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FAIRS Subject Report

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**Report Highlights:**

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings, published between May 20 and July 17, 2013 that impact CU food and agriculture policy. Key documents included herein are three draft SPS documents for public comment, which were notified by Russia to the World Trade Organization (see G/SPS/N/RUS/27, 28, and 29), a number of decisions on import tariff changes for numerous agricultural products, which appear consistent with Russia's WTO commitments, as well as decisions excluding meat, milk, fish and products thereof from the scope of the CU Technical Regulation "On Food Safety."

## **General Information:**

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings, published between May 20 and July 17, 2013 that impact CU food and agriculture policy. Key documents included herein are three draft SPS documents for public comment, a number of decisions on import tariff changes, which appear consistent with Russia's WTO commitments, as well as decisions excluding meat, milk, fish and products thereof from the scope of the CU Technical Regulation "On Food Safety."

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. Please note that the CU is often delayed when publishing attachments to decisions. If there is an attachment in a decision that is not yet linked, please check back again.

As of the date of publication of this report, only the three draft SPS measures published for public comment (i.e., G/SPS/N/RUS/27, 28, and 29) have been notified to the World Trade Organization, as indicated in the Post comment on such measures below.

## **SPS MEASURES PUBLISHED FOR PUBLIC COMMENT**

***Publication Date: June 25, 2013***

- 1. Uniform Veterinary Certificates:** Draft Amendments to Decision of the Customs Union Commission No. 607 of April 7, 2011 – original in [Russian](#). For English, please see GAIN report [RS1339 Customs Union Publishes SPS Measures for Public Comment](#).

**Comment:** The draft adds two new forms of uniform veterinary certificates – for earth worms and gelatin. On July 8, 2013, Russia notified the World Trade Organization (WTO) of this draft document in its WTO notification: G/SPS/N/RUS/29. The comment period ends on September 6, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point ([us.spsenquiry@fas.usda.gov](mailto:us.spsenquiry@fas.usda.gov)).

- 2. Veterinary Requirements:** Draft Amendments to the Unified Veterinary (Veterinary and Sanitary) Requirements to Goods Subject to Veterinary Control (Surveillance) – original in [Russian](#). For English, please see GAIN report [RS1339 Customs Union Publishes SPS Measures for Public Comment](#).

**Comment:** The draft adds two new Chapters with veterinary requirements for live earth worms and gelatin, as well requirements for Schmallenberg disease to the Chapters on breeding cattle, bovine semen, bovine embryos, slaughter cattle, sheep and goats, and breeding sheep and goats. On July 8, 2013, Russia notified the World Trade Organization (WTO) of this draft document in its WTO notification: G/SPS/N/RUS/27. The comment period ends on September 6, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point ([us.spsenquiry@fas.usda.gov](mailto:us.spsenquiry@fas.usda.gov)).

- 3. Regulation on Veterinary Control:** Draft Amendments to Regulation on the Uniform Procedure for Veterinary Control at the Customs Border of the Customs Union and in the

Territory of the Customs Union – original in [Russian](#). For English, please see GAIN report [RS1339 Customs Union Publishes SPS Measures for Public Comment](#).

**Comment:** The draft adds a provision to ensure that forms for veterinary certificates are secure and cannot be forged. On July 8, 2013, Russia notified the World Trade Organization (WTO) of this draft document in its WTO notification: G/SPS/N/RUS/28. The comment period ends on September 6, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point ([us.spsenquiry@fas.usda.gov](mailto:us.spsenquiry@fas.usda.gov)).

**MEETING OF THE SUPREME EURASIAN ECONOMIC COUNCIL AT THE HEADS OF  
STATE LEVEL  
May 29, 2013**

*Publication Date: May 31, 2013*

**[EEC Supreme Council Decision No. 32](#)**. *On Amendments to the Rules of Procedure of the Eurasian Economic Commission* - original in [Russian](#)

**Summary:** The decision approves amendments to the EEC Rules of Procedure defining the scope and procedure of EEC involvement in trade negotiations between CU Member States and third countries, as well as their associations.

**[EEC Supreme Council Decision No. 35](#)**. *On the Concept of Coordinated Agro-Industrial Policy of the Member-States of the Customs Union and Single Economic Space* - original in [Russian](#)

**Summary:** The decision approves the Concept stated above. The Concept, in particular, focuses on: prerequisites for the formation of a coordinated agro-industrial policy; its purpose, objectives, and main directions (which include forecasting, planning, state support, regulation, requirements, SPS measures, exports, scientific and innovative development, and integrated information support; implementation mechanisms; and expected results). For more details please see GAIN report [RS1341 Conception of Agro-Industrial Policy Coordination in the CU](#).

**EEC Supreme Council Decision No. 38**. *On Draft Memorandum on Deeper Cooperation between the Eurasian Economic Commission and Ukraine* - original in [Russian](#)

**Summary:** The Decision authorizes the Chairman of the EEC Collegium, Mr. Khristenko, to negotiate and sign the attached draft Memorandum. According to the Memorandum, it is not an international treaty and does not entail any legal obligations for the Parties. At the same time, it would allow Ukraine to take part in the CU meetings and obtain copies of CU public documents. In its turn, Ukraine would declare its intention to adhere to the CU principles and refrain from actions and statements that are against the CU's interests. Per the memorandum, Ukraine is to appoint a duly authorized representative for such cooperation with the CU.

**EEC Supreme Council Decision No. 39**. *On Draft Memorandum on Deeper Cooperation between the Eurasian Economic Commission and the Kyrgyz Republic* - original in [Russian](#)

**Summary:** The Decision authorizes the Chairman of the EEC Collegium, Mr. Khristenko, to negotiate and sign the attached draft Memorandum. According to the Memorandum, it is not an international treaty and does not entail any legal obligations for the Parties. At the same time, it would allow Kyrgyzstan to take part in the CU meetings and obtain copies of CU public documents. In its turn, Kyrgyzstan would declare its intention to adhere to the CU principles and refrain from actions and statements that are against the CU's interests. Per the memorandum, Kyrgyzstan is to appoint a duly authorized representative for such cooperation with the CU.

**DECISION OF THE SUPREME EURASIAN ECONOMIC COUNCIL AT THE HEADS OF  
GOVERNMENT LEVEL  
May 31, 2013**

*Publication Date: June 6, 2013*

**[EEC Supreme Council Decision No. 40.](#)** *On the Basic Areas of Coordination of the National Industrial Policies of the Republic of Belarus, the Republic of Kazakhstan, and the Russian Federation - original in [Russian](#)*

**Summary:** The document specifies several economic sectors for industrial cooperation between the Customs Union Member States, including biotechnology, wood processing and production of wood products, manufacturing of machines and equipment for the agricultural and forestry sector. For more details please see GAIN report [RS1336 National Industrial Policies Coordination in Customs Union.](#)

**5<sup>th</sup> MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL  
May 16, 2012**

*Publication Date: May 24, 2013*

**[EEC Council Decision No. 33.](#)** *On Amendments to Decision of the Customs Union Commission No. 810 of September 23, 2011- original in [Russian](#)*

**Summary:** The decision approves certain Kazakh exemptions from the application of veterinary measures with respect to the goods included in the Unified List of Goods Subject to Veterinary Control (Surveillance), previously only applicable to Russia, in anticipation of Kazakhstan's accession to the WTO. As a draft, the amendments were published for public comments in October 2012.

**[EEC Council Decision No. 36.](#)** *On Establishing Rates of Import Customs Duties of the Common Customs Tariff of the Customs Union in Respect of Some Products of Juice Processing - original in [Russian](#)*

**Summary:** The decision temporarily reduces the import duty on raw materials for juice. In particular, the draft proposes import duties of zero percent for processed products from apricots and peaches (concentrates and purees for juices, CU HS codes 2008 50 610 0 and 2008 70 610 0)

to be in effect from July 1, 2013, through December 31, 2014. The current CU import tariff for these products is 15 percent.

**15<sup>th</sup> MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM**  
**May 21, 2013**

*Publication Date: June 18, 2013*

**[EEC Collegium Decision No. 117.](#)** *On Draft Technical Regulation of the Customs Union “On Safety of Milk and Dairy Products”* - original in [Russian](#)

**Summary:** The decision approves a draft decision of the EEC Council “On the Technical Regulation of the Customs Union “On Safety of Milk and Dairy Products.” According to the draft decision of the EEC Council, this technical regulation shall come into force on January 15, 2014.

**[EEC Collegium Decision No. 118.](#)** *On Draft Technical Regulation of the Customs Union “On Safety of Meat and Meat Products”* - original in [Russian](#)

**Summary:** The decision approves a draft decision of the EEC Council “On the Technical Regulation of the Customs Union “On Safety of Meat and Meat Products.” According to the draft decision of the EEC Council, this technical regulation shall come into force on January 15, 2014, except for the following provisions:

- requirements in Section V regarding control over veterinary drug residues, growth promoters, including hormones, drugs, including antibiotics (except for laevomycetin (chloramphenicol), tetracycline group, and bacitracin) – these requirements shall come into force after standards for the relevant testing methods are developed;
- requirements in Section VIII regarding the use of sodium (potassium) nitrite as part of preservative mixes in meat production with a share of sodium (potassium) nitrite on not more than 0.9% - these requirements shall come into force on February 15, 2015;
- requirements in Section XI regarding mandatory disclosure on the label of information on the group of meat products – these requirements shall come into force after standards for rules and methods of determining groups of meat products (meat, meat-containing, meat-and-vegetable, vegetable-and-meat) are developed;
- requirements in Section XI regarding the use of a made up name of meat products – these requirements shall come into force after respective standards are developed;

**16<sup>th</sup> MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM**  
**June 4, 2013**

*Publication Date: June 5, 2013*

**[EEC Collegium Decision No. 120.](#)** *On Draft Decision of the Council of the Eurasian Economic Commission “On Extending Validity of Import Tariff Rates of the Unified Customs Tariff of the Customs Union for Butter, Dairy Spreads, Other Fats and Butters Produced from Milk, as well as for Curds and Certain Types of Cheeses”* - original in [Russian](#)

**Summary:** The EEC council decision will extend the validity of temporarily increased CU import tariffs on some dairy products for two more months, through August 31, 2013. The tariffs in question were originally raised on average from 15% to 18.3% for 90 days – from April 1, 2013, through June 30, 2013. The following CU HS codes will be affected by this decision: 0405 10 110 0, 0405 10 190 0, 0405 10 300 0, 0405 10 500 0, 0405 10 900 0, 0405 20 100 0, 0405 20 300 0, 0405 20 900 0, 0405 90 100 0, 0405 90 900 0, 0406 10 200 2, 0406 10 200 3, 0406 10 200 9, 0406 10 800 0.

**17<sup>th</sup> MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM  
June 11, 2013**

**Publication Date: June 18, 2013**

**[EEC Collegium Decision No. 128.](#)** *On Amendments to the Unified List of Products Subject to Mandatory Assessment (Confirmation) of Conformity in the Customs Union with Issuance of Unified Documents, in Relation to Products that are Subject to the Technical Regulation of the Customs Union “On Food Safety” (TR TS 021/2011) - original in [Russian](#)*

**Summary:** The decision excludes prepared food products, such as coffee, tea, sugar, spices, canned fruits and vegetables, sauces, and oils from the “Unified List” which are now covered by the provisions of the Technical Regulation of the Customs Union “On Food Safety” (TR TS 021/2011.)

**[EEC Collegium Decision No. 129.](#)** *On Amendments to Decision of the Customs Union Commission No. 880 of December 9, 2011 - original in [Russian](#)*

**Summary:** The decision excludes milk and dairy products and meat and meat products from the scope of the Technical Regulation of the Customs Union “On Food Safety” (TR TS 021/2011.) Additionally, a new transition period is added for products that were not subject to the mandatory assessment (confirmation) of conformity prior to the implementation of said Technical Regulation. Such products can be produced and sold in the Customs Union without documents on the mandatory assessment (confirmation) of conformity or national conformity markings until July 1, 2014.

**Publication Date: July 2, 2013**

**[EEC Collegium Decision No. 130.](#)** *On Draft Protocol on Amendments to the Agreement on the Unified Rules of State Support to Agriculture of December 9, 2010 - original in [Russian](#)*

**Summary:** The decision approves the respective draft Protocol and requests that CU Member States complete their domestic clearance procedures of the Protocol by August 1, 2013. Apart from technical corrections, the Protocol now gives EEC the right to request information on domestic support programs from the Member States as well as offer its expertise to the Member States regarding the calculation of the level of their domestic support measures. Additionally,

the Protocol would change the deadline for providing the information on domestic support measures from December 1 to May 1 of the relevant year.

**19<sup>th</sup> MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM  
June 25, 2013**

***Publication Date: June 18, 2013***

**[EEC Collegium Decision No. 138](#)** (see Draft Decision 1.) *On Establishment of Rates of Import Customs Duties of the Unified Customs Tariff of the Customs Union for Certain Types of Goods in Accordance with the Commitments of the Russian Federation in the Framework of the WTO and on Approval of Draft Decision of the Council of the Eurasian Economic Commission - original in [Russian](#)*

**Summary:** The decision affects only two agricultural HS codes, both being rice. In particular, the draft decision of the Council of the Eurasian Economic Commission, approved by this Decision of the Collegium, would change the current tariff of 0.12 Euro per kg for CU HS 1006 10 980 0 and 1006 20 980 0 to “13%, but not less than 0.026 Euro per kg” and “10%, but not less than 0.045 Euro per kg,” respectively, which appears to remain consistent with Russia’s WTO tariff commitments for these two items.

**[EEC Collegium Decision No. 139](#)** (see Draft Decision 2.) *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 of Certain Types of Goods and on Approval of Draft Decision of the Council of the Eurasian Economic Commission - original in [Russian](#)*

**Summary:** The decision would change the CU import tariff to what appears to be consistent with Russia’s WTO tariff commitments. In particular, the following agricultural items will be affected by the CU import tariff changes as of September 1, 2013: goat meat (other than fresh or chilled carcasses and half-carcasses); certain edible offal of cattle, pigs, rabbits; meat of whales and seals; fish liver, eggs and roes (dried, smoked or in brine); fish, edible fish by-products, crustaceans, mollusks and other aquatic invertebrates; cheese (with some exceptions,) whey; cut flowers and flower buds; leaves, branches and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens suitable for bouquets or ornamental purposes; vegetables (including frozen, canned, dried), nuts, fruits; coffee, tea, spices; grains, seeds and plant materials; fats and oils; processed food; alcohol, and tobacco; leather and fur; wood and articles of wood.

***Publication Date: July 2, 2013***

**[EEC Collegium Decision No. 147](#)**. *On Amendments to Decision of the Collegium of the Eurasian Economic Commission No. 129 of June 11, 2013 - original in [Russian](#)*

**Summary:** The decision adds fish and fish products to exclusions from the scope of the Technical Regulation of the Customs Union “On Food Safety” (TR TS 021/2011.)

**20<sup>th</sup> MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM**

**July 3, 2013**

***Publication Date: July 4, 2013***

**EEC Collegium Decision No. 150.** *On Draft Decision of the Council of the Eurasian Economic Commission “On Amendments to the Regulation on the Procedure of Phytosanitary Quarantine Control (Supervision) at the Customs Border of the Customs Union” - original in [Russian](#)*

**Summary:** The Decision approves a respective draft decision of the EEC Council, which will introduce various amendments throughout the Regulation. As a draft, these amendments were published for public comments in November 2012 (please see GAIN report [RS1272 Draft Amendments to the CU Regulation on Border Phytosanitary Control](#)).