

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY  
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT  
POLICY

Voluntary  Public

**Date:** 2/9/2012

**GAIN Report Number:** RS1208

## Russian Federation

**Post:** Moscow

### Draft Federal Law on Plant Quarantine

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

**Approved By:**

Levin Flake

**Prepared By:**

OAA Staff

**Report Highlights:**

In the end of December 2011, the Russian Government approved a draft Federal Law on Plant Quarantine and submitted the draft to the State Duma for adoption. In the note to the draft the Government wrote that the draft is aimed at the improvement of legal regulations and optimization of functions and procedures in the sphere of plant quarantine and in the sphere of phytosanitary control of imported and exported products, as well as the “optimization of procedures connected with meeting Russia’s international obligations on guaranteeing phytosanitary safety of exported quarantine products”.

## **General Information:**

In order to meet the Russian government's requirement to improve control and supervisory functions of the federal bodies of executive power in the sphere of agriculture (Order of the Russian Government #299-p of March 9, 2010), the Russian Ministry of Agriculture developed a draft of the new Federal Law on Plant Quarantine and submitted it to the Government at the end of 2010. Since then, the Ministry of Agriculture has modified the draft several times in accordance with comments from the Ministry of Economic Development, other Ministries, as well as from industry. On December 1, 2011 the Government finally approved the draft Federal Law, and on December 21, 2011 Prime Minister Putin signed an order on submission of the draft (Draft #2372-6) to the State Duma for consideration and adoption. In the note to the draft the Government wrote that the draft is aimed at the improvement of legal regulations and optimization of functions and procedures in the sphere of plant quarantine and in the sphere of phytosanitary control of imported and exported products, as well as the "optimization of procedures connected with meeting Russia's international obligations on guaranteeing phytosanitary safety of exported quarantine products". The draft describes Russian's quarantine concerns and risks, the scope of the state supervision and control in the sphere of plant quarantine on the territory of the Russian Federation and of imported and exported products subject to quarantine control. On most issues the draft provides only framework requirements and leaves the development and implementation of regulations in the sphere of quarantine control to the state federal bodies of executive power, and does not delineate who comprises these "bodies". The draft also envisages the accreditation of juridical and physical persons to conduct disinfection and laboratory research in the sphere of plant quarantine. However, the accreditation will be in the hands of the "authorized bodies of executive power". Industry is afraid that these "bodies" may monopolize this process and accredit only organizations that are close to them.

Both industry and Russian phytosanitary authorities still have many concerns about this Federal Law, and seems that the adoption of the government version of the draft in the Duma will not be a foregone conclusion. In the beginning of 2012, the Duma sent the draft to the provinces for comments.

(Note: The draft of the Federal Law in Russian is on the site <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=PRJ;n=92197>)

The unofficial translation of the draft federal law On Plant Quarantine (copy submitted to the State Duma in the end of December 2011) is given below.

**RUSSIAN FEDERATION**

**FEDERAL LAW**

**On Plant Quarantine**

**CHAPTER 1. GENERAL PROVISIONS**

**Article 1. Scope and Purposes of Present Federal law**

1. Present Federal law stipulates legal foundation for regulation in the sphere of plant quarantine, defines full powers of the federal executive body and main rights and obligations of legal bodies and individuals in the sphere of plant quarantine.
2. Plant protection and protection of the territory of Russian Federation from contamination and distribution of quarantine hazardous organisms are the purposes hereof (hereinafter – plant quarantine provision).

**Article 2. Basic Terms Used Herein**

The following basic terms are used for the purposes of the present Federal law:

- 1) hazardous organism – viable plant of any specie, variety or biological type, animal or pathogen of any specie or biological type that is absent or restrictedly distributed at the territory of Russian Federation and able to inflict harm to plants or plant origin products;
- 2) gassing – procedure for disinfection of quarantine facilities, quarantine products by means of gaseous pesticides or pesticide vapors aimed to destruct quarantine hazardous organisms;
- 3) survey – visual examination of quarantine production lot including quarantine products of high phytosanitary risk by an official of an authorized federal executive body enabling to carry out an examination of any part of it and to arrange sampling (collection of patterns) of any parts of quarantine production lot and their testing;
- 4) wood packing and lashing materials – pallets, fixing elements, packing units, reels and wheels, boxes, loading scaffolds, racks, made of unprocessed softwoods and hardwoods used during fixing, packaging, transportation of goods (code 4415 of the unified Foreign Economic Activity Commodity Nomenclature of the Customs Union approved by the decision of the Interstate Council of the Eurasian Economic Community as of 27 November 2009 No. 18);
- 5) infestation – presence of quarantine hazardous organisms in quarantine products specific for this type of quarantine products;
- 6) contamination – presence of quarantine hazardous organisms in quarantine products and (or) at quarantine facilities not being an infestation;
- 7) quarantine hazardous organism – hazardous organism being absent or restrictedly distributed at the territory of Russian Federation and included into the list of quarantine hazardous organisms;
- 8) plant quarantine – provision of security of the territory of Russian Federation from risks appearing during penetration and (or) distribution of quarantine hazardous organisms including

- provision of control of quarantine hazardous organisms;
- 9) quarantine phytosanitary zone – territory where quarantine phytosanitary conditions are established;
  - 10) quarantine phytosanitary requirements – minimum necessary requirements to quarantine products included into quarantine products list, processes of its manufacturing, storage, transportation, sale, processing and extermination, import of quarantine products to the territory of Russian Federation, export of quarantine products from the territory of Russian Federation, use of quarantine facilities during the process of manufacturing, storage, transportation, sale, processing and extermination of quarantine products, activities for disinfection of quarantine products, quarantine facilities, laboratory testing of quarantine products that are minimally required for plant quarantine provision;
  - 11) quarantine phytosanitary mode – set of measures applied with the purpose to localization and (or) liquidation of quarantine hazardous materials at the quarantine phytosanitary zone in accordance with legislation of Russian Federation in the sphere of plant quarantine;
  - 12) quarantine phytosanitary state – state of ecosystems, quarantine products or quarantine production lots within the specific territory at the specified time with regard to the structure and stage of development of quarantine hazardous organisms;
  - 13) monitoring of phytosanitary state of the territory of Russian Federation – system of supervision, analysis, assessment and estimate for distribution of quarantine hazardous organisms at the territory of Russian Federation;
  - 14) disinfection of quarantine products, quarantine facilities – procedure focused on extermination or devitalization of quarantine hazardous organism;
  - 15) examination – visual study of quarantine products by an official of an authorized federal executive body without opening the tare, package and sampling (collection of patterns);
  - 16) quarantine hazardous organism hotspot – part of the territory of Russian Federation or foreign state where quarantine hazardous organism or irruption of quarantine hazardous organisms are detected;
  - 17) quarantine production lot – number of homogeneous quarantine products meant for transportation by a single transport vehicle to the single destination point to the single recipient;
  - 18) quarantine products list – list of quarantine products (quarantine cargoes, quarantine materials, quarantine goods) subject to quarantine phytosanitary control (inspection) at the customs border of the Customs Union during import and at the common customs territory of the Customs Union approved in accordance with the Customs Union Agreement on plant quarantine as of 11 December 2009;
  - 19) quarantine products – quarantine cargoes, quarantine materials, quarantine goods included into the quarantine products list representing plants, plant origin products, tare, package, cargoes, soil, organisms and materials that may be carriers of quarantine hazardous organisms and (or) contribute to their distribution and in relation to which quarantine phytosanitary measures are to be enforced;
  - 20) quarantine facilities – land plots of any designated purpose, buildings, constructions, structures, reservoirs, storage places, equipment, transport vehicles, containers, package materials, other facilities not being quarantine products, used during manufacturing, procurement, processing, storage, transportation, sale, reprocessing and extermination of quarantine products that may be the source of penetration and (or) distribution of quarantine hazardous organisms to the territory of Russian Federation;
  - 21) plants – live plants and their parts including seeds and genetic material;

- 22) seed or planting material – seeds, fruits, multiple fruits and parts of aggregate fruits and parts of plants used for reproduction by means of cloning;
- 23) quarantine products owner – entity that has quarantine products as a property or other entity authorized to carry out transactions and (or) other actions on behalf of the specified entity;
- 24) federal state quarantine phytosanitary inspection – activity of an authorized federal executive body focused on prevention, detection and restraint of violation of requirements by the public authority, local authority, legal entities, their heads and other officials, sole proprietors, their authorized representatives (hereinafter – legal entities, sole proprietors) and citizens, stipulated by international agreements of Russian Federation, present Federal Law, other federal laws and other laws and regulations of Russian Federation in the sphere of plant quarantine adopted in accordance with the federal laws (hereinafter – regulatory requirements) by means of organization and carrying out of inspections of the specified entities, adoption of measures for restraint and (or) detection of the sequences following the detected violations stipulated by the legislation of Russian Federation; and systematic monitoring activity of the specified executive body for carrying out of the regulatory requirements, analysis and prediction of carrying out of regulatory requirements during execution of the activities by public authority, local authority, legal entities, sole proprietors and citizens;
- 25) phytosanitary risk – potential penetration and (or) distribution of quarantine hazardous organisms and within the territory of Russian Federation and scale of potential economic results in connection with it;
- 26) phytosanitary certificate – international document accompanying quarantine production lot issued by an authorized body of the exporting country of quarantine products certifying the conformity of quarantine products to quarantine phytosanitary requirements of the destination country and including re-export phytosanitary certificate;
- 27) phytosanitary certification – set of actions focused on determination of quarantine phytosanitary state of quarantine production lot with the purpose of issuing phytosanitary certificate;
- 28) phytosanitary certification system – set of rules for carrying out of activities for phytosanitary certification adopted in the country exporting quarantine products.

### **Article 3. Legislation of Russian Federation in the Sphere of Plant Quarantine**

1. Legislation of Russian Federation in the sphere of plant quarantine includes Constitution of the Russian Federation, international agreements of Russian Federation in the sphere of plant quarantine, present Federal Law, other federal laws and other laws and regulations of the Russian Federation adopted in accordance with them.
2. In case international agreement of Russian Federation establishes other rules than the ones stipulated herein international agreement rules are applied.

### **Article 4. Quarantine Hazardous Organisms**

1. List of quarantine hazardous organisms is established by an authorized federal executive body taking into account the results of the phytosanitary risk analysis carried out in relation to every hazardous organism included or subject to inclusion into the list of quarantine hazardous organisms.
2. Authorized federal executive body approves certificate for phytosanitary risk control for every quarantine hazardous organism included into the list of quarantine hazardous organisms; it includes description of species of quarantine hazardous organism, methods of their detection and

identification, description of borders of the territory zone within the limits of which the quarantine hazardous organism poses a hazard, information about quarantine products typical for infestation (contamination) by this quarantine hazardous organism, methods of controlling, including prompt measures required for prevention of penetration and (or) distribution of the quarantine hazardous organism.

#### **Article 5. Phytosanitary risk analysis**

1. Phytosanitary risk analysis is a process for assessment of biological or other scientific and economic data aimed to define phytosanitary risk and requirement to include hazardous organism into the list of quarantine hazardous organisms and (or) arrangement of phytosanitary measures against it at the territory of Russian Federation.  
Phytosanitary risk analysis is carried out taking into account objectivity standards of analytical study, adequacy and efficiency of implementation of direct and indirect measures for risk minimization.
2. Phytosanitary risk analysis is taken into account during:
  - 1) elaboration of quarantine phytosanitary requirements;
  - 2) making a decision about arrangement of quarantine phytosanitary mode;
  - 3) enforcement of embargo for import of quarantine products to the territory of Russian Federation and establishment of additional requirements to imported quarantine products;
  - 4) carrying out of federal state quarantine phytosanitary inspection at the territory of Russian Federation;
  - 5) other cases stipulated herein or in other federal laws.
3. Authorized federal executive body carries out phytosanitary risk analysis with respect to every quarantine hazardous organism at least once per annum.  
Taking into account the results of the specified analysis authorized federal executive body edits the list of quarantine hazardous organisms.
4. Procedure for carrying out of phytosanitary risk analysis is established by an authorized federal executive body.

#### **Article 6. Quarantine Phytosanitary Requirements**

1. Quarantine phytosanitary requirements are established by an authorized federal executive body in accordance with the legislation of the Russian Federation in the sphere of plant quarantine. Quarantine phytosanitary requirements are applied to quarantine products originated from foreign state in the same order as they are applied to similar quarantine products of Russian origin.
2. Quarantine phytosanitary requirements are established taking into account phytosanitary risk analysis and also the requirement of prevention or minimization of negative consequences of penetration and (or) distribution of quarantine hazardous organisms within the territory of Russian Federation and cannot pursue the objectives other than stipulated by article 1 hereof.
3. Information about elaboration of the draft of quarantine phytosanitary requirements (hereinafter – information about elaboration) and draft of quarantine phytosanitary requirements are to be placed at the official website of an authorized federal executive body in the Internet.
4. Information about elaboration should contain information:
  - 1) about quarantine products, quarantine facilities, works and services in relation to which quarantine phytosanitary requirements under elaboration shall be established; as well as

information about draft developer including postal address and e-mail address if any, comments and suggestions of interested parties shall be accepted in writing by these addresses. Information about elaboration shall be accompanied by assessment of assumed efficiency of quarantine phytosanitary requirements;

- 2) about purposes of enforcement of quarantine phytosanitary requirements and the grounding for their enforcement;
  - 3) about quarantine phytosanitary requirements under elaboration that differ from current provisions of the respective international standards or regulatory requirements stipulated by the legislation of the Russian Federation;
  - 4) about assessment of phytosanitary risks reduction of which is provided by quarantine phytosanitary requirement and about assessment of assumed results from reduction of such risks.
5. Information about elaboration and draft of quarantine phytosanitary requirements should be available for legal bodies and individuals from the day of its placing at the official website of an authorized federal executive body in the Internet.

Period of public discussion of the draft of quarantine phytosanitary requirements should be no less than two months starting from the day of its placing at the official website of authorized federal executive body in the Internet up to the day of the completion of public discussion.

Draft of quarantine phytosanitary requirements is updated taking into account the results of its public discussion; it is agreed with the interested federal executive bodies and approved by an authorized federal executive body in the sphere of plant quarantine.

#### **Article 7. Quarantine Phytosanitary Requirements to Quarantine Products, Processes of its Manufacturing, Storage, Transportation, Sale, Reprocessing and Extermination**

1. Quarantine products should be manufactured, stored, transported, sold, reprocessed and exterminated in compliance with quarantine phytosanitary requirements. Reprocessing and extermination of quarantine products is carried out within the order stipulated by an authorized federal executive body.
2. Issuance of quarantine products infested (contaminated) by quarantine hazardous organisms, its storage (distribution), transportation or sale, use as seed or plant material is inadmissible. Storage (distribution) and transportation of quarantine products infested (contaminated) by quarantine hazardous organisms is admissible only with the purpose of its disinfection, extermination or, if applicable in accordance with the provisions hereof, reprocessing by means providing devitalization of quarantine hazardous organisms. Specified quarantine products should be stored (distributed) or transported separately from quarantine products free from quarantine hazardous organisms.
3. In case of detection of traces of infestation (contamination) of quarantine products with quarantine hazardous organisms owner of quarantine products, entity that carries out storage (distribution) of quarantine products, its transportation, sale or reprocessing should place quarantine products infested (contaminated) by quarantine hazardous organisms separately from quarantine products free from quarantine hazardous organisms and immediately notify authorized federal executive body about it and taking into account phytosanitary risk should perform one of the following prompt measures that provide prevention of quarantine hazardous organisms distribution:
  - 1) reprocessing of quarantine products by means of devitalizing quarantine hazardous organisms including by means of processing it into products not related to quarantine products;
  - 2) disinfection of quarantine products;

- 3) extermination of quarantine products.
4. Authorized federal executive body shall carry out the specified measures in case of impossibility to carry out prompt measures stipulated by part 3 of present article by the owner of quarantine products, entity that carries out storage (distribution) of quarantine products, its transportation, sale or reprocessing.  
Compensation of expenses of the federal budget for carrying out of prompt measures by the owner of quarantine products is effected in a judicial proceeding.
5. Quarantine phytosanitary requirements to quarantine products should be organized in accordance with the list of quarantine products and for every type of quarantine products should contain:
  - 1) information about types of quarantine hazardous organisms typical for such products;
  - 2) requirements minimally needed for provision of plant quarantine to:
    - a. means of storage of quarantine products;
    - b. means of transportation of quarantine products, equipment of transport vehicles meant for transportation of quarantine products;
    - c. means of reprocessing of quarantine products aimed to devitalize quarantine hazardous organisms;
    - d. means of disinfection of quarantine products including preventive disinfection.

**Article 8. Quarantine Pphytosanitary Requirements to the Use of Quarantine Facilities During the Process of Manufacturing, Storage, Transportation, Sale, Reprocessing and Extermination of Quarantine Products**

1. Quarantine phytosanitary requirements to the use of quarantine facilities during the process of manufacturing, storage, transportation, sale, reprocessing and extermination of quarantine products (hereinafter – quarantine phytosanitary requirements to the use of quarantine facilities) should contain:
  - 1) list of model quarantine facilities;
  - 2) obligations of quarantine products owners with respect to carrying out of preventive phytosanitary actions depending on the group of phytosanitary risk to which the quarantine facility refers to in accordance with the list of model quarantine facilities;
  - 3) requirements to the documentation for carrying out of preventive phytosanitary actions.
2. List of model quarantine facilities is formed with the purpose of defining the compulsory preventive phytosanitary actions on the basis of phytosanitary risk analysis taking into account the activities during which the quarantine facility is used, quarantine products used at the facility, its possible origin, the volume of such products and design features of quarantine facilities.  
Basing of the results of phytosanitary risk analysis the groups of phytosanitary risk of quarantine facilities are defined in the list of model quarantine facilities including the group of quarantine facilities of high-level phytosanitary risk.
3. Preventive quarantine phytosanitary actions include:
  - 1) arrangement of phytosanitary examinations of quarantine facilities, constant control of their phytosanitary state;
  - 2) preventive disinfection of quarantine facilities.
4. Requirements for arrangement of preventive phytosanitary control of quarantine facilities should stipulate means (procedures) of carrying out of control and their frequency.  
Frequency of arrangement of preventive phytosanitary control of quarantine facilities is established in accordance with the group of phytosanitary risk to which this quarantine facility

belongs in accordance with the list of model quarantine facilities; herewith the time periods when the control should be carried out are established taking into account seasonal factors that influence the distribution of quarantine hazardous organisms.

The requirements about compulsory arrangement of constant control for phytosanitary state of quarantine facilities are established with respect to quarantine facilities of the maximal level of phytosanitary risk; the control is carried out by appliance of technical means and methods of detection of quarantine hazardous organisms on a regular basis. Specified requirements should stipulate the description of technical means and methods (guidance) for their appliance and also description of the means of recording of the information obtained during control.

5. Requirements about preventive disinfection of quarantine facilities are established with respect to the buildings and constructions, premises, vehicles, equipment and inventory used at quarantine facilities during manufacturing, storage, sale or disposal of quarantine products. Specified requirements should define the means (methods) of disinfection that provide devitalization of quarantine hazardous organisms and frequency of disinfection arrangements. Carrying out of preventive disinfections of quarantine facilities by means of gassing is stipulated with respect to the quarantine facilities of high-level phytosanitary risk.
6. In case the features of infestation (contamination) of quarantine facilities are detected quarantine facilities owners (users) should immediately notify authorized federal executive body about it and take up prompt measures indicated in the certificate for phytosanitary risk control for detected quarantine hazardous organism. Prompt measures required for prevention of quarantine hazardous organisms' distribution include:
  - 1) defining of phytosanitary state of quarantine products that have been manufactured, stored or transported using quarantine facility;
  - 2) disinfection of quarantine facility;
  - 3) disinfection, reprocessing and disposal of quarantine products stored at the quarantine facility;
  - 4) suspension of use of quarantine facility for manufacturing, storage or transportation of any quarantine products or quarantine products of a specified type.
7. Quarantine facilities owners compensate expenses for carrying out of compulsory preventive phytosanitary measures and prompt measures required for prevention of quarantine hazardous organisms' distribution.

During establishment of quarantine phytosanitary requirements for use of quarantine facilities proportionality of expenses of quarantine facilities owners for carrying out of compulsory preventive phytosanitary measures towards phytosanitary risks should be taken into account.

## **Article 9. Monitoring of Quarantine Phytosanitary State of the Territory of Russian Federation**

1. Monitoring of quarantine phytosanitary state of the territory of Russian Federation is carried out with respect to every quarantine hazardous organism with the purpose of:
  - 1) detection of the ways of penetration of quarantine hazardous organisms to the territory of Russian Federation and their distribution within the territory of Russian Federation;
  - 2) permanent control for occurrence, development and distribution of quarantine hazardous organisms at the territory of Russian Federation including detection and assessment of the influence of factors that contribute to the mass development and distribution of quarantine hazardous organisms;
  - 3) defining of the territories of quarantine hazardous organisms' distribution;
  - 4) preparation of the offers for taking up measures required for quarantine hazardous

- organisms control;
- 5) phytosanitary situation forecasting;
  - 6) gathering of information required for phytosanitary risks management.
2. Monitoring of quarantine phytosanitary state of the territory of Russian Federation is carried out on the basis of:
    - 1) information obtained in the result of carrying out of quarantine phytosanitary examinations;
    - 2) information about detection of quarantine hazardous organisms in the quarantine products and about infestation (contamination) of quarantine facilities with quarantine hazardous organisms received from certified organizations providing services in the sphere of quarantine products disinfection and from laboratories (research centers);
    - 3) notifications about detection of quarantine hazardous organisms in quarantine products being exported from the territory of Russian Federation obtained from official national organizations for quarantine and plant protection of foreign states;
    - 4) information obtained upon the results of systematic observance (field researches) carried out with respect to quarantine facilities and organized by an authorized federal executive body.
  3. Obligation of legal bodies and individuals for provision of information stipulated in paragraphs 1 and 2 of present article is defined in accordance with present Federal Law.
  4. Organization of the monitoring of quarantine phytosanitary state of the territory of Russian Federation is carried out within the order stipulated by an authorized federal executive body.

#### **Article 10. Temporary Quarantine Phytosanitary Measures**

1. Temporary quarantine phytosanitary measures are enforced (amended, cancelled) by an authorized federal executive body immediately in case phytosanitary conditions at the territory of a foreign state or the territory of Russian Federation change and provide enforcement of embargoes and establishment of additional requirements connected with import of quarantine products to the territory of Russian Federation and establishment of limitations and additional requirements connected with the circulation of quarantine products at the territory of Russian Federation. Phytosanitary risk assessment is regularly arranged with respect to the enforced temporary phytosanitary measures to define if it is necessary to keep enforcing them.
2. Decision about enforcement of temporary phytosanitary measures should contain the results of phytosanitary risk analysis and the term within which they are valid.  
Temporary quarantine phytosanitary measures that provide enforcement of embargoes for import of quarantine products to the territory of Russian Federation and establishment of additional requirements related to such import may be established for the period until the reason of their enforcement is eliminated.

#### **Article 11. Access to Information in the Sphere of Plant Quarantine**

1. Within the limits of their competence authorized federal executive bodies provide access to information in the sphere of plant quarantine in accordance with the Federal Law dated 9 February 2009 No. 8-FZ “On provision of access to the information about the activity of state and local authorities” and place at their websites in the Internet:
  - 1) list of quarantine hazardous organisms and certificate for phytosanitary risk control for every quarantine hazardous organism included into the list;
  - 2) list of quarantine phytosanitary requirements to quarantine products, processes of their

manufacturing, storage, transportation, sale, reprocessing and extermination;

- 3) registry of phytosanitary requirements to quarantine products imported to the territory of Russian Federation;
  - 4) information registry of phytosanitary requirements to quarantine products export of which is allowed from the territory of Russian Federation only in case phytosanitary certificate is available specifying the respective states – members of international agreements of Russian Federation in the sphere of plant quarantine;
  - 5) list of quarantine phytosanitary requirements to the use of quarantine facilities;
  - 6) information about elaboration, draft of quarantine phytosanitary requirements or draft of amendments to it;
  - 7) registry (database) of quarantine phytosanitary zones established at the territory of Russian Federation;
  - 8) annual results of the monitoring of quarantine phytosanitary state of the territory of Russian Federation in the part that is not related to the information being state or other secret protected by law within the order stipulated by the legislation of Russian Federation;
  - 9) annual plan of routine inspections during carrying out of federal state quarantine phytosanitary inspection;
  - 10) decisions about enforcement of embargoes for import of quarantine products to the territory of Russian Federation and (or) about establishment of additional requirements to imported quarantine products.
2. Authorized federal executive bodies keep information stipulated in part 1 of present article updated. Decisions about enforcement of embargoes for import of quarantine products to the territory of Russian Federation and (or) about establishment of additional requirements to imported quarantine products are placed at the official websites not later than one day after enforcement of specified embargoes and establishment of additional requirements.
  3. Information stipulated in part 1 of present article should be available free of charge.

## **Article 12. Powers of Russian Federation in the Sphere of Plant Quarantine**

Powers of Russian Federation in the sphere of plant quarantine include:

- 1) elaboration and implementation of unified state policy in the sphere of plant quarantine in the Russian Federation;
- 2) defining of quarantine phytosanitary state of the territory of Russian Federation;
- 3) enforcement and cancellation of quarantine phytosanitary mode, organization of measures for localization and liquidation of quarantine hazardous organism hotspot;
- 4) appointment of federal executive bodies authorized in the sphere of plant quarantine;
- 5) arrangement of phytosanitary risk analysis;
- 6) organization and carrying out of federal state quarantine phytosanitary inspection;
- 7) enforcement of embargoes for import of quarantine products to the territory of Russian Federation and establishment of additional requirements related to imported quarantine products;
- 8) state accreditation of legal bodies and individuals for the right of carrying out of quarantine products disinfection works;
- 9) accreditation of legal bodies and individuals for the right of carrying out of laboratory tests in the sphere of plant quarantine;
- 10) phytosanitary certification;
- 11) other powers in the sphere of plant quarantine in accordance with legislation of Russian Federation in the sphere of plant quarantine.

## CHAPTER 2. ENFORCEMENT AND CANCELLATION OF QUARANTINE PHYTOSANITARY MODE

### Article 13. Quarantine phytosanitary mode

1. Quarantine phytosanitary mode is enforced:
  - 1) with respect to separate quarantine facilities (constructions, buildings, structures used for manufacturing, storage, sale of quarantine products, storage places, separate land plots) – by the decision of a head of territorial body of an authorized federal executive body;
  - 2) with respect to the territory of constituent entity of Russian Federation (territories of two and more constituent entities of Russian Federation), territory of municipal entity (territories of two and more municipal entities of Russian Federation) – by the decision of a head of an authorized federal executive body.
2. In cases stipulated by paragraph 2 part 1 of present article quarantine phytosanitary mode is enforced when to prevent distribution of quarantine hazardous organisms it is necessary to enforce an embargo for export of quarantine products typical for infestation (contamination) by quarantine hazardous organism due to penetration (distribution) of which quarantine phytosanitary mode has been enforced out of quarantine phytosanitary zone without permit for export.
3. Quarantine phytosanitary mode is enforced within the limits of quarantine phytosanitary zone which limits are defined:
  - 1) by the borders of land plots where the constructions, buildings, structures, storage places are located which are used for manufacturing, storage, transportation, sale of quarantine products; by the borders of land plots that may be used for cultivation of quarantine products and by the borders of land plots of any designated use, land plots where economic entities and complexes are located – in cases stipulated by paragraph 1 part 1 of present article;
  - 2) by the borders of the territory of one or more constituent entities of Russian Federation, by the borders of the territory of one or more municipal entities – in cases stipulated by paragraph 2 part 1 of present article.
4. Borders of quarantine phytosanitary zone are defined taking into account area, configuration of quarantine hazardous organism hotspot, special features of quarantine hazardous organism, stages of its development and potential risk of distribution.
5. During enforcement of quarantine phytosanitary mode the following limitations for carrying out of activities related to manufacturing, storage, transportation and sale of quarantine products may be established:
  - 1) prohibition to use land plots for manufacturing of agricultural products contributing to the development and distribution of quarantine hazardous organisms;
  - 2) prohibition to carry out business activities related to use of infected quarantine facilities and infected quarantine products, it is enforced for the term not exceeding the term of implementation of measures for liquidation of quarantine hazardous organism hotspot stipulated by article 15 hereof;
  - 3) prohibition for pasture of cattle at pastures and runs infested with quarantine hazardous organisms;
  - 4) limitation of movement of transport vehicles;
  - 5) embargo for export of quarantine production lot typical for infestation (contamination) by quarantine hazardous organism due to penetration (distribution) of which quarantine

phytosanitary mode has been enforced out of the limits of quarantine phytosanitary zone without permission issued by territorial body of an authorized federal executive body.

6. Additional obligations for carrying out of disinfection of quarantine facilities located within the limits of phytosanitary zone and quarantine products which are manufactured, stored, and sold in those quarantine facilities may be established during enforcement of quarantine phytosanitary mode with respect to the entities using quarantine facilities to carry out activities related to manufacturing, storage, transportation and sale of quarantine products.
7. Limitations and (or) additional obligations stipulated by paragraphs 1-3 of part 5 and part 6 of present article are established during enforcement of quarantine phytosanitary mode with respect to separate quarantine facilities and quarantine facilities located at the territory of constituent entity of Russian Federation, territory of municipal entity where quarantine phytosanitary mode is enforced.  
Limitations stipulated by paragraphs 4 and 5 of part 5 of present article are established with respect to the territory of one or more constituent entities of Russian Federation, territories of municipal entities where quarantine phytosanitary mode is enforced.
8. Decision about enforcement of quarantine phytosanitary mode contains set of measures directed to liquidation of quarantine hazardous organism hotspot stipulated by article 15 hereof.

#### **Article 14. Procedure for Making a Decision about Enforcement and Cancellation of Quarantine Phytosanitary Mode**

1. Quarantine phytosanitary mode may be enforced according the results of the check of information about infestation (contamination) of quarantine facilities, quarantine products by quarantine hazardous organisms by an authorized federal executive body (its territorial body) (hereinafter – check).  
During check if necessary authorized federal executive body (its territorial body) arranges sampling (collection of patterns) of quarantine products and sends them to the laboratory (research center) accredited for testing within the established order.  
Check including laboratory testing of collected samples (patterns) is carried out within the term not longer than 20 days from the day of receipt of information about infestation (contamination) of quarantine facilities, quarantine products by quarantine hazardous organisms. The procedure for carrying out of checks is established by an authorized federal executive body.  
In case information about infestation (contamination) of quarantine facilities, quarantine products by quarantine hazardous organisms is confirmed, authorized federal executive body (its territorial body) within one day after receipt of laboratory testing taking into account the results of carried out phytosanitary risk analysis makes a decision about the necessity of enforcement of quarantine phytosanitary mode or about inexpediency of enforcement of quarantine phytosanitary mode and pronouncing of instructions to the owners (users) of quarantine facilities, owners of quarantine products about measures for liquidation of quarantine hazardous organism hotspot. The decision about enforcement of quarantine phytosanitary mode is made in special cases provided that quarantine hazardous organism hotspot cannot be liquidated by means of prompt measures in accordance with provisions of part 3 article 7 and part 6 article 8 hereof.
2. Legal bodies and individuals that carry out manufacturing, processing, storage, reprocessing, transportation of quarantine products and use quarantine facilities located within the limits of the territory of infestation (contamination) with quarantine hazardous organisms have the right to carry out alternative analysis of collected samples (patterns) and grieve the decision about

enforcement of quarantine phytosanitary mode at the authorized federal executive body.

Appeal of legal body or individual is considered within thirty days from the moment of its registration. Legal body or individual is to be informed about approved decision within one day after consideration of appeal.

3. Copy of the decision of territorial body of an authorized federal executive body about enforcement of quarantine phytosanitary mode is to be sent to the authorized federal executive body within one day after its approval.
4. Authorized federal executive body arranges forming and keeping of the registry (database) of quarantine phytosanitary zones established at the territory of Russian Federation.  
Within one day after approval of the decision about enforcement of quarantine phytosanitary mode authorized federal executive body puts specified information into the official registry (database) of quarantine phytosanitary zones established at the territory of Russian Federation. The procedure of forming and keeping of the registry (database) of quarantine phytosanitary zones established at the territory of Russian Federation is approved by an authorized federal executive body.
5. A decision about cancellation of quarantine phytosanitary mode is made upon achievement of criteria for liquidation of quarantine hazardous organism hotspot and criteria for cancellation of quarantine phytosanitary mode established in the program of measures aimed to the liquidation of quarantine hazardous organism hotspot stipulated by article 15 hereof and approved by control inspections data:
  - 1) in case stipulated by paragraph 1 part 1 article 13 hereof – by the decision of the head of territorial body of an authorized federal executive body;
  - 2) in cases stipulated by paragraph 2 part 1 article 13 hereof – by the decision of the head of an authorized federal executive body.
6. Information about enforcement and cancellation of quarantine phytosanitary mode is public unless otherwise specified by the legislation of the Russian Federation.  
Within one day after making a decision about enforcement of quarantine phytosanitary mode legal bodies and individuals that carry out business and other activities in the quarantine phytosanitary zone, owners (users) of quarantine facilities, quarantine products owners are informed about borders of quarantine phytosanitary zone, established requirements, prohibitions and limitations, responsibility for their violations and about other conditions of enforcement of quarantine phytosanitary mode by means of placing of specified information at the official website of an authorized federal executive body (its territorial body) in the Internet and by means of informing via mass media.  
Within one day from making a decision about cancellation of quarantine phytosanitary mode authorized federal executive body (its territorial body) that made a decision about enforcement of quarantine phytosanitary mode informs legal bodies and individuals that carry out business and other activities in the quarantine phytosanitary zone, owners (users) of quarantine facilities, quarantine products owners about cancellation of quarantine phytosanitary mode by means of placing of specified information at the official website of an authorized federal executive body (its territorial body) in the Internet and by means of informing via mass media.  
Non-disclosure, untimely presentation or submission of misleading information about enforcement (cancellation) of quarantine phytosanitary mode by officials of an authorized federal executive body (its territorial bodies) entails responsibility in accordance with legislation of Russian Federation.

## **Article 15. Program of measures directed to liquidation of quarantine hazardous organism hotspot**

1. Program of measures directed to liquidation of quarantine hazardous organism hotspot is prepared by an authorized federal executive body or its territorial bodies on the basis of information contained in the certificate for phytosanitary risk control approved in accordance with part 2 article 4 hereof, peculiarities and circumstances of detection of quarantine hazardous organism, geographic and season factors.
2. Program of measures directed to liquidation of quarantine hazardous organism hotspot should contain:
  - 1) borders of established quarantine phytosanitary zone;
  - 2) name of quarantine hazardous organism in relation to which quarantine phytosanitary mode is enforced;
  - 3) period during which quarantine phytosanitary mode is enforced;
  - 4) list of enforced limitations for carrying out of activities related to manufacturing, storage, transportation, sale of quarantine products and (or) additional obligations with respect to the entities using quarantine facilities for carrying out of specified activities;
  - 5) list of measures required for quarantine hazardous organism fighting;
  - 6) plan for arrangement of inspections of quarantine facilities located within the borders of quarantine phytosanitary zone that contains the list of quarantine facilities with respect to which the inspections are arranged, date and term for carrying out of every inspection;
  - 7) criteria for liquidation of quarantine hazardous organism hotspot and criteria for cancellation of quarantine phytosanitary mode defined by an authorized federal executive body.
3. Enforcement of limitations for carrying out of activities related to manufacturing, storage, transportation, sale of quarantine products and (or) enforcement of additional obligations to the owners and other users of quarantine facilities that are not stipulated by part 5 article 13 hereof and not included into the program of measures directed to liquidation of quarantine hazardous organism hotspot are inadmissible.
4. Check of observance of embargo for export of quarantine production lot typical for infestation (contamination) by quarantine hazardous organism due to penetration (distribution) of which quarantine phytosanitary mode has been enforced is carried out at the borders of quarantine phytosanitary zone. Check of observance of the specified embargo beyond the borders of quarantine phytosanitary zone is inadmissible.
5. Measures against quarantine hazardous organisms, measures for localization and liquidation of quarantine hazardous organism hotspot at the quarantine phytosanitary zone are carried out at the account of the owner or other users of quarantine facilities, quarantine products.

## **Article 16. Export of Quarantine Production Lot from Quarantine Phytosanitary Zone**

1. With the purpose of plant quarantine provision in case of enforcement of quarantine phytosanitary mode and establishment of embargo stipulated by paragraph 5 part 5 article 13 hereof export of quarantine products typical for infestation (contamination) by quarantine hazardous organism with respect to which quarantine phytosanitary mode has been enforced beyond the borders of quarantine phytosanitary zone is carried out on the basis of written permit for export of quarantine production lot.
2. To obtain written permit for export of quarantine production lot legal body or individual presents to the territorial body of an authorized federal executive body:
  - 1) application for issuance of permit for export of quarantine production lot;

- 2) information about name and location of the recipient (consignee) and sender (shipper) of quarantine products in accordance with transport and other documents;
  - 3) information about name and volume of quarantine production lot;
  - 4) information about transport vehicle (type, make, registration number, railway car (container) number if transportation is arranged by means of railway transport);
  - 5) conclusion issued by accredited laboratory (research center) about quarantine phytosanitary state of quarantine products that confirms absence of infestation (contamination) of quarantine products by quarantine hazardous organisms typical for this kind of quarantine products.
3. Compliance measures stipulated in part 5 article 23 hereof are arranged with respect to the quarantine production lot.
  4. Permit for export of quarantine production lot is issued by territorial body of an authorized federal executive body during one day after presentation of documents and information stipulated by part 2 of present article by a legal body or individual.
  5. Reasons for rejection to issue the permit for export of quarantine production lot are:
    - 1) failure to present documents and information stipulated by part 2 of present article by a legal body or individual;
    - 2) presentation of incorrect information by legal body or individual;
    - 3) infestation (contamination) of quarantine production lot by quarantine hazardous organisms as indicated in the conclusion about quarantine phytosanitary state of quarantine products.
  6. Decision about rejection to issue the permit for export of quarantine production lot with the grounding of reasons for rejection is brought to the notice of a legal body or individual within three days after making of such decision.

Decision about rejection to issue the permit for export of quarantine production lot may be challenged in a judicial procedure.
  7. Control for export of quarantine products typical for infestation (contamination) by quarantine hazardous organism with respect to which quarantine phytosanitary mode had been enforced is carried out at the border of a quarantine phytosanitary zone. Permit for export of quarantine production lot is withdrawn by authorized officials of territorial body of an authorized federal executive body during control at the border of a quarantine phytosanitary zone.

Check of permit for export of quarantine production lot beyond the borders of a quarantine phytosanitary zone is inadmissible.

Quarantine products exported beyond the borders of a quarantine phytosanitary zone without permit are subject to return, disinfection, and in case the disinfection is impossible – are subject to withdrawal and extermination.

Authorized federal executive body establishes: procedure for making a decision about impossibility of disinfection of quarantine products exported beyond the borders of a quarantine phytosanitary zone without obtainment of permit, procedure for issuance of permits for export of quarantine products beyond the borders of a quarantine phytosanitary zone, as well as return, withdrawal and extermination of quarantine products exported beyond the borders of a quarantine phytosanitary zone without obtainment of permit, form of permit for export of quarantine products from quarantine phytosanitary zone.

Authorized federal executive body keeps a registry of permits for export of quarantine products beyond the borders of a quarantine phytosanitary zone; the procedure for its forming and keeping is established by an authorized federal executive body.

### **CHAPTER 3. SERVICES IN THE SPHERE OF DISINFECTION OF QUARANTINE PRODUCTS, QUARANTINE FACILITIES AND LABORATORY TESTING IN THE SPHERE OF PLANT QUARANTINE**

#### **Article 17. Services in the Sphere of Disinfection of Quarantine Products, Quarantine Facilities**

Services in the sphere of disinfection of quarantine products, quarantine facilities include:  
disinfection of quarantine products;  
disinfection of quarantine facilities.

#### **Article 18. Disinfection of Quarantine Products, Quarantine Facilities**

1. Disinfection of quarantine products, quarantine facilities is admissible in places for disinfection in case the conditions for disinfection of quarantine products, quarantine facilities are provided by means that do not create a threat to human life and health, to the environment during use of such products after disinfection and that do not lead to substantive changes of their application properties.
2. Authorized federal executive body establishes the requirements to methods and ways of disinfection that provide quality of performance, procedure for presentation of results of works for disinfection of quarantine products, quarantine facilities.
3. Works for disinfection of quarantine products, quarantine facilities are carried out on a remuneration basis unless otherwise is stipulated by a contract between the entity that carries out works for disinfection of quarantine products, quarantine facilities and the contractor.
4. Carrying out works for disinfection of quarantine products is arranged by legal bodies and individuals that obtained state accreditation in accordance with article 19 hereof. Specified entities carry out works:
  - 1) for disinfection of quarantine products imported to the territory of Russian Federation and exported from the territory of Russian Federation;
  - 2) for disinfection of grain located at the territory of Russian Federation;
  - 3) for disinfection of quarantine products exported from quarantine phytosanitary zone.
5. In cases not stipulated by part 4 of present article, state accreditation of legal bodies and individuals for the right of carrying out of works for disinfection of quarantine products is not required.

#### **Article 19. State accreditation of legal bodies and individuals for the right of carrying out of disinfection of quarantine products**

1. State accreditation of legal bodies and individuals for the right of carrying out of disinfection of quarantine products (hereinafter – accreditation) is carried out with the purpose of approval of competence of legal bodies and individuals in the established sphere of accreditation and provision of trust of manufacturers, vendors and purchasers and bodies that provide functions for control and inspection in the specified sphere of activity in the results of works for disinfection of quarantine products.
2. Accreditation is carried out by an authorized federal executive body (hereinafter – accreditation body) within the order stipulated by the Government of Russian Federation on the basis of the principles of:

- 1) voluntariness;
  - 2) openness and accessibility of accreditation;
  - 3) provision of equal conditions to entities that qualify for accreditation.
3. Legal bodies and individuals that satisfy the following requirements have the right for accreditation:
- 1) premises, constructions, devices, equipment that belong to legal bodies and individuals on the basis of the right of ownership or any other legal basis and are required for carrying out of works for disinfection of quarantine products that satisfy the requirements stipulated by legislation of Russian Federation;
  - 2) required number of specialists in the sphere of disinfection of quarantine products – for legal bodies; compliance to established job specifications – for individuals. Required number of specialists and job specifications are defined by accreditation body;
  - 3) copies of regulatory legal acts, regulatory, technical and guidance documents that regulate organizational issues and carrying out of works in the sphere of disinfection of quarantine products.
4. Establishment of other requirements not stipulated by part 3 of present article towards legal bodies and individuals for obtainment of accreditation is inadmissible.
5. For obtainment of accreditation legal body or individual presents application for provision of accreditation certificate and documents required for accreditation to the accreditation body.
6. Reasons for refusal to issue accreditation are:
- 1) failure to present the documents required for accreditation;
  - 2) unreliable information in the application for provision of accreditation certificate and documents presented for accreditation;
  - 3) failure of a legal body or an individual to satisfy the requirements stipulated by part 3 of present article.
7. Accreditation body carries out:
- 1) consideration of application for provision of accreditation certificate and provision of accreditation certificate;
  - 2) check whether legal bodies and individuals that obtained accreditation certificate satisfy the requirements stipulated by part 3 of present article;
  - 3) suspension, revalidation and cancellation of accreditation certificate;
  - 4) revocation of accreditation certificate;
  - 5) registry keeping of issued accreditation certificates;
  - 6) provision of information about accreditation.
8. Accreditation has no expiration date.
9. During control for activity of accredited legal bodies and individuals accreditation body passes on instructions about correction of violations of legislation of Russian Federation in the sphere of plant quarantine in due order.
10. Accreditation body suspends the certificate for accreditation of a legal body or an individual and applies to court with application for revocation of the specified certificate in case if legal body or individual has not corrected violations of legislation of Russian Federation in the sphere of plant quarantine within the period established by the accreditation body or has committed the specified violations repeatedly within one year.
11. Accreditation body keeps the registry of accredited legal bodies and individuals (hereinafter – registry) and places it at the official website in the Internet. The registry includes the following information:

- 1) information about individuals (except for information about residence of individuals, details of ID documents and tax ID number) and legal bodies (except for information being a commercial secret);
  - 2) particulars of accreditation certificates;
  - 3) information about suspension, revalidation and cancellation of accreditation certificate and its revocation.
12. Accreditation body inserts information stipulated in part 11 of this article into the registry within ten days from provision of accreditation certificate, as well as from suspension, revalidation and cancellation of accreditation certificate and its revocation. Information contained in the registry is open to the public and is presented upon requests of legal bodies and individuals in a way of extracts from the registry within thirty days after receipt of request save for information distribution of which is limited or prohibited in accordance with legislation of Russian Federation.
13. Accreditation body carries out inspection for observance of legislation of Russian Federation during activities for disinfection of quarantine products carried out by accredited legal bodies and individuals and activities of accredited laboratories (research centers).

#### Article 20. **Laboratory Testing in the Sphere of Plant Quarantine**

1. Relations connected with laboratory testing in the sphere of plant quarantine are governed by legislation of Russian Federation about technical regulation taking into account peculiarities stipulated by present Federal Law.
2. Laboratory testing in the sphere of plant quarantine means testing of samples (patterns) of quarantine products with the purpose of detection of infestation (contamination) symptoms of a test target by quarantine hazardous organisms, they are carried out by accredited laboratories (research centers).  
Government of Russian Federation establishes accreditation procedure for laboratories (research centers) for the right to carry out laboratory testing in the sphere of plant quarantine. For each type of quarantine products authorized federal executive body defines a list of laboratory testing of samples (patterns) of quarantine products indicating terms for carrying out of testing of samples (patterns) that are necessary and sufficient for preparation of conclusion about phytosanitary state of quarantine products by laboratories (research centers); it also defines procedure for carrying out of laboratory testing.
3. Laboratory testing in the sphere of plant quarantine are carried out:
  - 1) with the purpose of receipt of phytosanitary certificate;
  - 2) with the purpose of receipt of permit for export of products from quarantine phytosanitary zone;
  - 3) in the process of federal state quarantine phytosanitary inspection;
  - 4) in the process of quarantine phytosanitary examinations of quarantine facilities;
  - 5) in the process of scientific researches.
4. In cases stipulated by paragraph 5 part 3 of present article laboratory testing in the sphere of plant quarantine may be carried out also by other laboratories (research centers), herewith the results of testing carried out by other laboratories (research centers) cannot be used as a proof of conformity of quarantine products, quarantine facilities to quarantine phytosanitary requirements.
5. Information about results of laboratory testing in the sphere of plant quarantine is subject to compulsory entering by laboratories (research centers) into the unified state information

accounting system of laboratory testing in the sphere of plant quarantine. Herewith authorized federal executive body defines an operator of the specified system and procedure of accounting of such information through the due process of legislation of Russian Federation.

In cases stipulated by paragraphs 1-4 part 3 of present article according the results of laboratory testing laboratory (research center) arranges a conclusion about phytosanitary state of tested samples; it is arranged by electronic means using software of unified state information accounting system of laboratory testing in the sphere of plant quarantine and sent to the authorized federal executive body.

Conclusion about phytosanitary state of tested samples in hard copy is arranged by means of using software of unified state information accounting system of laboratory testing in the sphere of plant quarantine and signed by an expert.

#### **Article 21. Activities for Disinfection and Marking of Wood Packing and Lashing Materials**

1. Wood packing and lashing materials imported to the territory of Russian Federation or exported from the territory of Russian Federation should be free from bark, quarantine hazardous organisms and are subject to disinfection.  
Observance of specified requirements to wood packing and lashing materials is proved by marking.
2. Marking of wood packing and lashing materials is performed by legal bodies and individuals who carry out manufacturing of wood packing and lashing materials.  
Before approval of respective technical regulations authorized federal executive body establishes the procedure for marking of wood packing and lashing materials, requirements to the marking character design, ways of its application.

### **CHAPTER 4. FEDERAL STATE QUARANTINE PHYTOSANITARY INSPECTION**

#### **Article 22. Organization of Federal State Quarantine Phytosanitary Inspection**

1. Federal state quarantine phytosanitary inspection is performed by authorized federal executive body within the order stipulated by the Government of Russian Federation.
2. Observance of regulatory requirements by state authorities, local authorities, legal bodies, sole proprietors and citizens during carrying out of activities in the sphere of manufacturing, storage, transportation, sale, disposal, reprocessing of quarantine products, including also using of quarantine facilities is the subject matter of checks carried out during federal state quarantine phytosanitary inspection.
3. Provisions of Federal Law as of 26 December 2008 No. 294-FZ “On protection of rights of legal bodies and sole proprietors during state control (inspection) and municipal control” are applied to the relations connected with federal state quarantine phytosanitary inspection, organization and carrying out of checks of legal bodies, sole proprietors, taking into account peculiarities established by present Federal Law.
4. Unscheduled checks of legal bodies, sole proprietors are carried out on the following grounds:
  - 1) grounds stipulated by the Federal Law as of 26 December 2008 No. 294-FZ “On protection of rights of legal bodies and sole proprietors during state control (inspection) and municipal control”;
  - 2) receipt of information about infestation (contamination) of quarantine products, quarantine facilities by quarantine hazardous organisms from authorized bodies of foreign states.

5. Checks are carried out with respect to the citizens performing manufacturing, storage, transportation, sale, disposal, reprocessing of quarantine products including using of quarantine facilities on the basis of the following grounds:
  - 1) expiry of a term for fulfillment of instruction to eliminate previously detected violations of regulatory requirements by a citizen;
  - 2) appeals and claims of citizens including sole proprietors, legal bodies, information from state authorities (officials of authorized federal executive body), from local authorities, from mass media to the authorized federal executive body about facts of detection of infestation (contamination) of quarantine facilities, quarantine products with quarantine hazardous organisms;
  - 3) receipt of information about infestation (contamination) of quarantine facilities, quarantine products with quarantine hazardous organisms from authorized bodies of foreign states.
6. During federal state quarantine phytosanitary inspection payment for arrangement of checks including individual measures for control is not charged except for payment for testing of samples (patterns) of quarantine products carried out in accordance with part 5 article 27 hereof.

**Article 23. Organization and arrangement of checks during federal state quarantine phytosanitary inspection in case of enforcement of quarantine phytosanitary mode and in entry points at the state border of Russian Federation**

1. In accordance with present Federal Law during enforcement of quarantine phytosanitary mode authorized federal executive body arranges unscheduled checks of legal bodies, sole proprietors and citizens that use quarantine facilities during manufacturing, storage, transportation, sale, extermination, reprocessing of quarantine products within the borders of quarantine phytosanitary zone taking into account the requirements stipulated by parts 2 and 3 of present article.
2. In cases stipulated by part 1 of present article unscheduled checks are carried out in accordance with the program of measures directed to liquidation of quarantine hazardous organisms hotspot; it is developed by authorized federal executive body and is an integral part of a decision about enforcement of quarantine phytosanitary mode made within the order stipulated by article 14 hereof.
3. Preliminary notification of legal body, sole proprietor or citizen about check during enforcement of quarantine phytosanitary mode within the borders of quarantine phytosanitary zone is not required.
4. At entry points of state border of Russian Federation federal state quarantine phytosanitary inspection in a way of quarantine phytosanitary control is carried out in accordance with articles 25-32 hereof and other federal laws within the order stipulated by the Government of Russian Federation.
5. During quarantine phytosanitary control at entry points of state border of Russian Federation customs authorities arrange check of documents accompanying quarantine products (documents check). Authorized federal executive body arranges:
  - 1) check of documents accompanying quarantine production lot during its arrival for examination;
  - 2) survey (examination) of quarantine products;
  - 3) survey of transport vehicles and other quarantine facilities;
  - 4) carrying out of researches, investigations, expert reviews and other measures for control.

## **Article 24. Rights of Officials of Authorized Federal Executive Body During Federal State Quarantine Phytosanitary Inspection**

1. Officials of authorized federal executive body being state inspectors in the sphere of plant quarantine within the order stipulated by legislation of Russian Federation have the right to:
  - 1) on the basis of informative written inquiries from state authorities, local authorities, legal bodies, sole proprietors and citizens to request and obtain information and documents required during check;
  - 2) on presentation of service certificate and copy of order (instruction) of the head (deputy head) of authorized federal executive body about scheduling of check freely visit quarantine facilities used by legal bodies, sole proprietors, and citizens during business and other activities, carry out their examinations, carry out examinations of quarantine facilities and to carry out researches, testing, measurements, investigations, expert reviews and other measures for control;
  - 3) issue to legal bodies, sole proprietors, and citizens instructions about correction of detected violations of regulatory requirements, about carrying out of measures for prevention of harm to plants, environment, state security, property of legal entities and individuals, state and municipal property and about disinfection of quarantine products, quarantine facilities;
  - 4) make reports about administrative offences connected with violation of regulatory requirements, consider cases about specified administrative offences and take up measures for prevention of such offences;
  - 5) send to authorized bodies materials for decision of matters about initiation of criminal cases for offences connected with violation of regulatory requirements;
  - 6) within the order established by legislation of Russian Federation bring suits about compensation of harm inflicted to plants, environment and its components due to violation of regulatory requirements.
2. Authorized federal executive body that carries out federal state quarantine phytosanitary inspection may be taken by a court to participate in proceedings and to intervene in proceedings on its own initiative for making a conclusion with respect to the actions for compensation of harm inflicted to plants, environment and its components, state security, property of legal entities and individuals, state and municipal property due to violation of regulatory requirements.

## **CHAPTER 5. PROVISION OF PLANT QUARANTINE DURING FOREIGN TRADE**

### **Article 25. Regulations for import of quarantine products to the territory of Russian Federation**

1. Import of quarantine products to the territory of Russian Federation directly from the territory of states not being members of Customs Union is carried out at entry points of the state border of Russian Federation (hereinafter – entry points).

Import of quarantine products to the territory of Russian Federation from the territory of states – members of Customs Union is carried out in accordance with legislation of Customs Union.

Import of quarantine products with high phytosanitary risk defined by the list of quarantine products (hereinafter – quarantine products of high phytosanitary risk) except for cases stipulated in part 7 of present article and of quarantine products of high phytosanitary risk imported by individuals for purposes not connected with business activity is carried out at entry points that are specially equipped and meant for import of quarantine products to the territory of

Russian Federation defined in accordance with legislation of Russian Federation (hereinafter – specialized entry points).

2. Quarantine products free from quarantine hazardous organisms conforming to quarantine phytosanitary requirements for quarantine products and to the conditions stipulated by international agreements of Russian Federation are admitted for import to the territory of Russian Federation.
3. With respect to quarantine products of high phytosanitary risk authorized federal executive body may establish special requirements for import of quarantine products that stipulate:
  - 1) arrangement of disinfection of quarantine production lot of high phytosanitary risk after its making up or lading to the transport vehicle or during its transportation;
  - 2) requirement to special transport conditions of quarantine products of high phytosanitary risk or equipment of transport vehicles;
  - 3) import of quarantine products of high phytosanitary risk through entry points from among specialized entry points through which such quarantine products may be imported to the territory of Russian Federation.
4. Cases when special requirements to import of quarantine products of high phytosanitary risk should be set are defined by quarantine phytosanitary requirements stipulated in accordance with part 5 article 7 hereof.
5. Quarantine products of high phytosanitary risk may be imported to the territory of Russian Federation having phytosanitary certificate issued by authorized body of the state at the territory of which imported lot of specified products has been made up, unless otherwise specified by international agreements of Russian Federation.

Phytosanitary certificate should prove conformity of imported lot of quarantine products of high phytosanitary risk to quarantine phytosanitary requirements and temporary phytosanitary measures established (enforced) in accordance with present Federal Law valid at the date of issuance of phytosanitary certificate.

Phytosanitary certificate cannot be issued to the lot of quarantine products of high phytosanitary risk while being transported.
6. In accordance with international agreements of Russian Federation and approved international standards for phytosanitary measures authorized federal executive body establishes requirements to arrangement of phytosanitary certificate as well as to the information stated in the certificate, and regulations for acknowledgement of phytosanitary certificate to be void or falsified.
7. Part 5 of present article does not apply to import of quarantine products of high phytosanitary risk to the territory of Russian Federation in the following cases:
  - 1) transfer of quarantine products of high phytosanitary risk through customs border of the Customs Union by post, in hand luggage of passengers, crewmembers of ships, planes, passenger cars, vehicles provided that specified products are not planting or seed material or potato;
  - 2) transfer of wood packaging and lashing materials provided that specified materials are used during their import to the territory of Russian Federation as a packaging or lashing materials for other imported goods. During inspection or survey of specified quarantine products official of authorized federal executive body checks availability of special international marking on them;
  - 3) transfer of quarantine products of high phytosanitary risk situated in transport vehicles and meant for food purposes of crews of the transport vehicles without bringing them from transport vehicles. Food reserves at transport vehicles infested by quarantine hazardous

organisms should be disinfected, disposed or sealed in special store rooms upon instruction of an official of authorized federal executive body until the transport vehicle remains at the territory of Russian Federation.

8. Authorized federal executive body keeps a registry of quarantine phytosanitary requirements to quarantine products imported to the territory of Russian Federation.  
Specified registry is subject to placing at the official website of an authorized federal executive body in the Internet by means of using information technologies providing arrangement of detailed list of quarantine phytosanitary requirements to quarantine products imported to the territory of Russian Federation depending on its type, place of origin, place of delivery any other specifications.

#### **Article 26. Enforcement of embargoes for import of quarantine products to the territory of Russian Federation and establishment of additional requirements to imported quarantine products**

1. With respect to the lots of quarantine products of high phytosanitary risk manufactured or made up in definite foreign states (groups of foreign states, specific regions of these states or by organizations located in their territories) or imported from the territories of such states embargo for import of quarantine products to the territory of Russian Federation may be enforced and additional requirements to quarantine products imported to the territory of Russian Federation may be established.  
In case of making a decision about enforcement of embargo for import of quarantine products to the territory of Russian Federation import of respective quarantine production lots to the territory of Russian Federation is inadmissible if phytosanitary certificate for specified lots has been obtained during validity period of such decision.  
In case of making a decision about establishment of additional requirements to quarantine products imported to the territory of Russian Federation import of respective quarantine production lots to the territory of Russian Federation is admissible provided that phytosanitary certificate obtained for specified lots during validity period of such decision approves carrying out of preventive phytosanitary disinfection with respect to the quarantine production lot by means stipulated in the decision.
2. The decision about enforcement of embargo for import of quarantine products to the territory of Russian Federation or about establishment of additional requirements to quarantine products imported to the territory of Russian Federation is made within the order stipulated by authorized federal executive body in the following cases:
  - 1) information about occurrence of quarantine hazardous organism hotspot within the whole territory of a foreign state (group of foreign states) or on a part of it;
  - 2) systematic occurrence of quarantine hazardous organisms in quarantine production lots imported from the territory of the state (group of foreign states) specified in paragraph 1 of present part or quarantine products manufactured in the specified state (group of foreign states, region or organization) during quarantine phytosanitary control during import to the territory of Russian Federation.
3. The decision about enforcement of embargo for import of quarantine products to the territory of Russian Federation or about establishment of additional requirements to quarantine products imported to the territory of Russian Federation should state its validity period and its effective date. In case stipulated in paragraph 1 part 2 of present part the specified decision may be taken for indefinite period before receipt of information about liquidation of quarantine hazardous

organism hotspot.

## **Article 27. Carrying out Quarantine Phytosanitary Control of Quarantine Products During Import to the Territory of Russian Federation**

1. Every quarantine production lot imported to the territory of Russian Federation is subject to quarantine phytosanitary control with the purpose of assessment of conformity to phytosanitary requirements established in Russian Federation.

During import of quarantine products to the territory of Russian Federation quarantine phytosanitary control is carried out in accordance with the decisions of the Customs Union Commission taken in accordance with Customs Union Agreement on plant quarantine dated 11 December 2009 taking into account the peculiarities stipulated herein.

2. Quarantine phytosanitary control during import of quarantine products to the territory of Russian Federation should be based on phytosanitary risks management. Phytosanitary risks management means a survey of quarantine products only with respect to quarantine production lots import of which to the territory of Russian Federation may very likely create a threat of distribution of quarantine hazardous organisms.

The survey is carried out with respect to quarantine products of high phytosanitary risk and in cases if organisms morphologically similar to quarantine hazardous organisms, symptoms of plant diseases, traces of damage of quarantine products with quarantine hazardous organisms are detected during examination of quarantine products (its package).

Before commencement of quarantine phytosanitary control an assessment of potential infestation (contamination) of imported quarantine products of high phytosanitary risk with quarantine hazardous organisms is carried out with the purpose of selection of quarantine production lots subject to survey; upon assessment results the level of risk for every quarantine production lot of high phytosanitary risk is specified and defined as maximal, increased or permissible.

3. Level of phytosanitary risk is defined by potential infestation (contamination) of imported quarantine products of high phytosanitary risk with quarantine hazardous organisms which is assessed on the basis of the following factors:
  - 1) place of manufacture of quarantine products taking into account information about distribution of quarantine hazardous organisms in the specified place typical for respective quarantine products;
  - 2) system of phytosanitary certification under which phytosanitary certificate for imported quarantine products has been issued;
  - 3) information about cases of forgery of phytosanitary certificates related to the system of phytosanitary certification specified in paragraph 2 of present part;
  - 4) hard copy information about results of quarantine phytosanitary control during import of quarantine products accompanied by phytosanitary certificates issued under the system of phytosanitary certification specified in paragraph 2 of present part.
4. Sampling (collection of patterns) of quarantine products for their testing during survey of quarantine products is admissible in cases if the respective type of quarantine products is sensitive to infestation (contamination) with quarantine hazardous organisms, which traces of infestation (contamination) cannot be discovered by means of visual observation or if by means of visual inspection of quarantine products (its package) organisms morphologically similar to quarantine objects (quarantine hazardous organisms), symptoms of plant diseases, traces of damage of quarantine products with quarantine objects (quarantine hazardous organisms) are detected.

5. Testing of samples (patterns) of quarantine products selected during survey of quarantine products is carried out on account of quarantine products owner by laboratories (research centers) within the order stipulated by present Federal Law.

#### **Article 28. Peculiarities of Carrying Out of Survey of Quarantine Products of High Phytosanitary Risk Imported to the Territory of Russian Federation**

1. For survey of quarantine products of high phytosanitary risk for which is defined as maximal, the following peculiarities are established:
  - 1) survey is carried out with respect to every quarantine production lot of high phytosanitary risk, it is seized at the place of survey before receipt of results of testing of samples (patterns) of specified products selected during survey unless otherwise stipulated by present Federal Law.
2. For survey of quarantine products of high phytosanitary risk level of risk for which is defined as increased or permissible, the following peculiarities are established:
  - 1) survey is carried out with respect to randomly selected quarantine production lot of high phytosanitary risk. Random selection is performed from general number of lots of specified products of one type imported during definite period accompanied by phytosanitary certificates issued by authorized body of one state (group of states) (hereinafter – similar lot). Number of randomly selected lots is defined on the basis of procedure stipulated by authorized federal executive body. Specified procedure should stipulate change of number of randomly selected lots in case of change of potential distribution of quarantine hazardous organisms at the territory of Russian Federation that may infest (contaminate) imported lot of quarantine products of high phytosanitary risk depending on the place of delivery of quarantine products of high phytosanitary risk and details about sensitiveness of the respective region to quarantine hazardous organisms typical for imported quarantine products of high phytosanitary risk taking into account season factors and depending on declared intended use of quarantine products. Number of randomly selected lots should not exceed fifty percent (with respect to the lots of quarantine products of high phytosanitary risk the risk level for each is defined as increased) or ten percent (with respect to the lots of quarantine products of high phytosanitary risk the risk level for each is defined as permissible) of the total number of similar lots or general number of quarantine products of high phytosanitary risk in similar lots (depending on approved procedure);
  - 2) survey at the place of arrival of quarantine products of high phytosanitary risk is carried out without requirements about unloading of transport vehicle;
  - 3) quarantine production lot of high phytosanitary risk is not held at the place of survey until receipt of testing results of samples (patterns) selected during survey save for cases when during visual inspection of the specified products (its package) organisms morphologically similar to quarantine objects (quarantine hazardous organisms), symptoms of plant diseases, traces of damage of quarantine products with quarantine objects (quarantine hazardous organisms) are detected.

#### **Article 29. Automated Information System Of Phytosanitary Risks Management During Carrying Out of Quarantine Phytosanitary Control During Import of Quarantine Products to the Territory of Russian Federation**

1. Level of phytosanitary risk and selection of quarantine production lot subject to survey are defined by means of using automated information system of phytosanitary risks management

during carrying out of quarantine phytosanitary control during import of quarantine products to the territory of Russian Federation (hereinafter – automated information system) which regulations are established by authorized federal executive body. Specified regulations stipulate:

- 1) methods (formula) of phytosanitary risk level determination;
  - 2) methods of identification of phytosanitary risk factors and defining of design coefficient corresponding to them;
  - 3) terms of updating of design coefficient applied for definition of phytosanitary risk level and the procedure of their approval and publishing;
  - 4) procedure of entering of information about quarantine production lot subject to quarantine phytosanitary control (inspection) during import of quarantine products to the territory of Russian Federation into automated information system;
  - 5) procedure of defining random selection for every type of quarantine products;
  - 6) procedure for entering of information about results of control measures into automated information system including results of laboratory testing, their summarization, keeping and use;
  - 7) procedure for arranging of protocol for defining of phytosanitary risk level and defining of random selection;
  - 8) requirements to means of data protection in the automated information system.
2. Upon results of defining of phytosanitary risk level for quarantine products owner (forwarder) of specified products receives a protocol containing assessment of phytosanitary risk level for quarantine production lot, its calculation, information about carrying out of survey (taking into account random selection with respect to quarantine production lots for which phytosanitary risk level is defined as increased or permissible) as well as other information defined by authorized federal executive body.

### **Article 30. Decision Taken upon Results of Quarantine Phytosanitary Control During Import of Quarantine Products to the Territory of Russian Federation**

1. The decisions may be taken upon results of quarantine phytosanitary control during import of quarantine products to the territory of Russian Federation:
  - 1) by customs authorities with respect to documentary check:
    - a. about embargo on import of quarantine products;
    - b. about sending of quarantine products for survey by officials of an authorized federal executive body;
    - c. about permit for import of quarantine products with the purpose of transportation to the place of delivery in accordance with customs procedure of customs transit;
  - 2) by an authorized federal executive body:
    - a. about embargo on import of quarantine products;
    - b. about permit for import of quarantine production lot;
    - c. about permit for import of quarantine production lot subject to the set terms.
2. Decisions stipulated by subparagraph ‘c’ paragraph 1 and subparagraph ‘b’ paragraph 2 part 1 of present article are executed by means of stamping of the phytosanitary certificate (if available) and transport (carriage) document by an official of customs authority during documentary check or by an official of authorized federal executive body that carried out measures for quarantine phytosanitary control.  
Decisions stipulated by subparagraph ‘a’ paragraph 1 and subparagraphs ‘a’ and ‘c’ paragraph 2 part 1 of present article are executed by means of arranging an act of quarantine phytosanitary control approved by an authorized federal executive body and by means of stamping of the

phytosanitary certificate (if available) and transport (carriage) document by an official of customs authority during documentary check or by an official of authorized federal executive body that carried out measures for quarantine phytosanitary control.

Procedure for issuing of acts of quarantine phytosanitary control is defined by the Government of Russian Federation.

Authorized federal executive bodies are not entitled to demand other documents approving quarantine phytosanitary state of quarantine products during import to the territory of Russian Federation.

3. Decision about import of quarantine production lot stipulated by subparagraph 'c' paragraph 2 of present article is taken upon application of the owner of quarantine production lot of high phytosanitary risk before receipt of results for testing of samples (patterns) of specified products during survey upon delivery with respect to the quarantine production lot of high phytosanitary risk the risk level for which is defined as maximal. Specified decision may be taken subject to the following:
  - 1) upon results of documentary check no grounds appear for making a decision about embargo for import of quarantine products to the territory of Russian Federation;
  - 2) period for testing of samples (patterns) of quarantine products exceeds 3 working days;
  - 3) during survey of quarantine products (its package) no organisms morphologically similar to quarantine hazardous organisms, symptoms of plant diseases, traces of damage of quarantine products with quarantine hazardous organisms are detected.
4. In case of making a decision on permit for import of quarantine production lot stipulated by subparagraph 'c' paragraph 2 part 1 of present article quarantine production lot is not held until the receipt of results for testing of samples (patterns) of quarantine products. Herewith the following limitations are established:
  - 1) prohibition for alienation of quarantine products;
  - 2) obligation to provide storage of quarantine products in the region where territorial body of authorized federal executive body that made specified decision is located;
  - 3) obligation to provide transfer of quarantine products to the place of storage and their storage in the package providing impossibility of unauthorized replacement of such products and infestation (contamination) of quarantine facilities, other quarantine products with quarantine hazardous organisms that may be contained in the specified products;
  - 4) upon request within 24 hours to present quarantine products to the authorized federal executive body (its territorial body) for making a decision about extermination or disinfection of quarantine products in case of receipt of conclusion about presence of quarantine hazardous organisms in quarantine products.
5. Upon receipt of results for testing of samples (patterns) of quarantine products a decision about permit for import of quarantine products to the territory of Russian Federation is made or an instruction about extermination or disinfection of quarantine products is given.
6. Decision about import of quarantine production lot stipulated by subparagraph 'c' paragraph 2 part 1 of present article cannot be taken if within six preceding months the owner of quarantine production lot violated the conditions of the respective decisions.

### **Article 31. Export of Quarantine Products from the Territory of Russian Federation and Peculiarities of Export Control**

1. In cases stipulated by international agreements of Russian Federation export of quarantine products from the territory of Russian Federation is admissible having phytosanitary certificate

issued by the authorized federal executive body (its territorial body).

Authorized federal executive body keeps information registry of quarantine phytosanitary requirements of foreign states to quarantine products export of which from the territory of Russian Federation is admissible only having phytosanitary certificate according the provisions of present article.

2. Control for observance of provisions of first passage part 1 of present article is carried out by customs authorities in a way of documentary check within the order stipulated by the Government of Russian Federation.

### Article 32. **Phytosanitary Certification**

1. Phytosanitary certificates for quarantine production lots exported from the territory of Russian Federation are issued by authorized federal executive body (its territorial body) upon request of the participant of foreign economic activities. The request is accompanied with conclusion about quarantine phytosanitary state of the quarantine production lot being exported from the territory of Russian Federation issued by accredited laboratory (research center) or act about carried out disinfection (fumigation) issued by the organization accredited for carrying out of disinfection of quarantine products.

2. Sampling (collection of patterns) of quarantine products for their testing with the purpose of receipt of conclusion about phytosanitary state of the quarantine production lot being exported from the territory of Russian Federation is carried out by an official of the authorized federal executive body.

Testing of samples (patterns) of quarantine products collected with the purpose of receipt of conclusion about phytosanitary state of the quarantine production lot being exported from the territory of Russian Federation is carried out by accredited laboratory (research center) at the expense of the owner of quarantine products within the order stipulated by present Federal Law. For every type of quarantine products authorized federal executive body defines a list of laboratory testing of samples (patterns) stating the period for carrying out of testing of samples (patterns) necessary and sufficient for arrangement of conclusion about quarantine phytosanitary state of the quarantine products by accredited laboratories (research centers).

3. Phytosanitary certificate is issued free of charge not later than three working days after filing of request stipulated by part 1 of present article.

Phytosanitary certificate issuance date is defined to be the day of actual issuance of phytosanitary certificate to the applicant.

Phytosanitary certificate may be re-issued upon request of the participant of foreign economic activities within thirty days from its issuance without additional testing of samples (patterns) of quarantine products by accredited laboratory (research center). Phytosanitary certificate is re-issued free of charge not later than three working days after filing of request about re-issuance.

4. Form of phytosanitary certificate, procedure for its filling and issuance that may stipulate the possibility of issuance of phytosanitary certificates in electronic form is defined by authorized federal executive body.

During its being transported phytosanitary certificate for quarantine production lot may be re-issued only in case of identity of phytosanitary requirements to the specified lot of quarantine products specified by the importing state and observance of wholeness of the specified lot.

## **CHAPTER 6. INTERNATIONAL COOPERATION AND RESPONSIBILITY FOR VIOLATION OF LEGISLATION OF RUSSIAN FEDERATION IN THE SPHERE OF PLANT**

## QUARANTINE

### Article 33. **International Cooperation in the Sphere of Plant Quarantine**

Russian Federation carries out international cooperation in the sphere of plant quarantine in accordance with generally recognized principles and international law, and international agreements of Russian Federation in the sphere of plant quarantine.

### Article 34. **Responsibility for Violation of Legislation of Russian Federation in the Sphere of Plant Quarantine**

1. Violation of legislation of Russian Federation in the sphere of plant quarantine entails disciplinary, civil, administrative, criminal responsibility in accordance with legislation of Russian Federation.
2. Harm inflicted to property of a citizen, or to property of a legal body due to violation of legislation of Russian Federation in the sphere of plant quarantine is subject to full compensation in accordance with legislation of Russian Federation.

## CHAPTER 7. FINAL AND TRANSITIONAL PERIOD PROVISIONS

### Article 35. **Concerning the Annulment of Certain Legislative Acts (Provisions of Legislative Acts) of Russian Federation**

From the day on which this Federal Law enters into force the following shall be deemed to have lost force:

- 1) Federal Law as of 15 July 2000 No. 99-FZ “On plant quarantine” (Russian Federation Code, 2000, No.29, art. 3008);
- 2) article 30 of the Federal Law as of 25 July 2002 No. 116-FZ “On making changes and amendments to some legislative acts of Russian Federation related to improvement of state administration in the sphere of fire safety” (Russian Federation Code, 2002, No.30, art. 3033);
- 3) article 129 of the Federal Law as of 22 August 2004 No. 122-FZ “On making changes to legislative acts of Russian Federation and concerning the annulment of certain legislative acts of Russian Federation due to enacting of federal laws “On making changes and amendments to the Federal Law “On general principles of organization of legislative (representative) and executive State government bodies of constituent entities of Russian Federation” and “On general principles of organization of local government in Russian Federation” (Russian Federation Code, 2004, No.35, art. 3607);
- 4) article 8 of the Federal Law as of 30 December 2006 No. 266-FZ “On making changes to some legislative acts of Russian Federation related to improvement of state control in the in the entry points of the state border of Russian Federation” (Russian Federation Code, 2007, No.1, art. 29);
- 5) article 76 of the Federal Law as of 23 July 2008 No. 160-FZ “On making changes to some legislative acts of Russian Federation related to improvement of exercise of powers of Government of Russian Federation” (Russian Federation Code, 2008, No.30, art. 3616);
- 6) article 6 of the Federal Law as of 28 December 2010 No. 394-FZ “On making changes to some legislative acts of Russian Federation related to transfer of delegation of powers for carrying out of separate types of state control to customs authorities of Russian Federation”

(Russian Federation Code, 2011, No.1, art. 6);

7) article 38 of the Federal Law as of 18 July 2011 No. 242-FZ “On making changes to some legislative acts of Russian Federation on the matters of state control (inspection) and municipal control (Russian Federation Code, 2011, No.30, art. 4590).

#### **Article 36. Transitional Period Provisions**

Quarantine phytosanitary requirements stipulated by the authorized federal executive body and placed at the official website of the authorized federal executive body in the Internet are valid before entering into force of the present federal law in accordance with article 6 hereof.

#### **Article 37. Entering into Force of Present Federal Law**

1. Present Federal Law enters into force from 1 January 2012 save for article 29 hereof.
2. Article 29 hereof enters into force from 1 January 2013.

President  
of Russian Federation