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FAIRS Subject Report

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Report Highlights:

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings, published between August 22 and September 30, 2013, that impact CU food and agriculture policy. Key documents included herein are a number of draft SPS/TBT measures published for public review/comment; some decisions on import tariff changes affecting a number of agricultural goods (which appear consistent with Russia's WTO commitments), and EEC Collegium decision No. 196 mandating pre-arrival notification of goods imported into the CU customs territory via railway as of October 1, 2014. Russia notified several of the SPS/TBT measures covered in this report to the World Trade Organization.

General Information:

This report contains summaries of relevant decisions and documents from the Russia-Kazakhstan-Belarus Customs Union (CU) meetings, published between August 22 and September 30, 2013, that impact CU food and agriculture policy. Key documents included herein are a number of draft SPS/TBT measures published for public review/comment; some decisions on import tariff changes affecting a number of agricultural goods (which appear consistent with Russia's WTO commitments), and EEC Collegium decision No. 196 mandating pre-arrival notification of goods imported into the CU customs territory via railway as of October 1, 2014.

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.

As of the date of publication of this report, several of the SPS/TBT measures below have been notified to the World Trade Organization, as specified in the Post comment on such measures throughout the report.

Draft Procedure of Deferred Customs Valuation

On September 30, 2013, the EEC published [*Draft EEC Collegium Decision "On Approval of Procedure for Deferred Customs Valuation"*](#) (in [Russian](#)) on its website, and invited public comments in the form of answers to a number of questions on the calculation and payments of licensing and similar fees (available only in [Russian](#)), without any deadline for submission. The draft document indicates comments should be sent to the EEC at dept_customs@eecommission.org. According to the draft document, the procedure of deferred customs valuation will be applicable when precise customs valuation is impossible due to the lack of complete information.

SPS MEASURES PUBLISHED FOR PUBLIC COMMENT

Publication Date: August 22, 2013

- 1. Application of International Standards:** Draft Amendments to Customs Union Commission Decision No. 721 of June 22, 2011 – original in [Russian](#) (*Please disregard the EEC popup window asking for password by pressing cancel or closing the window*). For English, please see GAIN report [RS1356 Customs Union Publishes SPS Measures for Public Comment](#).

Comment: On August 29, 2013, Russia notified this draft document to the World Trade Organization (WTO) via G/SPS/N/RUS/31. According to the notification, the draft document introduces amendments to modify item 2 of CU Commission Decision No. 721 in accordance with Article 3.3 of the WTO SPS Agreement. The 60-day comment period ends on October 28, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point (us.spsenquirypoint@fas.usda.gov).

- 2. Sanitary Requirements:** Draft Amendments and Additions to the List of Infectious (Parasitic) Diseases Requiring Measures for Sanitary Protection of the Customs Territory of

the Customs Union – original in [Russian](#). For English, please see GAIN report [RS1356 Customs Union Publishes SPS Measures for Public Comment](#).

Comment: On September 2, 2013, Russia notified this draft document to the WTO via G/SPS/N/RUS/32. According to the notification, the draft introduces amendments to the CU list of infectious (parasitic) diseases, which require carrying out arrangements on sanitary protection of the CU customs territory. These amendments will reportedly correct technical mistakes and adjust the list to ensure consistency with international disease classification. This list relates to the infectious (parasitic) diseases of humans. The 60-day comment period ends on November 1, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point (us.spsenquiry@fas.usda.gov).

Publication Date: September 20, 2013

3. **Veterinary Requirements:** Draft Amendments to the Unified Veterinary (Veterinary and Sanitary) Requirements for Goods Subject to Veterinary Control (Surveillance) – original in [Russian](#). For English, please see GAIN report [RS1365 Amendments to Customs Union SPS Measure Notified to WTO](#).

Comment: On September 20, 2013, Russia notified this draft document to the WTO via: G/SPS/N/RUS/33. According to the notification, the draft document amends the list of veterinary - sanitary measures (forms of veterinary control) applied to imported goods. The 60-day public comment period ends on November 19, 2013. Interested U.S. parties are encouraged to share their comments and concerns with USDA's enquiry point (us.spsenquiry@fas.usda.gov).

TBT MEASURES PUBLISHED FOR PUBLIC COMMENT

Publication Date: September 2, 2013

4. **CU Technical Regulations:** Draft Amendments to the CU Technical Regulation of the Customs Union “On Safety of Packaging” (TR TS 005/2011) – original in [Russian](#). For English, please see GAIN report [RS1361 Draft Amendments to CU Technical Regulation on Safety of Packaging](#).

Comment: On September 11, 2013, Russia notified this draft document to the WTO via G/TBT/N/RUS/24. According to the notification, the draft clarifies some provisions and adds certain requirements for the recycling of packaging (closures). The 60-day comment period for this WTO notification ends on November 8, 2013. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology (NIST) at ncsci@nist.gov.

INTERNATIONAL AGREEMENTS

Publication Date: June 24, 2013

Protocol on Amendments to the Treaty on the Terms and Mechanisms for Applying Tariff-Rate Quotas of December 12, 2008 - original in [Russian](#)

Summary: The amendments are aimed at making the mechanism for distributing tariff-rate quotas among the CU member-states more flexible, in particular by removing reference to the principle of proportional distribution of quotas.

7th MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL
August 16, 2013

Publication Date: September 11, 2013

EEC Council Decision No. 54 *On Establishment of Rates of Import Customs Duties of the Unified Customs Tariff of the Customs Union for Certain Types of Goods* - original in [Russian](#)

Summary: The decision reduces import tariffs on a number of tropical oils, apparently in an effort to meet Russia's WTO tariff commitments for these items. In particular, as of September 21, the tariff on some items from CU HS groups 1511 and 1513 was decreased from 5 percent to 4 and 3 percent, respectively.

26th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
September 3, 2013

Publication Date: September 4, 2013

EEC Collegium Decision No. 183. *On Amending the Unified Commodity Nomenclature of Foreign Economic Activity of the Customs Union* - original in [Russian](#)

Summary: The document introduces technical amendments / corrections regarding CU HS groups 02, 07, 20, and headings 0904, 1212, 1511, and 1806.

EEC Collegium Decision No. 184. *On Amending Membership of the Consultative Committee on Technical Regulation, Application of Sanitary, Veterinary, and Phytosanitary Measures* - original in [Russian](#)

Summary: The decision adds Igor N. Kagramanyan, Russia's Deputy Minister of Health, to the Committee's membership.

27th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
September 10, 2013

Publication Date: September 11, 2013

EEC Collegium Decision No. 189. *On Draft Decision of the Council of the Eurasian Economic Commission On Amending the Unified Commodity Nomenclature of Foreign Economic Activity of the*

Customs Union and the Unified Customs Tariff of the Customs Union in Respect of Certain Types of Fruit Processing Products - original in [Russian](#)

Summary: The decision temporarily reduces the import duty on some processed fruit products. In particular, the draft proposes to reduce import duties to zero percent for jams, fruit jellies, marmalades, etc. under the new CU HS code 2007 99 390 1, for a period of one year, and those under the new CU HS codes 2007 99 500 2 and 2007 99 970 2 – for two years beginning November 1, 2013. The current CU import tariff for these products ranges from 10 to 13.5 percent.

EEC Collegium Decision No. 192. *On Amendments to the Unified Veterinary (Veterinary and Sanitary) Requirements for Goods Subject to Veterinary Control (Surveillance)*” - original in [Russian](#)

Summary: The decision updates the CU Veterinary Requirements to include updated chapters covering wild and zoo/circus animals and deletes Chapter 21 covering primates. In particular, Chapter 16, which formerly covered both wild and zoo/circus animals, was limited only to wild animals, while Chapter 40 covering zoo and circus animals was added. Russia notified the WTO of this decision via G/SPS/N/RUS/23 of April 19, 2013, and issued another notification (i.e., G/SPS/N/RUS/23/Add.1) informing the WTO of the final rule on September 19, 2013.

EEC Collegium Decision No. 193. *On Amendments to Decision of the Customs Union Commission No. 607 of April 7, 2011* - original in [Russian](#)

Summary: The decision affects three forms of the uniform veterinary certificates, namely forms No. 16, 21, and 41, in line with the amendments introduced by EEC Collegium decision 192 above. Russia notified the WTO of these changes as a draft via G/SPS/N/RUS/23 of April 19, 2013, but has not yet issued a notification for the final rule enacted by EEC Collegium Decision 193.

28th MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
September 17, 2013

Publication Date: September 18, 2013

EEC Collegium Decision No. 194. *On Establishment of Rates of Import Customs Duties of the Unified Customs Tariff of the Customs Union for Certain Types of Goods in Accordance with the Commitments of the Russian Federation in the Framework of the WTO and on Approval of Draft Decision of the Council of the Eurasian Economic Commission* - original in [Russian](#)

Summary: The decision mandates a decrease of the current import tariff for a number of pasta items (from CU HS headings 1902 and 1904) and products of fruit processing under CU HS 2007 99 100 0 as of December 31, 2013. In particular, the tariff for CU HS 1902 30 100 0 would go down from 13% but not less than 0.052 Euro per kg to 13% but not less than 0.05 Euro per kg; for 1902 30 900 0 - from 13.7% but not less than 0.05 Euro per kg to 13% but not less than 0.05 Euro per kg; while for all four affected 1904 items it would drop from 13% to 12%, and for CU HS 2007 99 100 0 – from 13.7% to 13%. Additionally, the decision would cut the tariff for

some crustaceans, mollusks and other aquatic invertebrates (from CU headings 0306 and 1605) as of January 1, 2014, from 17% but not less than 0.34 Euro per kg to 14% but not less than 0.28 Euro per kg.

EEC Collegium Decision No. 196. *On the Introduction of Pre-Arrival Submission of Information on Goods Imported to the Unified Customs Territory of the Customs Union by Railway Transport* - original in [Russian](#)

Summary: The decision mandates pre-arrival submission of information about goods imported into the CU customs territory via railway two to four hours prior to the good's arrival as of October 1, 2014. A similar requirement for goods entering the CU by automobile transport has been in force since June 2012. As a draft, the decision was published on the EEC website for public comments in July 2013. For details please see GAIN report [RS1349 Draft CU Pre-Notification Requirement for Imports by Rail](#).