phone: +4021.316.32.96

Fax: +4021.316.08.70

Email: asro@asro.ro; international@asro.ro

Website: www.asro.ro

-- Trade Agreements

Romania has signed a significant number of bilateral Double Tax Agreements (DTAs). Most of these agreements follow the OECD model. The DTAs prevail over domestic legislation, provided that a certificate confirming the foreign fiscal residency of the taxpayer is presented to the Romanian tax authorities. The DTAs also contain provisions related to withholding taxes. A company based in a country with which Romania has signed a DTA benefits from a reduced level of withholding taxes.

As an EU member, Romania benefits from the preferential commercial agreements of the EU, e.g.:

- Generalized Scheme of preferences (GSP GSP+ or EBA) - <http://ec.europa.eu/trade/policy/countries-and-regions/development/generalised-scheme-of-preferences/>
- Euro-Mediterranean Partnership - <http://ec.europa.eu/trade/policy/countries-and-regions/regions/euro-mediterranean-partnership/>
- EC regulation no. 55/2008 – with Republic of Moldova - http://trade.ec.europa.eu/doclib/docs/2008/july/tradoc_139804.pdf
- UE-MERCOSUR - <http://ec.europa.eu/trade/policy/countries-and-regions/regions/mercosur/>
- Partnership agreement between EU and ACP countries (Africa, Caribbean and Pacific) - http://eeas.europa.eu/archives/delegations/sierra_leone/eu_sierra_leone/political_relations/partnership_framework/acp_eu_agreement/index_en.htm
- state of play negotiations on TTIP - <http://ec.europa.eu/trade/policy/in-focus/ttip/> ; <http://trade.ec.europa.eu/doclib/press/index.cfm?id=1230>

Web sources:

@Trade_EU

This is the current state of [#EUtrade](#) agreements with the world. More about our trade deals: bit.ly/EUtradeDealspic.twitter.com/uavMzktu5i

EC commercial agreements: <http://ec.europa.eu/trade/policy/countries-and-regions/agreements/>

Full details of the EU's ongoing trade negotiations: <http://trade.ec.europa.eu/doclib/html/118238.htm>

The EU's [FTA implementation report](#) and [Commission working document](#) (November 2017)

[The EU's trade relationship with each country or region](#)

Entire list of EU commercial agreements: http://ec.europa.eu/trade/policy/countries-and-regions/index_en.htm

Bilateral and multilateral trade agreements per sector:

http://ec.europa.eu/trade/issues/bilateral/regions/index_en.htm

<https://ec.europa.eu/growth/>

The State of EU Trade: <http://trade.ec.europa.eu/doclib/html/149622.htm> (map)

Transparency in EU trade negotiations: <http://trade.ec.europa.eu/doclib/html/151381.htm>

Romanian commercial agreements (info available in Romanian)

<https://www.customs.ro/agenti-economici/originea-marfurilor/acorduri-preferentiale-ale-ue>

Romanian National Authority for Fiscal Administration, Customs General Directorate,

Romanian Integrated Customs Tariff: [TARIF VAMAL INTEGRAT ROMAN - TARIC RO](#)

EU Integrated Tariff: [TARIF VAMAL INTEGRAT COMUNITAR - TARIC](#)

Treaties for avoidance of double taxation concluded by Romania as member of the EU (DTAs):

http://static.anaf.ro/static/10/Anaf/AsistentaContribuabili_r/Conventii/Conventii.htm

World Trade Organisation agreements / WTO legal texts:

http://www.wto.org/english/docs_e/legal_e/legal_e.htm

-- Licensing Requirements for Professional Services

There are mandatory documents required by the national authorities to conduct business activities in Romania. These are generally referred to as Special Permits or Licenses. The most common business examples that need special permits or licenses would include: insurance, banking, transport, e-payment, accounting, recruiting of personnel, pharmaceutical activities, gambling, etc. The procedures to access a regulated profession in Romania depend on whether:

- The person intends to settle in Romania and practice the profession locally (establishment); in this case, recognition of professional qualifications is needed.
- The person intends to temporarily provide services in Romania; in this case, the person only needs to make a written preliminary declaration.

If the profession has serious health or safety implications, however, the national authorities could do a prior check of the person's professional qualifications.

Licenses and permits are obtained from different sources such as ministries or other official organizations. The [EU regulated professions database](#) offers a wide range of information for each profession that is regulated in the EU, including directive details, applicability and national authority with contact person and details. The EU database also offers information about which professions are regulated in which EU countries and by which authorities.

-- Web Resources

ASRO: Website: www.asro.ro

EU websites:

Online customs tariff database (TARIC):

www.ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm

The Modernized Community Customs Code (MCCC):

www.europa.eu/legislation_summaries/customs/do0001_en.htm

ECHA: www.echa.europa.eu

Taxation and Customs Union: www.ec.europa.eu/taxation_customs/index_en.htm

Security and Safety Amendment to the Customs Code - Regulation (EC) 648/2005:

www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:117:0013:0019:en:PDF

Electronic Customs Initiative: Decision N° 70/2008/EC:

www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:023:0021:0026:EN:PDF

Modernized Community Customs Code Regulation (EC) 450/2008):

www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:145:0001:0064:EN:PDF

Legislation related to the Electronic Customs Initiative:

www.ec.europa.eu/taxation_customs/customs/policy_issues/electronic_customs_initiative/electronic_customs_legislation/index_en.htm

Export Help Desk: www.exporthelp.europa.eu/thdapp/index_en.html

International Level:

What is Customs Valuation?

www.ec.europa.eu/taxation_customs/customs/customs_duties/declared_goods/european/index_en.htm

Customs and Security: Two communications and a proposal for amending the Community Customs Code:

www.ec.europa.eu/taxation_customs/customs/policy_issues/customs_security/index_en.htm

Establishing the Community Customs Code: Regulation (EC) n° 648/2005 of 13 April 2005:
www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:117:0013:0019:en:PDF

Pre Arrival/Pre Departure Declarations:

www.ec.europa.eu/taxation_customs/customs/procedural_aspects/general/prearrival_pre_departure/index_en.htm

AEO: Authorized Economic Operator:

www.ec.europa.eu/taxation_customs/customs/policy_issues/customs_security/aeo/index_en.htm

Contact Information at National Customs Authorities:

www.ec.europa.eu/taxation_customs/taxation/personal_tax/savings_tax/contact_points/index_en.htm

Cenelec, European Committee for Electro technical Standardization: www.cenelec.eu

ETSI, European Telecommunications Standards Institute: www.etsi.org

CEN, European Committee for Standardization, handling all other standards:
www.cen.eu/cen/Pages/default.aspx

Standardisation – Mandates:

www.ec.europa.eu/enterprise/policies/european-standards/standardisation-requests/index_en.htm

ETSI – Portal – E-Standardisation: www.portal.etsi.org/Portal_Common/home.asp

CEN – Sector: www.cen.eu/work/areas/Pages/default.aspx

CEN - Standard Search: www.esearch.cen.eu/esearch

Nando (New Approach Notified and Designated Organizations) Information System:

www.ec.europa.eu/enterprise/newapproach/nando

Mutual Recognition Agreements (MRAs):

www.ec.europa.eu/enterprise/newapproach/nando/index.cfm?fuseaction=mra.main

European Co-operation for Accreditation: www.european-accreditation.org/home

Eur-Lex – Access to European Union Law: www.eur-lex.europa.eu/en/index.htm

Standards Reference Numbers linked to Legislation:

www.ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index_en.htm

What's New: www.ec.europa.eu/enterprise/news/index_en.htm

National technical Regulations: www.ec.europa.eu/growth/tools-databases/tris/en

NIST - Notify U.S.: www.nist.gov/notifyus

Metrology, Pre-Packaging – Pack Size:

www.ec.europa.eu/enterprise/sectors/legal-metrology-and-prepack/prepacked-products/index_en.htm

European Union Eco-label Homepage: www.ec.europa.eu/environment/ecolabel

U.S. websites:

National Trade Estimate Report on Foreign Trade Barriers:

<https://ustr.gov/sites/default/files/2016-NTE-Report-FINAL.pdf>

Agricultural Trade Barriers: www.usda-eu.org

Trade Compliance Center: www.tcc.export.gov

U.S. Mission to the European Union: www.useu.usmission.gov

The EU Battery Directive: www.buyusainfo.net/docs/x_8086174.pdf

The Latest on REACH: www.export.gov/europeanunion/reachclp

WEEE and RoHS in the EU: www.export.gov/europeanunion/weeerohs

Overview of EU Certificates:

www.usda-eu.org/trade-with-the-eu/eu-import-rules/certification/fairs-export-certificate-report

Center for Food Safety and Applied Nutrition: www.fda.gov/Food/default.htm

Trade Agreements: www.tcc.export.gov/Trade_Agreements/index.asp

Investment Climate Statement (ICS)

Romania – Executive Summary

The U.S. Department of State’s Investment Climate Statements, prepared annually by U.S. embassies and diplomatic missions abroad, provide country-specific information and assessments of the investment climate in foreign markets. Topics include: Market barriers, business risk, legal and regulatory system, dispute resolution, corruption, political violence, labor issues, and intellectual property rights.

- Visit the U.S. Department of State’s Investment Climate Statement website at <https://www.state.gov/e/eb/rls/othr/ics/>.

Trade & Project Financing

-- Methods of Payment

The least risky for the American exporter and most widely accepted method of payment is by confirmed, irrevocable letter of credit. This method, however, is not necessarily the most competitive for winning sales in Romania. An L/C represents a credit obligation for the Romanian buyer, who may not be willing (or able) to borrow at a cost-effective rate. Cash-against-documents or open-account terms entail more risk for the exporter, but may be preferable for the buyer. Each exporter has to weigh the element of risk in a transaction against the relationship with the buyer and degree of competition.

Commercial banks offering international trade services can describe the risks and merits of each payment method, but American exporters are well advised to establish payment policies for international sales based on their business strategy. In addition to the due diligence tools discussed earlier, there are other forms of U.S. Government support for managing risks. The U.S. Export-Import Bank (Ex-Im Bank) offers a program of export credit insurance to enable U.S. exporters to extend credit terms with protection against the risk of non-payment.

Standard & Poor's credit rating for Romania stands at BBB- with stable outlook. Moody's credit rating for Romania was last set at Baa3 with positive outlook. Fitch's credit rating for Romania was last reported at BBB- with stable outlook.

Key Link: <http://www.tradingeconomics.com/romania/rating>

-- Banking Systems

The number of Romanian and foreign banking institutions has increased from five in 1990 to more than 35 at present, and all are authorized to engage in a full range of traditional banking functions.

Romania's membership in the EU and greater integration into world financial markets exposed its economy to the international financial crisis starting from 2008. The dominant

role of foreign banks in the market has brought benefits, but also made Romania captive to the decisions of these banks' home offices, especially in the Euro zone, and their shareholders. However, Romania has proven a profitable market for these banks, and none have expressed plans to exit the market.

Major credit cards are accepted by large hotels, car rental companies and stores in the main cities in Romania. However, credit cards are unlikely to prove useful in small towns or away from tourist areas. A card with a chip and/or PIN may be required to make credit card purchases. Many American banks allow cardholders to set up a PIN prior to travel, in case one is needed. Regardless, you should notify your bank of your international travel, and the potential legitimate use of your card abroad, prior to leaving the United States.

-- Foreign Exchange Controls

Romania has no foreign exchange restrictions. The local currency, the **RO**manian **New** LEU, (abbreviated **RON**) is fully convertible for business (current account) purposes, with a fully liberalized capital account, and a central bank applying a managed float to reduce currency fluctuations. Foreign investors may freely repatriate profits and dividends in hard currency. The exchange rate as of June 13th, 2018 was USD 1 = 3.9701 RON.

-- US Banks & Local Correspondent Banks

All commercial banks now operating in Romania have international correspondent relationships, and all are members of the domestic inter-bank payment-settlement system.

Citibank is the most well-known U.S. bank in Romania, represented by Citibank Romania S.A. since 1996. Citibank Romania S.A. does not engage in retail banking but has corporate banking branches in the major cities such as: Brasov, Bucharest, Cluj-Napoca, and Timisoara.

The Romanian financial landscape includes a number of international bank subsidiaries, and several major Romanian banks. Most of these have parent corporations in other countries such as U.S. (Citibank, J.C. Flowers & Co, EXIM Bank) Austria (Erste Bank, Raiffeisen Bank, Volksbank, and Porsche Bank), France (BRD – Societe Generale, Blom Bank France S.A. Credit Agricole Bank and BNP Paribas), Italy (Unicredit Tiriac Bank, Veneto Banca Spa Italia Montebelluna and Intesa Sanpaolo Bank), Greece (Alpha Bank, Bancpost and Piraeus Bank), Cyprus (Marfin and Bank of Cyprus), Germany (Deutsche Bank, Commerzbank), Israel (Leumi

Bank), the Netherlands (ING Bank, ABN AMRO Bank), Turkey (Garanti Bank) and Portugal (Millennium Bank).

-- Project Financing

Project financing from public and quasi-public institutions is an important source of investment capital for infrastructure projects in Romania and other countries in the region. Especially as the tide of private investment ebbs, or at least becomes more selective, the roles of international financial institutions such as the International Monetary Fund (IMF) and the EU in cooperation with the World Bank Group (IBRD, IFC, MIGA), the EBRD, and the European Investment Bank – EIB, become even more important.

- **EU Structural and Investment Funds (ESIF)**

- EU Structural Funds, including the European Regional Development and the European Social Fund, were created in 1975 with the aim to mitigate economic and social differences between the regions of the EU. New budgets are approved every seven years for all member states. The budgets and the allocation of funding between the different priorities (social, economic or environmental) are based on the conclusions of the “Partnership Agreements” (PAs) which are negotiated between the EC and the member state national authorities. For the period of 2014 – 2020, the EU has earmarked €352 billion (\$398.5 billion) for regional development and cohesion policy projects. For information on approved programs that will result in future project proposals, please visit: www.ec.europa.eu/regional_policy/index_en.cfm
- Tenders issued by Romanian public contracting authorities for projects supported by EU grants are subject to EU public procurement legislation. For more information on these programs, please see the market research section on the website of the U.S. Mission to the EU: www.export.gov/europeanunion/marketresearch/index.asp

- **The Cohesion Fund**

The Cohesion Fund is another instrument of the EU’s regional policy. Its €63 billion or \$71.3 billion (2014-2020) budget is used to finance projects in two areas:

- Trans-European transport projects including transport infrastructure; and
- Environment, including areas related to sustainable development and energy for projects with environmental benefits.

The fund supports projects in member states whose Gross National Income (GNI) per inhabitant is less than 90% of the EU average, which includes Romania.

- These projects are, in principle, co-financed by national authorities, the European Investment Bank, and the private sector:
www.ec.europa.eu/regional_policy/thefunds/cohesion/index_en.cfm

Export-Import Bank of the United States

U.S. Ex-Im Bank provides export credit insurances, loan guarantees and direct loans for U.S. exports to Romania. Although most of the credit has been for exports to the Romanian government, private sector and sub-sovereign financing is available as well.

- Ex-Im Bank issues short-term (180 days) insurance coverage for exports to Romania. Medium- and long-term coverage is only available for public sector transactions. Ex-Im Bank provides insurance through its affiliated agent, the Foreign Credit Insurance Association.

U.S. Overseas Private Investment Corporation (OPIC)

OPIC offers U.S. project financing and insurance through direct loans, loan guarantees, and political risk insurance, as well as equity financing through OPIC-supported investment funds. OPIC can co-finance with other bilateral and multilateral development finance institutions, such as the EBRD and IFC.

Romanian Ministry of Public Finance (MFP)

MFP issues Romanian government guarantees for projects up to \$66.7 million. The Ministry must submit guarantees for larger projects to an inter-ministry committee and the cabinet for approval. Government guarantees are approved on the basis of feasibility studies, which must contain a clear description of the financial package for the project. The government and IFIs may jointly support viable private sector projects.

-- Web Resources

Trade Finance Guide: A Quick Reference for U.S. Exporters, published by the International Trade Administration's Industry & Analysis team:

www.export.gov/tradefinanceguide/index.asp

Export-Import Bank of the United States: www.exim.gov

OPIC: www.opic.gov

Trade and Development Agency: www.ustda.gov

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

USDA Commodity Credit Corporation: www.fsa.usda.gov/about-fsa/index

Citibank Romania: www.citibank.ro

European Bank for Reconstruction and Development: www.ebrd.com

International Financial Corporation: www.ifc.org

Romanian Ministry of Public Finance: www.mfinante.ro

World Bank, Multilateral Development Bank: www.worldbank.org

National Bank of Romania: www.bnr.ro

Business Travel

-- Business Customs

Special customs do not figure significantly in business dealings in Romania; Western business standards apply. Romanians generally have positive attitudes toward America, but also draw on their own and other European cultural references.

Romanian nationals are friendly, and foreigners are usually made very welcome. Shaking hands is the normal form of greeting (sometimes a man, usually from the older generation, may kiss the hand of a woman in greeting); normal courtesies are observed when visiting a person's home. It is important to take business cards to meetings and to give a card to each person present.

Flowers are very popular in Romanian culture, and are given for almost every occasion, including name day celebrations, weddings, and visits to Romanian homes. Always buy an odd number of flowers (even numbers are used at funerals). Casual wear is the most suitable form of dress for most social occasions, but attire may be more formal when specified for entertaining in the evening or in a restaurant or theater. Romanians use the formal addresses of "domnul" (sir) and "doamna" (madam) when addressing one another, although first names are used among younger people and in business with English-speaking partners. It is customary to say "pofta buna" (bon appétit) before eating, and "noroc" (cheers) before drinking.

-- Travel Advisory

General and country-specific travel information can be found on the U.S. Department of State's web site: <https://travel.state.gov/content/passports/en/passports.html>

-- Visa Requirements

You must have a valid passport to enter Romania. Per Regulation no. 610/2013 of the European Union, the passport of third state nationals who travel to Romania or another EU country must meet the following criteria: *the passport must be valid for at least three*

months after the estimated day of exit from the EU country and must have been issued within the last 10 years (documents issued prior to 2003 are no longer accepted).

For all destinations worldwide, the Department of State recommends that your passport have at least six months of validity beyond your dates of international travel to avoid unintended travel disruptions.

To ensure that your travel plans are not disrupted, plan ahead to [renew your passport](#) before traveling. Visit the Department of State's [passport website](#) for more information on applying for a new or renewal passport.

Romania is not currently part of the Schengen region. For additional information, if traveling elsewhere in Europe, please use the following link to visit the website of the Department of State: [Schengen Fact Sheet](#).

U.S. citizen visitors are granted 90 days of stay without a visa within a given six-month period. For stays longer than 90 days, you must obtain an extension from the Romanian Office for Immigration in the area of your residence. If you stay too long, you will need an exit visa. We do not recommend the practice of attempting to “extend” the 90-day period by traveling to another country for a short period and then returning to Romania. More people are being denied re-entry to Romania because the Romanian Government has been enforcing visa regulations more vigorously than in the past. For visits longer than 10 days, you must register your presence with the nearest Police Precinct. Visit the Embassy of Romania website for the most current visa information or contact the Romanian Embassy at 1607 23rd St. NW, Washington, D.C. 20008, telephone number (202) 232-4747, or the Romanian Consulates in Los Angeles, Chicago, or New York.

Foreigners are required to carry identification documents at all times. Americans who obtained a temporary or permanent stay permit must be able to present the document upon the request of any “competent authorities.” Foreigners who do not have a stay permit should present their passports. The Embassy recommends carrying a copy of the relevant document.

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

<https://ro.usembassy.gov/visas/nonimmigrant-visas/>

<https://travel.state.gov/content/visas/en.html>

The **American Citizens Services (ACS)** Unit of the US Embassy Bucharest, Romania, is involved in various matters concerning U.S. citizens in Romania. It is located in the Consular Section, at 4-6 Liviu Librescu Blvd. Emergency Services are available from the Embassy 24 hours a day/7 days a week. From Monday to Friday, 8:00am – 5:00pm, dial 021-270-6000. For emergencies after public hours, please call 021-200-3300. All non-emergency American Citizen Services (renewal of U.S. passports, Consular Reports of Birth Abroad, Notaries and other services) are provided by appointment only. Links to the online appointment system are provided on the Embassy website <https://ro.usembassy.gov/>, in “US Citizen Services” under the appropriate service category.

To contact the ACS:

- Consular Section line 021-270-6000 (press 1) Monday to Friday, 1:00pm to 4:30pm. Fax 021-200-3578 (American citizen services).
- Email: ACSBucharest@state.gov.

The Embassy's website address is: <https://ro.usembassy.gov/>. Please check our website for details on the services offered.

State Department Visa Website: <https://travel.state.gov/content/visas/en.html>

Romanian Immigration Department: www.igi.mai.gov.ro

-- Currency

The RON/USD exchange averaged RON 3.8243 from 1st January to 12th June. Euro is used for larger and legal transactions, especially in sectors such as real estate.

Using ATMs to exchange currency is generally safe but exchange rates can be disadvantageous compared with exchange offices. Use of ATM machines eliminates the need to carry large amounts of cash as traveler's checks are not used for purchases. ATMs are generally functional at all times and are located throughout the city, especially at large

stores, around public institutions and outside banks. Visa and MasterCard are also accepted for purchases in medium and large retail chains.

Contrary to practice in the United States, a PIN is usually required to make credit card purchases. Many American banks allow cardholders to establish such a PIN prior to travel, in case one is needed. If you do not have a pin just tell the cashier "this is a no pin credit card". Regardless, you should notify your bank of your international travel, and the potential legitimate use of your card abroad, prior to leaving the U.S.

-- Telecommunications/Electric

Over 58% of Romanians use the internet. According to Acamai's Q42015 State of the Internet report, the average peak connection speed for Romania is 73.6 Mbps, placing the country in 10th place in the world and 1st in the EU.

Romania has a modern telephone network of landlines and mobile (cell) phones. It's possible to receive and make direct international calls from anywhere in the country. Romania's country code is +40.

All Romanian landline numbers have 10 digits, consisting of a zero, plus a city code and the number. The formula differs slightly depending on whether the number is in Bucharest or outside of Bucharest. Bucharest numbers take the form: 0 + two-digit city code (21 or 31) + seven-digit number. Outside of Bucharest, numbers take the form: 0 + three-digit city code + six-digit number. Mobile phone numbers can be identified by a three-digit prefix starting with 7. All mobile numbers have 10 digits: 0 + three-digit prefix (7xx) + six-digit number.

Calling Within Romania

- to reach a landline outside of Bucharest, dial 0 + three-digit city code + six-digit number
- to reach a landline in Bucharest, dial 0 + 21 (or 31) + seven-digit number
- to reach any mobile number, dial 0 + three-digit mobile prefix + six-digit number.

Dialing From Abroad

To reach a Romanian landline from abroad, dial your country's international access code, then 40 (Romanian country code), then the city code (minus the zero) and the six- (or seven-) digit local number. A call to a mobile number from abroad would follow the form: international access code + 40 (country code) + three-digit mobile prefix + six-digit number.

Calling abroad from Romania

Dial the international access code in Romania (00), then the code for the country you want to call, then the area code and number.

General emergency phone number: 112

Cellular phone technology includes 2G (GSM 900, GSM 1800), 3G (UMTS 900, UMTS 2100) and 4G (LTE 800, LTE 1800, LTE 2600). This band is not compatible with most mobile phones in North America (though some multiband phones do work across regions). Ask your provider if you're uncertain whether your phone will work. The main providers of mobile telephone services are Vodafone, Orange and Telekom, all of which have extensive coverage of the country and also offer international calls and roaming services in a large number of countries, the United States included. Using your own phone and SIM card in Romania could expose you to expensive roaming fees, particularly for long calls or data downloads. A cheaper option is to buy a prepaid Romanian SIM card, which gives you a temporary local number and charges local (cheaper) rates for calls, texts and data transfers.

If you have a smartphone that cannot easily be unlocked, it's best to contact your home provider to consider short-term international calling and data plans appropriate to your needs. Even if you are not using your smartphone as a phone, it still makes a handy Wi-Fi device. Switch off the 'data roaming' setting to avoid unwanted roaming fees.

Romania's electrical current is 230 V; 50 cycles and [sockets](#) take the standard continental [European dual round-pronged plugs](#). A [plug adaptor](#) is required for non-European appliances. Please remember that simple adapters do not convert voltage or frequency. A power converter is necessary for appliances requiring 110 V.

Romania is seven time zones ahead of U.S.-Eastern standard time.

-- Transportation

TAROM, the Romanian national airline, serves major points in Romania and Europe and is part of the SkyTeam Alliance (other members flying to Romania are: Air France, KLM, Alitalia, Aeroflot, and CSA Czech Airlines). Members of the Star Alliance with flights to Romania are: Lufthansa, Turkish Airlines, Austrian Airlines, Swiss International, LOT, and TAP Portugal. Among OneWorld Alliance members, British Airways, Qatar Airways, and Air Berlin fly to Romania. There are also a number of other regional and low cost airlines that connect Romanian cities with cities throughout Europe. There are currently no non-stop flights to the United States from Romania.

Most major Romanian cities have airline service to Bucharest. In addition to Henri Coanda, Bucharest's airport, Timisoara, Cluj-Napoca, Sibiu, and Iasi airports are also common ports of entry.

In Bucharest, hotel chains such as Radisson, Marriott, Hilton, Ramada and Crowne Plaza provide scheduled shuttle bus service to and from the Henri Coanda Airport; rental car service is also available. All taxis are required to have meters.

Romania is well served by an international and domestic rail system, though the country's rail infrastructure is in need of an update. Traveling by train from other European countries to Romania takes from four hours (Budapest to Arad or to Oradea) to about 30 hours (Paris to Bucharest). As most train tickets allow several stopovers en route, train travel can be an affordable and relaxing way to include Romania in a European trip. First and second-class sleepers are available for journeys longer than 10 hours and for overnight trains. Schedules of international trains to and from Romania can be obtained at: www.bahn.de or www.InterRail.eu

The domestic motorway network is extensive, but road quality in most of the country is poor. Roads in Bucharest are in a near-constant state of construction. Winter driving in Romania often requires navigating sometimes hazardous mountain passes. Driving after dark at any time of year requires care because of pedestrians, animals, or slow-moving vehicles often encountered on the roadway.

Taxis are available in every city and larger towns in Romania. They can be summoned by telephone or hailed on the street. Authorized taxis can be recognized by the TAXI sign on the roof. All Taxis should be equipped with meters. Taxis can also be ordered by calling

specialized companies which can confirm the rate/mile and approximate cost of the ride. On-demand taxi services are available at Bucharest Henri Coandă International Airport. The taxi will arrive right outside the terminal, on the first floor; you show the driver the ticket issued by the touchscreen device. Ensure that the driver activates the meter before the ride starts.

Romanian traffic laws are very strict. The traffic police may confiscate a driver's license or permit for one to three months. Romanian traffic law provides for license suspension and possible imprisonment from one to five years for driving under the influence (alcohol level over 0.08% BAC) or for causing an accident resulting in injury or death. Due to the new legislation, drivers who do not utilize a seatbelt or secure their children with a seatbelt or a in a car seat and drivers talking on the phone without a hands-free device are stopped more often. Despite these strict rules, however, many drivers in Romania often do not follow traffic laws or yield the right of way. Therefore, it is strongly recommended that defensive driving be the rule of thumb while driving throughout Romania.

U.S. driver's licenses are only valid in Romania for up to 90 days. Before the 90-day period has expired, U.S. citizens must either obtain an international driving permit in addition to their U.S. driver's license or a Romanian driver's license.

-- Language

The official language of Romania is Romanian, a Romance language using the Latin alphabet. Romanian evolved from the Latin used in the Roman colony of Dacia. English is widely spoken, as are French and German.

-- Health

Medical care in Romania is generally not up to Western standards, and basic medical supplies are limited, especially outside major cities. Some medical providers that meet Western quality standards are available in Bucharest and other cities but can be difficult to identify and locate. Travelers seeking medical treatment should, therefore, choose their provider carefully. A [list of hospitals and physicians](#) is available on the website of the U.S. Embassy in Bucharest.

In case of emergency, you should call the Emergency Services line at 112 (Ambulance, Fire Brigade and Police) or you may go to the Emergency Hospital in Bucharest (Spitalul de

Urgenta), 8, Calea Floreasca, at the intersection with Soseaua Stefan cel Mare (Telephone: 9621, 021-230-0106, 021-230-4953), or its equivalent when outside of Bucharest.

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.

Americans who wish to extend their stay in Romania must purchase Romanian health insurance from the National Health Insurance Office in their area of residence for the duration of their intended stay in Romania. Useful information on medical emergencies abroad, including overseas insurance programs, is provided on the Department of State's web page, Medical Information for Americans Traveling Abroad. For more details, please consult this web link: <https://travel.state.gov/content/passports/en/go/health.html>

-- Local Time, Business Hours and Holidays

Local time is Standard GTM + 2 hours. Business hours are typically from 9 am to 5 pm, Monday through Friday. An updated list of American and Romanian national holidays can be found on the Embassy's website: <https://ro.usembassy.gov/holiday-calendar/>

-- Temporary Entry of Materials or Personal Belongings

Romania's customs authorities may enforce strict regulations concerning temporary importation into or export from Romania of items such as firearms, antiquities, and medications. Romanian law allows travelers to bring cash into or out of Romania. However, sums larger than the equivalent of €10,000 (\$11,000) must be declared. It is advisable to contact the Embassy of Romania in Washington or one of Romania's consulates in the United States for specific information regarding customs requirements.

Embassy of Romania in Washington DC: www.washington.mae.ro/en

Address: 23rd Street NW, Washington DC 20008

Phone: (01 - 202) 232.36.94; (01 - 202) 332.48.46; (01 - 202) 332.48.48;(01-202) 332.48.29; (01-202) 232 6634; (01-202) 387.69.01

Romania customs authorities accept the use of an ATA (Admission Temporaire/Temporary Admission) Carnet for the temporary admission of professional equipment, commercial

samples, and/or goods for exhibitions and fair purposes. ATA Carnet Headquarters, located at the U.S. Council for International Business, 1212 Avenue of the Americas, New York, NY 10036, issues and guarantees the ATA Carnet in the United States. For additional information call (212) 354-4480, send an e-mail to atacarnet@uscib.org, or visit www.uscib.org for details.

-- Travel Related Web Resources

U.S. Department of State: www.travel.state.gov/content/visas/english.html

Embassy of Romania in Washington DC: www.washington.mae.ro/en

U.S. Embassy in Bucharest: www.romania.usembassy.gov

Ministry for Information Society: www.mcsi.ro

Ministry of Transportation: www.mt.ro

Ministry of Public Health: www.ms.ro

National Customs Authority: www.customs.ro/en.aspx