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Regulation on Phytosanitary Risk Assessment Approved

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Report Highlights:

Government Resolution No. 770 of August 10, 2016, approved regulation of phytosanitary risk assessment for Russia. The analysis of phytosanitary risks will be conducted by the Russian Federal Service for Veterinary and Phytosanitary Surveillance (VPSS), and will evaluate biological and other scientific and economic data in order to determine whether a dangerous organism should be considered a quarantine pest that requires adoption of phytosanitary quarantine measures. Based on this analysis VPSS will be able to form and correct the Russian List of quarantine pests on a regular basis.

General Information:

Government Resolution No. 770 of August 10, 2016, approved the [Regulation for the Phytosanitary Risk Assessment](#) for Russia. These regulations were drafted by the Ministry of Agriculture as required by Russian Federal Law No. 206-FZ “On Plant Quarantine” (see FAS/Moscow GAIN Report RS1451 [Russian New Federal Law on Plant Quarantine](#)). Analysis of phytosanitary risk will be conducted by the Russian Federal Service for Veterinary and Phytosanitary Surveillance (VPSS) in accordance with procedures approved by the Ministry of Agriculture. The regulation stipulates that VPSS will perform analysis of dangerous organisms in order to determine whether the organism is to be treated as a quarantine pest and determine the necessity to regulate the spread of this quarantine pest and (or) adoption of quarantine phytosanitary measures. The analysis includes evaluation of biological and other scientific and economic data. Based on this analysis VPSS will be able to form and correct the Russian List of quarantine pests on a regular basis. VPSS will perform analysis based on information on occurrence of a previously unknown dangerous pest, or based on new information on a known dangerous pest. The result of this analysis will be a scientific report with the decision on whether the dangerous pest is to be included on or excluded from in the List of quarantine pests. Russia’s List of Quarantine Pests has not been changed since December 2014 (FAS/Moscow GAIN report RS1501 [New Russian List of Quarantine Pests](#)). The information on the analysis of phytosanitary risk shall be published on the official site of VPSS.

Background

In February 2016, the Eurasian Economic Commission (EAEC) adopted amendments to the Customs Union Decision on Plant Quarantine, the basic document of the Customs Union, now the Eurasian Economic Union¹, on the phytosanitary control on the territory of the Union and on the customs boarder of the Union (FAS/Moscow GAIN Report RS1618 [Amendments to the Customs Union Decision on Plant Quarantine](#)). Reference language on the “phytosanitary certificate” changed from “certifies the phytosanitary condition of regulated product” to “certifies that the regulated products are in compliance with the phytosanitary requirements of country-importer”.

Thus, control over quarantine pests at the boarder of each country of the EAEU is based on that country’s national phytosanitary requirements and national lists of quarantine pests. This new regulation allows for phytosanitary risk assessment and regular updates to and improvements of the Russian List of quarantine pests based on information and/or findings on new, unknown dangerous organisms, or on new information on already regulated organisms.

Government Resolution No. 770 of August 10, 2016, approves the regulation on the Phytosanitary Risk Analysis and stipulates that the implementation of the powers conferred by the Resolution to the Federal Service for Veterinary and Phytosanitary Surveillance shall be within the limits of its staff and budget allocations.

¹ The Customs Union (Belarus-Kazakhstan-Russia) evolved into the Eurasian Economic Union (Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia) on January 1, 2015.

Regulation on the Phytosanitary Risk Analysis

Unofficial translation of the Regulation begins.

APPROVED
by Resolution of the Government
of the Russian Federation
dated August 10, 2016 No. 770

REGULATION on the Phytosanitary Risk Analysis

1. The present Regulation shall establish the procedure for the phytosanitary risk analysis.
2. Phytosanitary risk analysis of dangerous organisms shall be performed by the Federal Veterinary and Phytosanitary Surveillance Service to determine the ability or inability of a dangerous pest to be a quarantine pest and the need to regulate the distribution of the quarantine pest and/or implement the phytosanitary quarantine measures with regard to this pest through the assessment of biological or other research and economic data; and also to form or review the List of Quarantine Pests.
3. Phytosanitary Risk Analysis shall be conducted in accordance with the procedure established by the Ministry of Agriculture of the Russian Federation.
4. Information on the occurrence of a previously unknown dangerous pest or new data on a known dangerous pest that include findings demonstrating that climate and environmental conditions in the country of origin of the dangerous pest are identical to the ones in the Russian Federation, or certain regions of the Russian Federation, and sufficient for its potential establishment (vegetation season length, warm weather conditions, rainfall and feed sources availability, presence or absence of the dangerous pest's natural enemies) shall provide a foundation for the Federal Veterinary and Phytosanitary Surveillance Service to determine if there is a need for phytosanitary risk analysis.
A decision as to whether the phytosanitary risk analysis should be performed shall be made within a limit of 60 calendar days from the date when the information is received.
5. Information specified in paragraph 4 of the present Regulation can be obtained from any official source, database, research or other literature or an expert consultation.
6. Every year no later than November 1, based on the decision described in paragraph 4 of the present Regulation, the Federal Veterinary and Phytosanitary Surveillance Service shall develop and approve, with the concurrence of the Ministry of Agriculture of the Russian Federation, the phytosanitary risk analysis implementation plan (hereinafter – Plan).
7. The Plan shall specify the list of dangerous pests that the phytosanitary risk analysis shall apply to, as well as the implementation deadlines individually for each dangerous pest included in the list. The Federal Veterinary and Phytosanitary Surveillance Service shall establish the phytosanitary risk analysis implementation deadlines for each pest depending on the pest biological characteristics including the length of its life cycle.
8. If any information specified in paragraph 4 of the present Regulation comes to the attention of the

Federal Veterinary and Phytosanitary Surveillance Service, the Plan may be modified.

9. Whenever there is a need to perform lab testing in the course of the phytosanitary risk analysis, the authorized organizations overseen by the Federal Veterinary and Phytosanitary Surveillance Service shall be mobilized up to January 1, 2018; however, starting from January 1, 2018 the lab testing will be done by the legal entities or individual entrepreneurs accredited by the Federal Accreditation Service to the National Accreditation System to perform lab testing in the field of plant quarantine, in accordance with the laws of the Russian Federation.

10. On completion of the phytosanitary risk analysis, the Federal Veterinary and Phytosanitary Surveillance Service shall approve the results within 10 working days and inform the Ministry of Agriculture of the Russian Federation of the approved results within 3 working days.

11. The Federal Forestry Agency shall submit the information on any detections of invasive or quarantine pest species found in the course of the state forest pathology research monitoring to the Federal Veterinary and Phytosanitary Surveillance Service on a yearly basis.

12. Phytosanitary risk analysis shall consist of 3 stages.

Stage 1 (preparatory) includes the identification of a dangerous pest and its distribution pathways within a certain phytosanitary risk zone (territory).

Stage 2 (risk assessment) requires the entry probability assessment, evaluation of establishment and spread of the dangerous pest, as well as potential economic and environmental consequences.

Stage 3 (risk management assessment) requires the development of management practices to control the phytosanitary risk established at Stage 2 for the purposes of its mitigation and prevention, and also the assessment of the potential efficiency and feasibility of the above-mentioned practices.

13. The outcome of the phytosanitary risk analysis is a scientific report that either recommends adding the dangerous pest to the List of Quarantine Pests or removal of the dangerous pest from the List.

14. Information on the phytosanitary risk analysis shall be posted on the official Internet website of the Federal Veterinary and Phytosanitary Surveillance Service.

End unofficial translation.