

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Voluntary Public

Date: 8/22/2011

GAIN Report Number: RS1141

Russian Federation

Post: Moscow

VPSS Strengthens Border Quarantine Check

Report Categories:

Sanitary/Phytosanitary/Food Safety

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Report Highlights:

Russia strengthens its phytosanitary control at the border of the Customs Union in place of requiring Import Quarantine Permits and quarantine certificates.

General Information:

On August 12, 2011 (published on August 16, 2011), Russia's Federal Service for Veterinary and Phytosanitary Surveillance (VPSS) issued an instruction (No. FC-AC-3/10489) to the heads of its territorial offices, ordering its officers to conduct thorough phytosanitary checks on virtually all imported products of high phytosanitary risk and no less than 20 percent of imported products of low phytosanitary risk. Officials are instructed to increase checks proportionally to the rates of violations but also pay special attention to products originating from the European Union, Turkey, China, Egypt, Moldova and India.

The increased control will take place during the customs clearance process and effectively replace the import quarantine permit (IQP), which VPSS previously issued for imported products of high phytosanitary risk (Gain Report RS1140) and the quarantine certificate, which VPSS previously issued for products moving within the territory of the Russian Federation. According to industry, VPSS quarantine certificates were a serious and expensive obstacle for the internal movement of plants and products of plant origin.

Under the new control regime, VPSS' requirement to check virtually all products of plant origin defined as "high phytosanitary risk" demonstrates VPSS has confidence in neither (1) required phytosanitary certificates, issued by exporting countries nor (2) sampling methodology. As a result, these instructions are likely to place increased burden on the imports of plant-origin products into Russia as well as add to the cost of these imports. This instruction also means that Russia's, "one window" approach stipulated in the Russian Federal Law No. 394-FZ, which moved documents control and customs clearance to customs¹, will not be applicable for products of high phytosanitary risk.

The unofficial translation of the instruction follows in Appendix 1 to this report. Based on the required schemes of border control, FAS Moscow updated the Customs Union's list of products under phytosanitary control in Appendix 2 to this report.

¹ For more information on the Federal Law 394-FZ of December 28, 2010 see GAIN RS1104 _ Federal Law 394 Amends Custom SPS Procedures _ 1/19/2011

Appendix 1. VPSS Instruction on Strengthening Check of Quarantine Products

Unofficial translation

Federal Service for Veterinary and Phytosanitary Surveillance (Rosselkhoznadzor - VPSS)

Aug. 12, 2011 No. FC-AC-3/10489

To the Heads of Territorial Bodies of VPSS

The Federal Service for Veterinary and Phytosanitary Surveillance (VPSS) reports that in connection with the transfer of quarantine-phytosanitary control from the Russia-Kazakhstan and Russia-Belarus borders to the external border of the Customs Union, as well as the cancellation of quarantine certificate issuance for movement on the territory of the Russian Federation, the risk of damages to the Russian Federation's quarantine-phytosanitary security increases. This is connected with the hidden infestation of regulated products with quarantine objects and with their biological development during storage and transportation.

In this regard, in order to ensure the protection of plants and products of plant origin from quarantine objects on the territory of the Russian Federation, it is your personal responsibility to perform quarantine-phytosanitary control and laboratory analysis of quarantine products, included in the List^[i] ... at the places of customs clearance, in accordance with the following scheme:

- 20% of imported lots included in group II of the List;
- 30% of imported lots included in the List under 0704, 080300, 0807, 110100, 1102, 4409;
- 50% of imported lots in the List under 070700, 0804, 1103;
- 100% of lots included in the List not mentioned above.

At the same time, in order to minimize the risk of penetration and the spread of dangerous pests on the territory of the Russian Federation, it is necessary to increase the percentage of lots subject to quarantine-phytosanitary control and laboratory analysis in proportion with the percentage increase of cases with detected quarantine pests. This shall be immediately notified to VPSS, attaching the justifications, by fax (499) 975 13 18 and by e-mail fitoquarantine@mail.ru with the subject "increase in % of control" and with a letter to follow.

In addition, the quarantine-phytosanitary control of imported products should be regulated using statistical data analysis on violations and the results of measures on ensuring quarantine-phytosanitary safety, undertaken by industrial unions and associations. These measures shall be confirmed by appropriate documents (results of preliminary control).

At the same time, based on statistical analysis of violations, we inform that when the quarantine-phytosanitary control is executed, special attention shall be paid to quarantine products imported from the countries – members of the EU, Turkey, China, Egypt, Moldova and India.

Please inform about the execution of this instruction before August 20, 2011 by fax (499) 975 13 18 and by e-mail fitoquarantine@mail.ru with a letter to follow.

Deputy Head

A.I. Saurin

Appendix 2. Levels of Control by Product Groups

FAS Moscow updated the List of Quarantine Products (Goods, Materials, and Commodities) Subject to Quarantine, Phytosanitary Control (Supervision) at the Customs Border of the Customs Union and in the Customs Territory of the Customs Union in accordance with the VPSS' instruction No. FC-AC-3/10489 of Aug. 12, 2011.

Product Description	Tariff Code (TN VED) of the Customs Union*	Border Check, %
I. Regulated products (goods, materials, and commodities) of high phytosanitary risk		
Live ticks, nematodes and insects for scientific purposes	From 0106 90 001 0	100
Bulbs, tubers, tuberous roots, corms, and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading 1212	0601	100
Other live plants (including their roots), cuttings and slips; mushroom spawn	0602 (except 0602 90 100 0)	100
Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh	0603 11 000 0 - 0603 19 800 0	100
Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, dried, except for dyed, bleached, impregnated or otherwise prepared	From 0603 90 000 0	100
Christmas trees	0604 91 200 0	100
Branches of coniferous trees	0604 91 400 0	100
Foliage, branches and other parts of plants, without flowers or flower buds, grasses, being goods of a kind suitable for ornamental purposes, fresh, dried, without further preparation	0604 91 900 0 0604 99 100 0	100
Potatoes, fresh or chilled	0701	100
Tomatoes, fresh or chilled	0702 00.000	100
Onions, shallots, garlic, leeks and alliaceous vegetables, fresh or chilled	0703	100
Cabbages, cauliflower, kohlrabi, kale and similar edible brassicas, fresh or chilled, including borecole	0704	30
Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium</i> spp.) fresh or chilled	0705	100
Carrots, turnips, salad beets (salad beetroot), salsify, celeriac, radishes and similar edible roots, fresh or chilled	0706	100
Cucumbers and gherkins, fresh or chilled	0707 00	50
Leguminous vegetables, shelled or unshelled, fresh or chilled	0708	100
Other vegetables, fresh or chilled*	0709	100
Sweet corn, hybrid, for sowing	0712 90 110 0	100
Dried leguminous vegetables, shelled, whether or not skinned or split	0713	100
Manioc, maranta, salep, Jerusalem artichoke, or Jerusalem artichokes, sweet potatoes or yams, and similar roots and tubers with high starch or inulin, fresh, chilled or dried, whole or sliced; sago	From 0714	100
Coconuts, brazil nuts and cashew nuts, fresh or dried, whether or not shelled or peeled	0801	100
Other nuts, fresh or dried, whether or not shelled or peeled	0802	100
Bananas and plantains, fresh or dried	0803 00	30
Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, or gamboge, fresh or dried	0804	50
Citrus fruit, fresh or dried	0805	100
Grapes, fresh or dried	0806	100
Melons (including watermelons) and papayas (papaws), fresh	0807	30

Apples, pears and quinces, fresh	0808	100
Apricots, cherries, peaches (including nectarines), plums (including prune plums) and sloes, fresh	0809	100
Other fruit, fresh	0810	100
Fruit, dried, other than that of headings 0801 to 0806; mixtures of nuts or dried fruits of this chapter	0813	100
Coffee, not roasted, with or without caffeine	From 0901 11 000 from 0901 12 000	100
Wheat and meslin	1001	100
Rye	1002 00 000 0	100
Barley	1003 00	50
Oats	1004 00.000.0	100
Corn	1005	100
Rice	1006	100
Grain sorghum	1007 00	100
Buckwheat, millet and canary seed; other cereals	1008	100
Wheat flour or wheat/rye flour	1101 00	30
Cereal flours other than of wheat or wheat/rye	1102	100
Cereal groats, meal and pellets (course grinding)	1103	100
Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading 1006; germ of cereals, whole, rolled, flaked or ground	1104	100
Flour, meal, and powder of the dried leguminous vegetables of heading 0713	1106 10 000 0	100
Malt, whether or not roasted	1107	100
Soybeans, whether or not broken	1201 00	100
Peanuts (ground-nuts), not roasted or otherwise cooked, whether or not shelled or broken	1202	100
Copra	1203 00 000 0	100
Flaxseed (linseed), whether or not broken	1204 00	100
Rape or colza seeds, whether or not broken	1205	100
Sunflower seeds, whether or not broken	1206 00	100
Other oil seeds and oleaginous fruits, whether or not broken	1207	100
Flours and meals of oil seeds or oleaginous fruits, other than those of mustard	1208	100
Seeds, fruit and spores, of a kind used for sowing	1209	100
Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered	1211 (except 1211 30 000 0, 1211 40 000 0)	100
Sugar beet	1212 91	100
Locust beans, including seeds	1212 99 300 0 – 1212 99 490 0	100
Stones and kernels of apricots, peaches (including nectarines), or plums, chicory roots of the variety <i>Cichorium intybus sativum</i>	From 1212 99 700 0	100
Cereal straw and husks, unprepared, whether or not chopped or ground, pressed, not in the form of pellets	From 1213 00 000 0	100
Rutabagas (swedes), mangolds, fodder roots, hay, alfalfa (lucerne), clover, sainfoin, forage kale, lupines, vetches and similar forage products, not in the form of pellets	From 1214	100
Cocoa beans, whole or broken, raw or roasted	1801 00 000 0	100
Cocoa shells, husks, skins, and other cocoa waste	1802 00 000 0	100
Bran, sharps (middlings) and other residues derived from the sifting, milling or other working of cereals or of leguminous plants, not in the form of pellets	From 2302	100

Oil-cake and other solid residues, whether or not ground, resulting from the extraction of soybean oil, not in the form of pellets	From 2304 00 000	100
Oil-cake and other solid residues, whether or not ground, resulting from the extraction of peanut oil, not in the form of pellets	From 2305 00 000 0	100
Oil-cake and other solid residues, whether or not ground, resulting from the extraction of vegetable oils and fats, except residues of headings 2304 and 2305, not in the form of pellets	From 2306	100
Soil and earth	From 2530 90 980 0	100
Peat, including peat crumb, agglomerated or not agglomerated	2703 00 000 0	100
Life phytopathogenic bacteria, viruses, only for scientific and research purposes	From 3002 90 500 0, from 3002 90 900 0	100
Animal or vegetable fertilizers, whether or not mixed together, treated or not treated with chemicals; fertilizers produced by the mixing of animal or vegetable products	3101 00 000 0	100
Firewood in the form of logs, billets, twigs, faggots or in similar types	4401 10 000	100
Wood waste of coniferous wood species	4401 21 000 0	100
Wood waste of hardwood species, except briquettes and pellets	4401 22 000 0	100
Sawdust, not agglomerated	From 4401 30	100
Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, except treated with heat, paint, preservatives, or vanishes	4403 (except 4403 10 000)	100
Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; chipwood and the like. Except treated with heat, paint, preservatives, or varnishes.	4404	100
Tree bark	From 1404 90 000 0 from 4401 30 900 0	100
Railway or tramway sleepers (cross-ties) of wood, not impregnated	4406 10 000 0	100
Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm (.236 inch) (lumber)	4407	100
Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, molded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or edge-jointed, except treated with, paint, disinfectants, antiseptics and other preservatives	From 4409	30
Packing cases, boxes, crates, drums and similar packings, of wood; cable-rums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood, only those that are commercial batch of packing materials	From 4415	100
Formwork for concrete construction, except treated with paint, disinfectants, antiseptics and other preservatives	From 4418 40 000 0	100
Collections and collectors' pieces of zoological and botanical interest	From 9705 00 000 0	100
II. Regulated products (goods, materials, and commodities) of low phytosanitary risk		
Powder and waste from bird feathers and their parts	From 0505 90 000 0	20
Powder and waste from bones and corneous shrank	From 0506 90 000 0	20
Dried bulb onions, whole, cut, slices, broken or in powder, but not further prepared	0712 20 000 0	20

Dried mushrooms, whole, cut, slices, broken or in powder, but not further prepared	0712 31 000 0 0712 32 000 0 0712 33 000 0 0712 39 000 0	20
Other vegetables, vegetable mixtures, dried, whole, cut, sliced, broken or in powder, but not further prepared	0712 90, (except 0712 90 110 0)	20
Coffee roasted, not decaffeinated, except in packages for retail trade**	From 0901 21 000	20
Coffee roasted, decaffeinated, except in packages for retail trade**	From 0901 22 000	20
Coffee husks and skins	0901 90 100 0	20
Green tea (not fermented), except packed for retail trade**	0902 10 000, 0902 20 000 0	20
Black tea (fermented) and partially fermented, except packed for retail trade**	From 0902 30 000 0902 40 000 0	20
Mate, except packed for retail trade**	From 0903 00 000 0	20
Spices, except packed for retail trade**	From 0904-0910	20
Vegetable materials of a kind used primarily for plaiting (for example, bamboos, rattans, reeds, rushes, osier, raffia), except cleaned, bleached or dyed	From 1401	20
Cotton lint	1404 20 000 0	20
Vegetable materials of a kind used primarily in brooms or in brushes (for example, broomcorn, piassava, couch grass and istle), whether or not in hanks or bundles Vegetable products used primarily for dyeing and tanning	From 1404 90 000 0	20
Tapioca, except in pellets	From 1903 00 000 0	20
Spices, mixed	From 2103 90 900 9	20
Acorns and horse-chestnuts	From 2308 00 400 0	20
Products used in animal feeding, containing chloride choline, on organic basis	From 2309 90 950 0	20
Other products used in animal feeding, non-granulated	From 2309 90 990 0	20
Unmanufactured tobacco, tobacco refuse	2401	20
Henna and basma (not prepackaged for retail)	From 3203 00	20
Raw hides and skins of bovine (including buffalo) or equine animals, sheep or lambs (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not with hair or wool on, whether or not dehaired or split, except excluded by Note 1b or 1c to Group 41 of the Customs Code of the Customs Union	From 4101 from 4102 from 4103	20
Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for other similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm, except treated with paint, disinfectants, antiseptics and other preservatives	From 4408	20
Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves, except treated with paint, disinfectants, antiseptics and other preservatives	From 4416 00 000 0	20
Windows, French windows and their frames, except treated with paint, disinfectants, antiseptics and other preservatives	From 4418 10	20
Doors and their frames and thresholds, except treated with paint, disinfectants,	From 4418 20	20

antiseptics and other preservatives		
Shingles and shakes, except treated with paint, disinfectants, antiseptics and other preservatives	From 4418 50 000 0	20
Plaits and similar products of plaiting material, whether or not assembled into strips, except bleached, varnished, painted; mats, matting, screens from planting materials, except bleached, varnished, painted or treated with other preservatives	From 4601	20
Basketwork, wickerwork and other articles, made directly to shape, from planting materials, except bleached, varnished, painted or treated with other preservatives; articles of loofah, except bleached, varnished, painted or treated with other preservatives	From 4602	20
Corrugated paper and paperboard, whether or not perforated	4808 10 000 0	20
Cartons, boxes and cases, of corrugated paper or paperboard	From 4819 10 000 0	20
Silkworm cocoons suitable for reeling	5001 00 000 0	20
Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock)	5003 00 000 0	20
Wool, not washed, including wool, washed in the fleece, not carded or combed	5101 11 000 0	20
Fine or coarse animal hair, not carded or combed	From 5102	20
Waste of wool or of fine animal hair, not carbonized	5103 10 100 0	20
Cotton, not carded or combed	5201 00	20
Cotton waste (including waste from spinning and loose material)	5202	20
Flax, not processed, not spun; flax tow and waste (including waste from spinning and loose material)	5301	20
True hemp (<i>Cannabis sativa</i> L.), raw or soaked, not processed, not spun; tow and waste of true hemp (including waste from spinning and loose material)	5302	20
Jute fibers, raw or soaked, not processed, not spun; tow and waste of jute fibers (including waste from spinning and loose material)	5303	20
Coconut textile fiber, not spun, abaca (<i>Manila hemp</i> or <i>Musa textilis</i> Nee) raw, not spun, ramie and other vegetable textile fibers, raw, not spun; sisal fibers and other textile fiber of Agave class, raw, not spun; noils and waste of these fibers (including waste from spinning and loose material)	5305 00 000 0	20

*) This List should be guided by the TN VED codes of the Customs Union as well as the name of the product.

**) Consumer package means a package that gets products directly to consumer and is an integral part of the product, is not intended for independent transportation, and has limited mass, capacity and size (metal, glass and plastics cans, packages of laminated heat sealable materials based on aluminum foil and metalized film, vacuum bags, sealed packages of thick paper).

[i] The instruction refers to the List of quarantine products (goods, materials, and commodities) subject to quarantine, phytosanitary control (supervision) at the customs border of the Customs Union and in the customs territory of the Customs Union approved by the Decision of the Customs Union Commission No. 318 of June 18, 2010. The data base on the list of Quarantine products is on the web-site of the Customs Union <http://www.tsouz.ru/db/techregulation/fitosan/Pages/karant.aspx>