Amendments to EAEU Food Safety Regulation Notified to WTO

Report Highlights:
On February 12, 2019, Russia notified the World Trade Organization (WTO) of draft amendments to the Technical Regulation (TR) of the Customs Union “On Food Safety” via G/TBT/N/RUS/91 to eliminate an inconsistency between the TR and the Treaty on the Eurasian Economic Union and clarify a definition. This report contains an unofficial translation of the notified document. The public comment period for the draft will close on April 10, 2019. Interested U.S. parties are encouraged to share their comments and/or concerns with USDA’s enquiry point (us.spsenquirypoint@fas.usda.gov). For potential inclusion in the U.S. official position, please send your comments by April 1, 2019.
General Information
The Eurasian Economic Commission (EEC), which is the regulatory body of the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union (EAEU), published the following draft document on its website:

- **On Amending the Technical Regulation of the Customs Union “On Food Safety” (TR TS 021/2011)**

On February 12, 2019, Russia notified the World Trade Organization (WTO) of the draft document via G/TBT/N/RUS/91. The public comment period for the draft will close on April 10, 2019. Interested U.S. parties are encouraged to share their comments and/or concerns with USDA’s enquiry point (us.spsenquirypoint@fas.usda.gov). For potential inclusion in the U.S. official position, please send your comments by April 1, 2019.

According to the notification, the amendments will bring the Technical Regulation on “Food Safety” in compliance with the Treaty on the Eurasian Economic Union by excluding state supervision (control) as a form of conformity assessment, and clarify the definition for the “process of production (manufacturing) of food products.” Please find below an unofficial English translation of the proposed measure, with the proposed changes notated by **yellow highlights**.
EURASIAN ECONOMIC COMMISSION
COUNCIL
DECISION

_______  20____  No.  city

On Amending the Technical Regulation of the Customs Union
“On Food Safety” (TR TS 021/2011)

In accordance with paragraph 2 of Article 52 of the Treaty on the Eurasian Economic Union of May 29, 2014, and paragraph 29 of Annex No. 1 to the Rules of Procedure of the Eurasian Economic Commission approved by Decision of the Supreme Eurasian Economic Council No. 98 of December 23, 2014, the Collegium of the Eurasian Economic Commission has resolved:

1. To amend the Technical Regulation of the Customs Union “On Food Safety” (TR TS 021/2011), approved by decision of the Customs Union Commission No. 880 of December 9, 2011, in accordance with the attachment.

2. The present Decision shall come into effect after six calendar months from its official publication.

Members of the Council of the Eurasian Economic Commission:

From the Republic of Armenia: M. Grigoryan
From the Republic of Belarus: I. Petrishenko
From the Republic of Kazakhstan: B. Sagintaev
From the Kyrgyz Republic: Zh. Razakov
From the Russian Federation: A. Siluanov
ATTACHMENT

to Decision of the Council
of the Eurasian Economic Commission
No.____ dated _______________20__

AMENDMENTS
to the Technical Regulation of the Customs Union
“On Food Safety”
(TR TS 021/2011)

1. Paragraph 45 of Article 4 shall read as follows:
“process of food products production (manufacturing) – the whole of or a combination of
successively executed various technological operations of food products production (manufacturing) at a
specific production facility.”.

2. Part 2 of Article 21 shall read as follows:
“2. Assessment (confirmation) of conformity of the processes of production (manufacturing),
storage, shipment (transport), sale, and disposal of food products at the production facilities, specified in
Article 32, to the requirements of the present Technical Regulation and (or) technical regulations of the
Customs Union for certain types of food products shall be carried out in the form of inspection (control)
of observance of the requirements established by the present Technical Regulation and (or) technical
regulations of the Customs Union for certain types of food products, except for the processes of food
products production (manufacturing), specified in Article 32. Assessment (confirmation) of conformity
of those processes of production (manufacturing) shall be carried out in the form of state registration of
production facilities.”.

3. Part 3 of Article 21 shall read as follows:
“3. State control (surveillance)-Assessment (confirmation) of conformity of food products of
noncommercial manufacture and food products of catering facilities (public catering), intended for sale
during servicing, as well as processes of sales of the specified food products shall be carried out in the
form of state surveillance (control) of observance of to the requirements for food products, established
by the present Technical Regulation and (or) of the technical regulations of the Customs Union for
certain types of food products shall be carried out in accordance with the procedure as established by the
legislation of the Customs Union Member State.”.

END UNOFFICIAL TRANSLATION.