This report contains summaries of additional relevant decisions and documents, that came to our attention, from the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union (EAEU) meetings, published between October 5, 2016, and April 26, 2017, impacting EAEU food and agriculture policy. Key documents included herein are EEC Council decisions No. 101 updating the entire EAEU customs tariff as of January 1, 2017 in line with the 2017 HS Nomenclature of the World Customs Organization, and No. 112, zeroing import tariff on some fruit purees until December 31, 2018. As noted herein, Russia notified several of the SPS/TBT measures covered in this report to the World Trade Organization (WTO).
General Information:
This report contains summaries of additional relevant decisions and documents, that came to our attention, from the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union (EAEU) meetings, published between October 5, 2016, and April 26, 2017, impacting EAEU food and agriculture policy. Key documents included herein are EEC Council decisions No. 101 updating the entire EAEU customs tariff as of January 1, 2017 in line with the 2017 HS Nomenclature of the World Customs Organization, and No. 112, zeroing import tariff on some fruit purees until December 31, 2018.

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

As noted herein, Russia notified some of the SPS/TBT measures covered in this report to the World Trade Organization (WTO).

INTERNATIONAL MEMORANDA

Publication Date: October 5, 2016

Memorandum of Understanding (MOU) between the Ministry of Agriculture of Hungary and the Eurasian Economic Commission (EEC) on cooperation in the field of agro-industrial complex - original in English

Summary: The Memorandum was signed in Budapest on September 26, 2016. According to the Memorandum, it does not create any rights or obligations for the Parties governed by international law. The Memorandum is a declaration by the Parties of their intent to maintain cooperation in the sphere of agro-industrial sector, including through promotion of the following:
- trade of agricultural produce and products of its processing;
- crop farming, including cultivated plants seeds farming;
- animal breeding, including livestock breeding;
- food and processing industries.
Other areas of cooperation highlighted in the MOU include regional implementation of sanitary and phytosanitary measures, and providing information on achievements in the field of new plant varieties constituting items of intellectual property. The Memorandum was written in Hungarian, Russian, and English, with the English text to prevail in case of any discrepancy.

Publication Date: April 5, 2017

Memorandum of Understanding between the Eurasian Economic Commission and the Republic of Moldova - original in Russian

Summary: The Memorandum was signed in Chisinau on April 3, 2017. According to the Memorandum, it does not entail any legal rights or obligations for the Parties. The Memorandum is a declaration by the Parties of their intent to develop comprehensive cooperation between the EAEU Member States, EEC and Moldova in order to increase mutual trade and investment and take measures to eliminate related barriers. The areas of cooperation under the Memorandum, inter alia, include regional economic integration, trade policy, customs regulation, technical
regulation, application of sanitary, veterinary-sanitary and phytosanitary measures, and agro-industrial complex. The Memorandum was written in Russian and Moldovan.

After signing the MOU, Moldova applied for a status of observer in the Eurasian Economic Union. Press reports indicate that Moldova hopes to get the observer status during the EAEU heads of state summit in October 2017. According to the EAEU Treaty of May 29, 2014, the EAEU observer status means an opportunity to attend EAEU meetings upon invitation and receive documents that are not confidential.

MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL
October 18, 2016

Publication Date: November 21, 2016

**EEC Council Decision No. 96** On Amending the Technical Regulation of the Customs Union “On Safety of Packaging” (TR TS 005/2011) - original in Russian

**Summary:** Among other things, the decision establishes requirements for organoleptic indicators of packaging, which comes into contact with food products, including baby food. On September 11, 2013, Russia notified this draft document to the WTO via G/TBT/N/RUS/24. For unofficial English translation of the initial draft, please see GAIN report RS1361 Draft Amendments to CU Technical Regulation on Safety of Packaging; however, the final document differs considerably from the notified draft.

Publication Date: December 12, 2016

**EEC Council Decision No. 101** On Amending the Unified Commodity Nomenclature of Foreign Economic Activity of the Eurasian Economic Union and the Unified Customs Tariff of the Eurasian Economic Union - original in Russian

**Summary:** The decision updated the entire EAEU customs tariff as of January 1, 2017, as EAEU implemented the 2017 HS Nomenclature of the World Customs Organization. In particular, some 85 of the total 233 changes affected HS codes of agricultural products.

Publication Date: December 22, 2016


**Summary:** The decision approves the relevant EAEU Procedure. According to the procedure, draft unified sanitary-epidemiological and hygienic requirements and procedures are to be published for public comments for a period of at least 60 days. EAEU published the document as a draft for public comments in April 2015. For English translation of the initial draft please see GAIN report RS1518 Draft EAEU Regulation on Development of Sanitary Requirements.
**EEC Council Decision No. 112**  On Amending the Unified Commodity Nomenclature of Foreign Economic Activity of the Eurasian Economic Union, the Unified Customs Tariff of the Eurasian Economic Union, and the List of Sensitive Goods, whose Import Duty Rate shall be Changed by Decision of the Council of the Eurasian Economic Commission, in Respect of Certain Types of Fruit Purees - original in Russian

**Summary:** EAEU HS code 2007 99 500 2 for fruit purees in packaging of over 40 kg is replaced with the following four new EAEU HS codes for fruit purees in packaging of over 40 kg: apricot puree - EAEU HS code 2007 99 500 3, pear puree - 2007 99 500 4, peach puree - 2007 99 500 5, and other purees - 2007 99 500 7. The decision also temporarily reduces the import duty on the new fruit purees from 10 percent to zero percent for a period of two years until December 31, 2018.

**Publication Date: February 8, 2017**

**EEC Council Decision No. 147.** On Amending Decision of the Eurasian Economic Commission Council No. 48 of June 20, 2012 - original in Russian

**Summary:** The EEC Council approved a revised version of the Procedure for Development, Adoption, Amending, and Cancellation of EAEU Technical Regulations. The changes reflect the development of the Eurasian Economic Union, as well as refine the language of the regulation. The key provision about the public comment period for draft EAEU Technical Regulations of no less than 60 days is preserved in the new version of the regulation.

**Publication Date: March 16, 2017**

**EEC Council Decision No. 161.** On the Regulation on the Development and Adoption of Lists of International and Regional (Interstate) Standards, and in case of their Absence, of the National (State) Standards, Voluntary Application of which Ensures Compliance with the Requirements of a Technical Regulation of the Eurasian Economic Union, and Lists of International and Regional (Interstate) Standards, and in case of their Absence, of the National (State) Standards, Containing Rules and Methods of Analysis (Tests) and Measurements, Including Sampling Rules, Necessary for the Application and Compliance with the Requirements of Technical Regulations of the Eurasian Economic Union and Carrying out Assessment of Compliance of the Objects of Technical Regulations - original in Russian

**Summary:** The decision adopts a revised version of the relevant Regulation, which was previously approved by the EEC Collegium Decision No.306 of December 25, 2012.
MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
October 25, 2016

Publication Date: October 27, 2016

EEC Collegium Decision No. 116 On Establishment of Rates of Import Customs Duties of the Unified Customs Tariff of the Eurasian Economic Union for Certain Types of Agricultural and Industrial Products and Amendments to Decision of the Eurasian Economic Commission Council No. 59 of October 14, 2015 - original in Russian

Summary: The decision temporarily reduces the import duty on fresh oranges (EAEU HS code 0805 10 200 0), seeds of cumin, both crushed or ground, and not (0909 31 000 0 and 0909 32 000 0), and seeds of anise, badian, caraway or fennel, juniper berries, both crushed or ground, and not (0909 61 000 1, 0909 61 000 2, 0909 62 000 1, and 0909 62 000 2) from 3% - 5% to zero percent for a period of one year until December 31, 2017.

MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
December 13, 2016

Publication Date: December 15, 2016

EEC Collegium Recommendation No. 25 On Coordination of Joint Scientific and Innovative Activities of the Eurasian Economic Union Member States in the Sphere of Agro-Industrial Complex - original in Russian

Summary: The recommendation contains a list of agriculture-related scientific research and development activities by EAEU Member State that are ongoing or planned until 2020. The activities are grouped under 15 themes, including, inter alia, selection of seeds, selection technologies for feed crops, development of effective biological pest protection means, evaluation of livestock breeding methods, development of diagnostic tests and preventive drugs for agricultural animals, and development of methods of veterinary risk assessment.

Publication Date: December 20, 2016

EEC Collegium Recommendation No. 30 On Coordination of Activities of the Eurasian Economic Union Member States in the Sphere of Development of the Export Potential of Agricultural Products and Food - original in Russian

Summary: The document recommends that EAEU Member States take into account a number of documents when determining their foreign trade prospects. In particular, such documents include a summary of export support for agricultural products and food in the EAEU Member States and leading exporting countries; and a list of top world importers of meat, dairy, grains, oils, and sugars, and the peculiarities of import regulations in such countries. These documents are available on the official EAEU website and are regularly updated. The recommendation also contains a list of the current agricultural and food export markets that are common for the EAEU Member States based on the foreign trade statistics for 2014-2015.
MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
January 16, 2017

Publication Date: January 17, 2017

EEC Collegium Decision No. 2  On Amendments to Decision of the Collegium of the Eurasian Economic Commission No. 30 of April 21, 2015 “On Measures of Non-Tariff Regulation” - original in Russian

Summary: The decision bans exports of live sable (EAEU HS code 0106 19 009 3) from EAEU by amending the regulation on non-tariff measures. Press reports indicate that the ban was initiated by the Russian Ministry of Natural Resources concerned that otherwise Russia may lose its global monopoly status on the market of sable fur where it currently accounts for 65%.

EEC Collegium Decision No. 4  On the Procedure of Implementation of Amendments to the Technical Regulation of the Customs Union “On Safety of Packaging” (TR TS 005/2011) - original in Russian

Summary: The decision clarifies that with regard to the most recent amendments to the EAEU Technical Regulation “On Safety of Packaging” reported above, the documents on assessment of conformity of products issued prior to the enactment of the EEC Council Decision No. 96 above, shall be valid until expiration. Similarly, production and release into circulation of products covered by such documents of assessment of conformity shall be allowed until expiration of such documents, and sale of such products shall be allowed within their shelf-life.

MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
March 21, 2017

Publication Date: March 24, 2017

EEC Collegium Recommendation No. 8  On Interaction between the Authorized Bodies of the Eurasian Economic Union Member States and the Eurasian Economic Commission on Issues of Drafting Notifications for Submission to the World Trade Organization - original in Russian

Summary: The document recommends a procedure for cooperation between the EAEU Member States and the EEC on preparation of draft notifications to the WTO. The annex to the Recommendation contains a list of such notifications, which includes SPS, agriculture, subsidies, trade remedies, customs valuation, rules of origin, import licensing, market access, and TBT.
**Summary:** The decision appears to be a technical correction of a similar EEC Collegium Decision No. 67 of 2016, which expanded EAEU veterinary requirements to cover leguminous vegetables used for animal feed and some feed additives. The new decision 34 corrects the previous version of the amendments by specifying that certain measures in the decision do not apply to WTO members Armenia, Kazakhstan, Kyrgyzstan, and Russia. As a draft, the original EEC Collegium Decision No. 67 of 2016 was notified to the WTO via G/SPS/N/RUS/109 in October 2015. For details please see GAIN report *RS1583 Draft EAEU SPS Measure on Feed and Feed Additives Notified to WTO*.

**Summary:** The decision approved a revised regulation on the EEC’s Consultative Committee for Technical Regulation, Application of Sanitary, Veterinary and Phytosanitary Measures, which replaced the previous one of 2012. In particular, the regulation was updated to reflect the EAEU establishment. Additionally, issues of standardization and accreditation were added to the scope of the Committee.

According to the current regulation, the Committee’s goals are:
- drafting of proposals for the EEC on such issues as improvement of the EAEU acts in the sphere of SPS, technical regulation, standardization, and accreditation;
- coordination of activities of the EAEU Member State authorized bodies in implementation of the EAEU SPS, technical regulation, standardization, and accreditation policies;
- analysis of the status and potential improvement of the EAEU regulation in the spheres listed above;
- development of recommendations on introduction, implementation, change or termination of the relevant measures;
- drafting of proposals for the EEC where disagreements exist between the authorized bodies of the EAEU Member States on the relevant issues;
- analysis of the EAEU documents on the relevant issues in terms of their conformity with international standards, decisions, recommendations.

**Summary:** The decision establishes a number of transitional provisions for the implementation of the new EAEU TR in effect through September 1, 2019. For example, production and
circulation of the covered products in accordance with the current EAEU and national requirements of the EAEU Member States will be allowed until September 1, 2019. As of the date of publication of this report, FAS/Moscow does not believe this measure has been notified to the WTO.