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## Russian Federation

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### Draft Law of Organic Production Announced

**Report Categories:**

Agricultural Situation

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Special Certification - Organic/Kosher/Halal

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**Report Highlights:**

The Russian government continues to work on legislation for the organics market. On November 6, 2014, the last updated version of the Federal Law "On Production of Organic Products" was published on the official website for public comments until November 21, 2014. The final law is anticipated to come into force in 2015. The main difference from the previous draft was a new paragraph on the basic principles and legal regulations for organic products which includes voluntary certification, uniformity in conditions for the implementation of voluntary compliance verification, legality, etc.

**General Information:**

On November 6, 2014, the last updated version of the Federal Law "On Production of Organic Products" was published on the official website for public comments. Russian authorities pursue the following objectives when creating this Law:

1. Development of a competitive economic environment in the field of organic production;
2. Increase in exports of organic products;
3. Development of the domestic market for organic products.

It is the fifth draft of the 2010 original document. The main difference from the previous version is the addition of a new paragraph on the basic principles and legal regulations of organic products which includes voluntary certification, , uniformity in conditions for the implementation of voluntary compliance verification, legality, and etc.

The new draft was also added with more detailed description of the organic certification agency functions which are going to include providing compliance verification, issuing certificates of compliance, providing organic producers the right of using a mark of conformity, and rights to suspend or terminate the issued certificates of conformity.

The Law is open for public comments until November 21, 2014. The final law is anticipated to come into force in 2015. You can find an unofficial translation of the draft in Appendix 1 of this report.

The previous version of the draft can be found here

[http://gain.fas.usda.gov/Recent%20GAIN%20Publications/New%20Draft%20Organic%20Regulations%20Available%20for%20Public%20Comments\\_Moscow%20ATO\\_Russian%20Federation\\_9-12-2014.pdf](http://gain.fas.usda.gov/Recent%20GAIN%20Publications/New%20Draft%20Organic%20Regulations%20Available%20for%20Public%20Comments_Moscow%20ATO_Russian%20Federation_9-12-2014.pdf)

## APPENDIX 1

DRAFT

THE FEDERAL LAW

### **On Production of Organic Products**

#### **Article 1. Scope of this Federal Law**

1. This Federal Law establishes the legal basis of production and market circulation of organic products, and determines the authorities of the federal executive bodies and the state government bodies of the constituent entities of the Russian Federation.
2. This Federal Law shall be applied to the relations arising from production and market circulation of products of plant, animal, or microbial origin in their natural or processed form, and used for human consumption, as animal feed, planting or seed material, information and/or attached documentation on which contains an indication that the products were produced through organic production.
3. This Federal Law shall not be applied to the relations associated with production and market circulation of perfumes and cosmetics, pharmaceuticals, as well as game and fish.

#### **Article 2. General definitions**

For the purpose of this Federal Law, the following general definitions shall be used:

1. organic products – products obtained through the production certified to comply with the national standards on production of organic products in accordance with the requirements of the Russian Federation laws on technical regulation;
2. production of organic products (organic production) – all phases of production and processing of products based on compliance with the national standard for production of organic products;
3. an organic producer – physical and legal entities involved in the production (production) of organic products for the purpose of marketing;
4. the State register of organic producers – a set of data on organic producers.

#### **Article 3. Legal regulation basic principles of the relations in the area of production and market circulation of organic products**

Legal regulation of the relations in the area of production and market circulation of organic products is based on the following principles:

- A. voluntary compliance verification of production of organic products to national standards and to voluntary certification system;
- B. providing of uniform conditions for the implementation of voluntary compliance verification of production of organic products;
- C. legality;
- D. not misleading customers about consumer properties and the quality of organic products during production and market circulation of organic products;

E) maintenance of the ecological wellbeing and health of citizens.

**Article 4. The Laws of the Russian Federation on production and market circulation of organic products**

1. The Laws of the Russian Federation on production and market circulation of organic products are based on the Constitution of the Russian Federation, international treaties of the Russian Federation on production and market circulation of organic products, the laws of the Customs Union, and consist of this Federal Law, other federal laws, other regulatory legal acts of the Russian Federation, national standards, laws and other regulatory legal acts of the constituent entities of the Russian Federation, as well as the regulatory legal acts of the bodies of local self-governments.
2. Should an international treaty of the Russian Federation stipulate rules other than those set forth in the Laws of the Russian Federation that regulate the relations in the area of production and market circulation of organic products, the rules of the international treaty shall be applied.

**Article 5. Key objectives of the national policy on organic production and market circulation of organic products**

The national policy on production and market circulation of organic products is aimed at creating favorable conditions for:

1. development of the competitive economic activities in the field of production and market circulation of organic products;
2. increase in exports of organic products;
3. development of the domestic market for organic products and satisfying the demand of the Russian Federation population for organic products.

**Article 6. Authorities of the federal executive body in charge of developing the national policy and regulations in the field of the agri-industrial complex and fisheries, production and market circulation of organic products.**

Authorities of the federal executive body in charge of developing the national policy and regulations in the field of the agri-industrial complex and fisheries, production and market circulation of organic product are as follows:

1. formulation and implementation of the national policy and international cooperation in the field of production and market circulation of organic products;
2. formulation and implementation of the departmental special-purpose programs in the field of production and market circulation of organic products;
3. organization of informational, consultative and methodological assistance to the individuals engaged in organic production or those who are planning to launch such manufacturing;
4. assistance to research in the field of production of organic products;
5. maintenance of the State register of organic producers of the Russian Federation.

**Article 7. Authorities of the state government bodies of constituent entities of the Russian Federation in the field of production and market circulation of organic products**

Authorities of the state government bodies of constituent entities of the Russian Federation in the field of production and market circulation of organic products are as follows:

1. formulation and implementation of the regional programs in the field of production of organic products;
2. promotion of sales of organic products.

#### Article 8. **The fundamentals of production and market circulation of organic products**

1. Requirements established by the technical regulations of the Customs Union, other regulatory legal acts as well as the national standards are applied to organic products production, imported and circulated on the territory of the Russian Federation.
2. The fundamentals of organic production are:
  - A. use of only healthy animals and plants;
  - B. eliminating the use of genetically modified (genetically engineered , transgenic) organisms (GMO) and products productiond from GMO or with the use of GMO;
  - C. ban on the use of ionizing radiation to treat organic food products, feed and raw materials used in the organic food products or feed;
  - D. minimum use of non-renewable natural resources and means of production;
  - E. recycling of wastes and by-products of plant and animal origin to be used as means of production in crop farming and animal husbandry received through organic production;
  - F. manufacturing process without any use of agrochemicals, pesticides, antibiotics, animal growth promoters, and hormones;
  - G. eliminating the use of hydroponic production practices;
  - H. crop protection using preventative measures that include selection of the appropriate species and varieties resistant to pests and diseases, and properly managed crop rotation;
  - I. mechanical and physical crop protection practices;
  - J. animal health maintenance through boosting the animals natural immune protection system, and selecting the appropriate breeds and herd management practices;
  - K. animal breed selection taking into consideration the animals capabilities to adapt or their adaptation level to local conditions, their livability, and resistance to diseases;
  - L. production of organic products of animal origin from animals provided that their housing conditions comply with the requirements of organic farming from the moment of their birth;
  - M. use of animal feeds in livestock farming that consist of agricultural ingredients obtained through organic production;
  - N. eliminating the use of artificially obtained polyploid animals;
  - O. conservation of the biological diversity of the natural ecological water systems, maintenance of the appropriate conditions of the environmental water and surface natural ecological systems during aquaculture production.
1. Organic products shall be production separately from any production that is not compliant with the rules of organic production.
2. Processing of organic products is based on:
  - A. restricted use of food additives, feed additives, non-organic components as well as trace elements and processing aids, which can be used in case of technological and zoo-technical needs, or for dietary purposes;
  - B. eliminating the use of substances and technological practices, effects of which may mislead the customer with regard to the product's true quality;

- C. application of predominantly biological, mechanical and physical processes during the primary processing of organic foods and feeds.

All rules of organic production set forth in the national standard for the production of organic products are applied to organic production.

#### **Article 9. Verification of compliance of organic production**

1. Verification of compliance of organic production is carried out as voluntary certification with the purpose of establishing the compliance of the production of organic products with the national standard for organic production.
2. Voluntary compliance verification of organic production is initiated by an organic producer and is carried out by the certification agency accredited by the National Accreditation Authority of the Russian Federation under the terms of the contract signed between the organic producer and the certification agency.
3. Certification agency:
  - A. provides compliance verification of objects of the voluntary compliance verification;
  - B. issues certificates of compliance after passing the voluntary certification;
  - C. provides organic producers the right to use a mark of conformity if the use of the mark is given for the corresponding system of voluntary certification;
  - D. suspends or terminates the issued certificates of conformity.
4. Voluntary compliance verification of organic production is carried out in accordance with the procedures established by the voluntary certification system.

#### **Article 10. Maintenance of the State Register of Organic Producers of the Russian Federation**

1. The federal executive body in charge of developing the national policy and regulations in the field of the agri-industrial complex and fisheries shall maintain the State Register of Organic Producers of the Russian Federation on the official website of the Internet information and telecommunication network.
2. The Government of the Russian Federation determines the procedures related to maintenance of the State Register of Organic Producers of the Russian Federation as well as the requirements placed on organic producers to include them in the State Register of Organic Producers of the Russian Federation.

#### **Article 11. Use of the “organic product” term.**

1. The “organic product” term may be used to inform consumers and advertise organic products only after the physical or legal entities receive the certificate of compliance of the organic production in accordance with article 9 of this Federal Law, and after they are included in the State Register of Organic Producers of the Russian Federation.
2. It is prohibited to use other terms, their combinations, acronyms or derivatives to inform consumers and advertise organic products on the territory of the Russian Federation.
3. The federal executive authority authorized by the Government of the Russian Federation approves the graphic image (the state logo) for organic products.

The procedure of using the graphic image (the state logo) is approved by the federal executive authority authorized by the Government of the Russian Federation.

#### **Article 12. The state support of organic producers**

1. The state support of organic producers shall be provided by ways and means stipulated by laws of the Russian Federation on the government support of the agricultural production.
2. The state support of organic producers is offered to those producers who are included in the State Register of Organic Producers of the Russian Federation.

#### **Article 13. Informational and methodological support of organic producers and organic production**

1. The following information may be posted on the official websites of the authorities of the state government bodies of the constituent entities of the Russian Federation in the Internet information and telecommunication network, official websites of the local self-governments, official websites of the unions (associations) of the agricultural producers:
  - A. regarding commercial entities engaged in specialized trade of organic products;
  - B. regarding land plots suitable for organic production;
  - C. regarding other information on organic products.
1. Methodological support of organic producers and organic production includes:
  - A. scientific and methodological development of organic production technologies and processes, adaptation of international practices, as well as the best world practices in the field of organic production to conditions and requirements of the Russian agri-industrial complex;
  - B. organization of training in organic production practices offered to agricultural producers including citizens engaged in farming their private households;
  - C. consultative services on matters related to organic production.

#### **Article 14. International cooperation of the Russian Federation on the production and market circulation of organic products**

International cooperation of the Russian Federation on the production and market circulation of organic products is carried out in accordance with the generally accepted principles and rules of the international law, as well as the international treaties of the Russian Federation.

#### **Article 15. Responsibility for violations of the laws of the Russian Federation regulating relations in the area of production and market circulation of organic products**

Violation of the laws of the Russian Federation on production and market circulation of organic products shall involve civil and administrative responsibility in accordance with the laws of the Russian Federation.

President of the Russian Federation  
Vladimir Putin

