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Report Highlights:

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings from March 14 through April 9, 2013, that impact CU food and agriculture policy. Key documents included herein are draft amendments to “Regulation on Common Procedure of Joint Inspections of Facilities and Sampling of Goods (Products), Subject to Veterinary Control (Surveillance)” and the Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 57 which eliminates tariff preferences (via the Generalized System of Preferences) for imports of poultry and pork from least developed and developing countries.

General Information

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings from March 14 through April 9, 2013, that impact CU food and agriculture policy. Key documents included herein are draft amendments to “Regulation on Common Procedure of Joint Inspections of Facilities and Sampling of Goods (Products), Subject to Veterinary Control (Surveillance)” and the Decision of the Collegium of the Eurasian Economic Commission (EEC) No. 57 which eliminates tariff preferences (via the Generalized System of Preferences) for imports of poultry and pork from least developed and developing countries.

The documents below are hyperlinked via “Google Translate,” for readers seeking further details. Select “refresh” on your browser if the page does not translate to the end. Please note that the CU is often delayed when publishing attachments to decisions. If there is an attachment in a decision that is not yet linked, please check back again.

As of the date of publication of this report, FAS/Moscow does not believe any of these measures have been notified to the World Trade Organization.

SPS MEASURES PUBLISHED FOR PUBLIC COMMENT

Publication Date: April 10, 2013

1. **Veterinary Requirements:** Draft Amendments to CU Commission Decision No. 317 of June 18, 2010, “Unified Veterinary (Veterinary and Sanitary) Requirements for Goods Subject to Veterinary Control (Surveillance)” – original in [Russian](#). For English, please see GAIN report *RS1320 Customs Union Publishes SPS Measures for Public Comment*.

Comment: These amendments propose the following changes to the CU Veterinary Requirements:

- delete chapter 16 “VETERINARY REQUIREMENTS for the import of wild, zoo and circus animals in the customs territory of the Customs Union and (or) transfer between the Parties”
- delete chapter 21 “VETERINARY REQUIREMENTS for the import of primates in the customs territory of the Customs Union and (or) transfer between the Parties”
- add chapter 41 “VETERINARY REQUIREMENTS for the import of wild animals in the customs territory of the Customs Union and (or) transfer between the Parties”
- add chapter 42 “VETERINARY REQUIREMENTS for the import of zoo and circus animals in the customs territory of the Customs Union and (or) transfer between the Parties”
- add chapter 43 “VETERINARY REQUIREMENTS for import in the customs territory of the Customs Union and (or) transfer between the Parties of non-food raw materials of animal origin for production of feeds for non-producing domestic animals and fur-bearing animals”

The amendments also contain three new forms of unified CU veterinary certificates for the three new chapters, respectively. There is a 60-day public comment period, starting April 10, 2013, and ending June 9, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA’s enquiry point (IRSD@fas.usda.gov).

2. **Regulation on Joint Inspections:** Draft Amendments to the “Regulation on Common Procedure of Joint Inspections of Facilities and Sampling of Goods (Products), Subject to Veterinary Control (Surveillance)” – original in [Russian](#). For English, please see GAIN report *RS1320 Customs Union Publishes SPS Measures for Public Comment*.

Comment: This document is a revised version of the amendments to the relevant Regulation, which were originally published by the EEC for public comments on February 1, 2013 (see GAIN report [RS1307 Customs Union Publishes SPS Measures for Public Comment](#)) and notified by Russia to the WTO on February 27, 2013, in its WTO notification: G/SPS/N/RUS/14. The new document appears to be revised based on the EEC’s consideration of the feedback received on the February amendments. There is a 60-day public comment period, starting April 10, 2013, and ending June 9, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA’s enquiry point (IRSD@fas.usda.gov).

RECOMMENDATION No. 6 OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM of March 19, 2013

Publication Date: March 22, 2013

[EEC Collegium Recommendation No. 6.](#) *On Implementation by the Member-States of the Customs Union and Single Economic Space of the Agreement on the Unified Rules of State Support for Agriculture of December 9, 2010-* original in [Russian](#)

Summary: The EEC Collegium recommends that the Member States provide more specific and detailed information in order to properly implement the referenced Agreement.

8th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM March 19, 2013

Publication Date: March 21, 2013

[EEC Collegium Decision No. 46.](#) *On Procedure for Review of Business Entities’ Claims Challenging Decisions (Acts) of the Eurasian Economic Commission, Customs Union Commission, their Separate Provisions, or Actions (Inaction) of the Eurasian Economic Commission* - original in [Russian](#)

Summary: The decision approves the respective procedure which was drafted in order to implement a recourse provision in the Agreement on Legal Action in the Court of the Eurasian Economic Community of Business Entities on Lawsuits in the Framework of the Customs Union and Peculiarities of Respective Legal Proceedings of December 9, 2010.

Publication Date: March 22, 2013

[EEC Collegium Decision No. 47.](#) *On Approval of the List of Goods, for which Submission of a Customs Declaration shall be Accompanied by a Document on Assessment (Confirmation) of*

Compliance with the Requirements of the Technical Regulation of the Customs Union “On Safety of Packaging” (TR TS 005/2011) - original in [Russian](#)

Summary: The decision approves the respective list, which consists of 13 types of packaging, and specifies CU HS codes for each type.

Publication Date: March 26, 2013

[EEC Collegium Decision No. 51.](#) *On Draft Decision of the Council of the Eurasian Economic Commission “On Draft Treaty on Trademarks, Service Marks, and Appellations of Origin on the Territories of the Member-States of the Customs Union and Single Economic Space” - original in [Russian](#)*

Summary: The decision approves the respective draft decision and draft treaty, which would regulate intellectual property (IP) rights related to the use of trademarks, service marks, and appellations of origin, as well as registration of these IP items in the CU.

9th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
March 26, 2013

Publication Date: March 27, 2013

[EEC Collegium Decision No. 53.](#) *On Amendments to the Rules of Application of Customs Valuation Method by the Transaction Value of the Imported Goods (Method 1) and Rescission of Recommendation of the Collegium of the Eurasian Economic Commission No. 1 of June 20, 2012 - original in [Russian](#)*

Summary: The amendments supplement the rules with a new section: Section IV - “Checking the Effect of Interrelation Between Seller and Buyer on the Price that was Paid or is Due for Imported Goods.”

[EEC Collegium Decision No. 56.](#) *On Amendments to Decision of the Collegium of the Eurasian Economic Commission No. 161 of September 18, 2012 - original in [Russian](#)*

Summary: The decision amends the regulation “On Consultative Committee on Technical Regulation, Application of Sanitary, Veterinary, and Phytosanitary Measures” by specifying that the Committee should include chief government officials of the Parties on sanitary, veterinary, and phytosanitary measures. It also identifies a number of new officials from Belarus and Kazakhstan as members of the Committee.

[EEC Collegium Decision No. 57.](#) *On Amendments to the List of Goods Originating and Imported from Developing and Least Developed Countries, whose Imports are Subject to Tariff Preferences - original in [Russian](#)*

Summary: The decision excludes poultry and pork from the list of goods imported from developing and least developed countries with tariff preferences as previously outlined in the CU Generalized System of Preferences. These tariff preferences previously allowed importers to pay

a lower duty for goods from developing countries (25 percent less than what was paid for imports from developed countries), which included Brazil, Argentina, Mexico, Turkey, and dozens of other countries. The decision comes into force on April 27, 2013.

Publication Date: April 9, 2013

EEC Collegium Decision No. 61. *On Draft Decision of the Council of the Eurasian Economic Commission “On the List of Sensitive Goods, whose Import Duty Rate shall be Changed by Decision of the Council of the Eurasian Economic Commission” - original in [Russian](#)*

Summary: The decision approves the respective draft decision, instructing the Parties to submit proposals for excluding items from the above-stated “List of Sensitive Goods” based on the volume of imports and the tariff rate. Thus, goods with a tariff of less than 5 percent and annual imports valued at less than one million U.S. dollars shall be excluded from the list, while those goods with a tariff of between 5 and 10 percent and similar volumes of annual imports shall be considered for exclusion. Finally, goods with a final WTO bound tariff rate of less than 5 percent should also be considered for exclusion. At the same time, goods subject to tariff-rate quotas, as well as those used for industrial assembly of vehicles, shall remain on the list.

11th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
April 9, 2013

Publication Date: April 15, 2013

EEC Collegium Decision No. 66. *On Draft Decision of the Council of the Eurasian Economic Commission “On Draft Decision of the Supreme Eurasian Economic Council “On the Concept of Coordinated Agro-Industrial Policy of the Member-States of the Customs Union and Single Economic Space” - original in [Russian](#)*

Summary: The decision approves the respective draft decisions and the draft Concept stated above. The draft Concept, in particular, covers the following issues: prerequisites for the formation of a coordinated agro-industrial policy; its purpose, objectives, and main directions (which include forecasting, planning, state support, regulation, requirements, SPS measures, exports, scientific and innovative development, and integrated information support; implementation mechanisms; and expected results).

EEC Collegium Decision No. 68. *On the Program for Development (Amendments, Revision) of Interstate Standards, Voluntary Application of which Ensures Compliance with the Requirements of the Technical Regulation of the Customs Union “Technical Regulation for Juice Products from Fruits and Vegetables” (TR TS 023/2011), as well as Interstate Standards Containing the Rules and Methods of Examination (Testing) and Measurement, Including the Rules for Selection of Samples Required for Application and Meeting of the Requirements of the Technical Regulation of the Customs Union “Technical Regulation for Juice Products from Fruits and Vegetables” (TR TS 023/2011) and Carrying out of Assessment (Confirmation) of Products’ Conformity - original in [Russian](#)*

Summary: The decision approves the respective program which contains a total 32 standards to be developed/revised by 2014.

EEC Collegium Decision No. 74. *On Draft Decision of the Council of the Eurasian Economic Commission “On Amendments to Decision of the Customs Union Commission No. 810 of September 23, 2011”* - original in [Russian](#)

Summary: The decision approves the respective draft decision of the EEC Council regarding amendments to exemptions from the application of veterinary measures in respect to goods included in the Unified List of Goods Subject to Veterinary Control (Surveillance) in anticipation of Kazakhstan’s accession to the WTO. In its draft form, the amendments were published for public comments in October 2012.

EEC Collegium Decision No. 76. *On Approval of Regulation on Registration of Declarations of Conformity of Products with Requirements of Technical Regulations of the Customs Union* - original in [Russian](#)

Summary: The decision approves the respective regulation. According to the regulation, declarations of conformity should be registered within five business days, while payment for registration of declarations of conformity shall be made according to the legislation of the appropriate Member State.

EEC Collegium Decision No. 77. *On Amendments to Some Decisions of the Customs Union Commission* - original in [Russian](#)

Summary: The decision amends Customs Union Commission Decisions No. 319 of June 18, 2010, “On Technical Regulation in the Customs Union” and No. 620 of April 7, 2011, “On the New Version of the Unified List of Products Subject to Mandatory Assessment (Confirmation) of Conformity in the Customs Union with Issuance of Unified Documents.” Most of the amendments affect the “Regulation on the Forming and Keeping of a Register of Issued Certificates of Conformity and Registered Declarations of Conformity.”