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FAIRS Subject Report

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Report Highlights:

This report contains summaries of relevant decisions and developments between December 3, 2013, and January 14, 2014, from the meetings of the supreme regulatory body of the Russia-Kazakhstan-Belarus Customs Union (CU) - the Council of the Eurasian Economic Commission (EEC), as well as regular weekly meetings of the EEC working body - the EEC Collegium, that impact CU food and agriculture policy. Key documents included herein are draft SPS and TBT measures published for public review/comment; EEC Collegium decisions No. 297 and 298 which detail the procedures for implementation of the recently adopted CU technical regulations on dairy and meat; and EEC Collegium decision No. 307 enabling the EEC to impose export restrictions on hides and skins in the future.

Russia notified several of the SPS/TBT measures covered in this report to the World Trade Organization (WTO).

General Information:

This report contains summaries of relevant decisions and developments between December 3, 2013, and January 14, 2014, from the meetings of the supreme regulatory body of the Russia-Kazakhstan-Belarus Customs Union (CU) - the Council of the Eurasian Economic Commission (EEC), as well as regular weekly meetings of the EEC working body - the EEC Collegium, that impact CU food and agriculture policy. Key documents included herein are draft SPS and TBT measures published for public review/comment; EEC Collegium decisions No. 297 and 298 which detail the procedures for implementation of the recently adopted CU technical regulations on dairy and meat; and EEC Collegium decision No. 307 enabling the EEC to impose export restrictions on hides and skins in the future.

The documents below are hyperlinked via “Google Translate,” for readers seeking further details. Select “refresh” on your browser if the page does not translate to the end.

As of the date of publication of this report, several of the SPS/TBT measures below have been notified to the World Trade Organization (WTO), as specified in the Post comment on such measures throughout the report.

Status of Armenia’s CU Bid

Following a meeting of the Supreme Eurasian Economic Council at the level of the Heads of States, the Presidents of Belarus, Kazakhstan, Russia and Armenia signed a statement ([in Russian](#)) on the approval of a roadmap for Armenia’s accession to the Customs Union. However, the roadmap is not yet available. Nevertheless, reports in the Russian press, including the official Rossiyskaya Gazeta, indicate that Armenia’s accession to the CU is tentatively scheduled for May 2014.

SPS MEASURES PUBLISHED FOR PUBLIC COMMENT

Publication Date: December 9, 2013

1. **Phytosanitary Border Control:** Draft Amendments to the CU Regulation on Phytosanitary Control at the CU border – original in [Russian](#). For English, please see GAIN report [RS1393 EEC Draft Amendments to Regulation on Phytosanitary Control on the CU Territory](#).

Summary: On December 12, 2013, Russia notified this draft document to the WTO via [G/SPS/N/RUS/39](#). According to the notification, the draft document amends Annex 3 to the CU Commission Decision No. 318 of June 18, 2010. The proposed amendments refer to trade within the CU customs territory. The expressed goal of the document is to improve the efficiency of quarantine and phytosanitary control in the CU customs territory, streamline the work of the competent authorities responsible for plant protection in the CU member-states, and eliminate unjustified barriers between the Member-States. The 60-day public comment period ends on February 10, 2014. Interested U.S. parties are encouraged to share their comments and/or concerns with USDA’s enquiry point at us.spsenquiry@fas.usda.gov.

Publication Date: December 31, 2013

2. **Regulation on Veterinary Control:** [Draft Amendments](#) to the Regulation on the Uniform Procedure for Veterinary Control at the Customs Border of the Customs Union and in the Customs Territory of the Customs Union – original in [Russian](#). For English, please see GAIN report [RS1398 Draft Customs Union SPS Measure on Veterinary Certificates](#).

Summary: On January 14, 2014, Russia notified this draft document amending the CU regulation on veterinary control to the WTO via [G/SPS/N/RUS/43](#). In particular, the amendment introduces requirements for replacement and bilateral veterinary certificates. There is a 60-day EEC public comment period, starting January 14, 2013, and ending March 14, 2014. Interested U.S. parties are encouraged to share their comments and/or concerns with USDA’s enquiry point (us.spsenquiry@fas.usda.gov).

TBT MEASURES PUBLISHED FOR PUBLIC COMMENT

Publication Date: December 6, 2012

1. **CU Technical Regulations:** [Draft Amendments](#) to the CU Technical Regulation “On Safety of Grain” (TR CU 015/2011) – original in [Russian](#).

Summary: On January 8, 2014, Russia notified this draft document to the WTO via [G/TBT/N/RUS/30](#), and on January 14, 2014 – as [G/SPS/N/RUS/42](#). The draft amendment changes the words “rape (grain)” for “rape (seed)” in two sentences. The public comment period ends on February 27, 2014. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology at ncsci@nist.gov. For English, please see GAIN report [RS1404 New Draft Amendments to CU Technical Regulation on Safety of Grain](#).

2. **CU Technical Regulations:** [Draft Amendments](#) to the CU “Technical Regulation on Fat and Oil Products” (TR CU 024/2011) – original in [Russian](#).

Summary: On January 8, 2014, Russia notified this draft document to the WTO via [G/TBT/N/RUS/32](#). The draft amendment excludes the word “fractionation” from the description of the term “modification of vegetable oils and (or) fats” (item 5 of article 3, Chapter 2). The public comment period ends on February 27, 2014. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology at ncsci@nist.gov. For English, please see GAIN report [RS1403 New Draft Amendments to CU TR on Safety of Fat and Oil Products](#).

**RECOMMENDATION No. 17 OF THE EURASIAN ECONOMIC COMMISSION
COLLEGIUM of December 17, 2013**

Publication Date: December 18, 2013

[EEC Collegium Recommendation No. 17](#). *On Amending the Recommendation of the Collegium of the Eurasian Economic Commission No. 4 of March 12, 2013 - original in [Russian](#)*

Summary: The recommendation supplements the new Explanatory Notes to the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union (CU HS) that were attached to the EEC Collegium Recommendation No. 4 of March 12, 2013, with Volume VI. Volume VI is based on the Explanatory Notes to the Combined Nomenclature of the European Union and also contains explanatory notes of the Customs Union. For example, many of the explanatory notes specify what items exactly are classified under such a generic category of “other” in various CU HS sub-headings.

**12th MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL
December 23, 2013**

Publication Date: December 26, 2013

[EEC Council Decision No. 99](#). *On the Chairman of the Council of the Eurasian Economic Commission - original in [Russian](#)*

Summary: According to the Decision, Russia’s representative in the EEC Council, First Deputy Prime Minister Igor Shuvalov, will be appointed Chairman of the EEC Council as of January 31, 2014, for a period of one year. According to the Agreement on the Eurasian Economic Commission, The Member States agreed on a one-year rotating chairmanship in the EEC Council. Belarus chaired the Council in 2012 and Kazakhstan in 2013.

**37th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
December 2, 2013**

Publication Date: December 7, 2013

[EEC Collegium Decision No. 283](#). *On Establishment of a Consultative Committee on Coordination of the Controlling Bodies at the Customs Border of the Customs Union, Amending the Regulation on the Consultative Committee on Customs Regulation and Invalidation of Some Decisions of the Customs Union Commission - original in [Russian](#)*

Summary: The decision establishes a new Consultative Committee to focus on the unification of regulatory control and interagency cooperation issues for controlling agencies of the Member States. Russia will be represented in the Committee by the officials from the Ministry of Health, Ministry of Agriculture, Ministry of Transport, Federal Agency for Equipment of the State Border of the Russian Federation, Federal Service for Veterinary and Phytosanitary Surveillance (Rosselkhoznadzor), Federal Service for Supervision in the Sphere of Consumer Rights

Protection and Human Well-Being, Federal Customs Service, and the Border Guard Service of the Federal Security Service.

38th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
December 10, 2013

Publication Date: December 11, 2013

[EEC Collegium Decision No. 290.](#) *On the Program for Development (Amendments, Revision) of Interstate Standards, Voluntary Application of which Ensures Compliance with the Requirements of the Technical Regulation of the Customs Union “Technical Regulation on Fat and Oil Products” (TR CU 024/2011), as well as Interstate Standards Containing the Rules and Methods of Examination (Testing) and Measurement, Including the Rules for Selection of Samples Required for Application and Meeting of the Requirements of the Technical Regulation of the Customs Union “Technical Regulation on Fat and Oil Products” (TR CU 024/2011) and Carrying out of Assessment (Confirmation) of Products’ Conformity - original in [Russian](#)*

Summary: The decision approves the respective program, which contains a total 33 standards to be developed/revised by 2016.

[EEC Collegium Decision No. 291.](#) *On the Program for Development (Amendments, Revision) of Interstate Standards, Voluntary Application of which Ensures Compliance with the Requirements of the Technical Regulation of the Customs Union “On Safety of Grain” (TR CU 015/2011), as well as Interstate Standards Containing the Rules and Methods of Examination (Testing) and Measurement, Including the Rules for Selection of Samples Required for Application and Meeting of the Requirements of the Technical Regulation of the Customs Union “On Safety of Grain” (TR CU 015/2011) and Carrying out of Assessment (Confirmation) of Products’ Conformity - original in [Russian](#)*

Summary: The decision approves the respective program, which contains a total 11 standards to be developed/revised by 2016.

[EEC Collegium Decision No. 294.](#) *On Amending Some Decisions of the Customs Union Commission - original in [Russian](#)*

Summary: The decision amends the list of veterinary - sanitary measures (forms of veterinary control) applied to imported goods in connection with the prospective accession of the Republic of Kazakhstan to the WTO. Russia notified the WTO of this decision via [G/SPS/N/RUS/33](#) of September 20, 2013, and issued another notification (i.e., [G/SPS/N/RUS/33/Add.1](#)) informing the WTO of the final rule on December 17, 2013. For details please see GAIN report [RS1365 Amendments to Customs Union SPS Measure Notified to WTO](#).

Publication Date: December 17, 2013

[EEC Collegium Decision No. 297.](#) *On the Procedure for Implementation of the Technical Regulation of the Customs Union «On Safety of Milk and Dairy Products» (TR TS 033/2013) - original in [Russian](#)*

Summary: The decision contains a number of transitional provisions in effect through December 31, 2015. For example, production and circulation of dairy products in accordance with the current CU and national requirements of the CU Member-States will be allowed until December 31, 2015. As of the date of publication of this report, FAS/Moscow does not believe this measure has been notified to the WTO.

[EEC Collegium Decision No. 298.](#) *On the Procedure for Implementation of the Technical Regulation of the Customs Union «On Safety of Meat and Meat Products» (TR TS 034/2013) - original in [Russian](#)*

Summary: The decision contains a number of transitional provisions in effect through December 31, 2015. For example, production and circulation of meat products in accordance with the current CU and national requirements of the CU Member-States will be allowed until December 31, 2015. As of the date of publication of this report, FAS/Moscow does not believe this measure has been notified to the WTO.

Publication Date: December 18, 2013

[EEC Collegium Decision No. 299.](#) *On the Draft Memorandum of Understanding between the Eurasian Economic Commission and the World Organization for Animal Health - original in [Russian](#)*

Summary: The Decision approves a draft of the above-referenced memorandum and authorizes EEC Minister of Technical Regulation, Mr. Koreshkov, to sign the memorandum. According to the memorandum, it is not an international treaty and does not entail any legal obligations for the Parties. The memorandum is a declaration by the Parties of their intent to cooperate through information exchange in the sphere of veterinary science. The memorandum will be drawn in the Russian and English languages, with both texts being equally authentic.

**39th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
December 17, 2013**

Publication Date: December 18, 2013

[EEC Collegium Decision No. 300.](#) *On Amending the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union and the Unified Customs Tariff of the Customs Union in respect to Licorice Root and Decision of the Council of the Eurasian Economic Commission No. 134 of August 16, 2012 - original in [Russian](#)*

Summary: The decision changes the structure of CU HS sub-heading 1211 90 850 to assign specific CU HS codes to licorice root. The import tariff on these items remains unchanged at 5%.

**40th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
December 25, 2013**

Publication Date: December 26, 2013

EEC Collegium Decision No. 307. *On Amending the List of Goods that are of Critical Importance for the Domestic Market of the Customs Union, which in exceptional cases can be subject to temporary export restrictions or bans - original in [Russian](#)*

Summary: The decision adds certain pork, cattle and equine hides and skins (CU HS codes 4103 30 000 0, 4104, 4106 31 000 0, and 4106 32 000 0) to the respective list of products for which the CU may impose export bans in the future.