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Russian Federation

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

Scott Reynolds

Prepared By:

Staff

Report Highlights:

This report is an overview of general legal and technical requirements for food and agricultural imports imposed by the Russian Federation. Substantial sections of this report have been updated from the 2010 FAIRS report, including: Section I: Food Laws, Section V: Pesticides and Other Contaminants, Section VI: Other Regulations and Requirements, Section VII: Other Specific Standards, Section VIII: Copyright and Trademark Laws, and Section IX: Import Procedures.

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Executive Summary

The USDA Foreign Agricultural Service offices in Moscow, St. Petersburg, and Vladivostok prepared this report for U.S. exporters of domestic food and agricultural products. While the USDA offices in Russia took every possible care in preparing this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. FAS Russia highly recommends that U.S. exporters verify the full set of import requirements with their foreign customers before any goods are shipped. They are normally the best equipped to research such matters with local authorities. **Note: FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

This report is an overview of general legal and technical requirements for food and agricultural imports imposed by the Russian Federation.

Despite Russia's ongoing preparation for WTO accession, agencies' control over imported foodstuffs remains complicated and bureaucratic. While the legal framework has improved, in practice, Russia has taken no significant steps forward to actually improve the environment for trade. On the contrary, where important movements have been made, Russia has moved backward, to harmonize with restrictive European Union regulations, and this remains Russia's stated objective going forward. Barriers to trade depend on the type of product, customs clearance location, importer's status, and other non-transparent factors.

Section I: Food Laws

Many of Russia's food and trade regulations have or are undergoing reform as the Russia-Belarus-Kazakhstan Customs Union (CU) continues policy integration and unification as well as Russia readies itself for WTO Accession. In practice, Russia continues coordinating policy reform closely with the European Union, and as a result, changes in regulation reflect those of its primary trade partner.

On December 16, 2011, WTO trade Ministers approved the terms of Russia's accession and issued a formal invitation for Russia to join the World Trade Organization (WTO) as its 155th Member, culminating Russia's 18-year effort to join the multilateral trading system. Russia will have to ratify the deal within the following 220 days and would become a fully-fledged WTO member 30 days after it notifies the ratification to the WTO.

Russia and the Customs Union have established the legal framework necessary for Russia to comply fully with the WTO SPS Agreement. In addition, Russia has undertaken commitments on how it will comply with the SPS Agreement and its other commitments affecting trade in agricultural productions. These commitments will provide U.S. exporters of agricultural products with an enforceable set of disciplines against trade restrictions that are not based on science and a risk assessment. Russia has also agreed to strong rules on harmonizing Russia's SPS measures with international standards. The Customs Union now has a mechanism for recognizing the equivalence of food safety systems of WTO members and rules on inspection of establishments in third-countries, such as the United States, that export product to Russia and the other CU partners. Increased transparency, including the right to provide comments on SPS measures before they are adopted, and application of transition periods before new measures are applied are also part of Russia's commitments. Russia is committed to applying these rules from day one of its WTO membership.

Russian Legislation and Principal Regulatory Documents on Foodstuff Imports

Russia's regulatory framework governing the import of foodstuffs consists of (1) CU documents, (2) Russian Federal Laws, (3) Russian Government documents, and (4) regulatory documents of the bodies of executive power of the Russian Federation. The major documents are the following:

1. CU documents:

General

- CU Customs Code, in force since July 1, 2010 (as amended through April 16, 2010)
<<http://www.tsouz.ru/Docs/kodeks/Pages/default.aspx>>, includes unofficial translation into English

Tariff and TRQs

- Unified CU Customs Tariff, in effect from January 1, 2010, till December 31, 2011
<<http://www.tsouz.ru/db/ettr/tnved/Pages/default.aspx>>
- Unified CU Customs Tariff, in effect as of January 1, 2012
<<http://www.tsouz.ru/db/ettr/tnved2012/Pages/default.aspx>>

- CU Commission Decision No. 850 of 18 November 2011 “On the new edition of the Single Commodity Nomenclature of Foreign Trade of the Customs Union and the Common Customs Tariff of the Customs Union” <http://www.tsouz.ru/KTS/KTS32/Pages/R_850.aspx>
- CU Commission Decision No. 865 of 18 November 2011 “On the list of goods in respect of which from 1 January 2012, establishes tariff quotas, as well as volumes of tariff quotas for imports of these goods in the territory of the Customs Union” <http://www.tsouz.ru/KTS/KTS33/Pages/R_865.aspx>

General SPS Measures

- CU Commission Decision No. 625 of 7 April 2011 "On Harmonization of CU Legal Acts in the Field of Sanitary, Veterinary and Phytosanitary Measures with International Standards" (as amended through June 22, 2011) <http://www.tsouz.ru/KTS/KTS26/Pages/R_625.aspx, http://www.tsouz.ru/KTS/KTS29/Pages/R_722.aspx>
- CU Commission Decision No. 721 of 22 June 2011 "On Application of International Standards, Recommendations, and Guidelines" <http://www.tsouz.ru/KTS/KTS29/Pages/R_721.aspx>
- CU Commission Decision No. 801 of 23 September 2011 "On Regulation on the Uniform Procedure of Carrying Out Examination of Legal Acts of the Customs Union in the Sphere of Implementation of Sanitary, Veterinary and Phytosanitary Measures" <http://www.tsouz.ru/KTS/KTS31/Pages/R_801.aspx>
- CU Commission Decision No. 835 of 18 October 2011 "On Equivalence of Sanitary, Veterinary or Phytosanitary Measures and Conduct of Risk Assessment" <http://www.tsouz.ru/KTS/KTS32/Pages/R_835.aspx>

Sanitary Measures <<http://www.tsouz.ru/db/techregulation/sanmeri/Pages/default.aspx>>

- CU Commission Decision No. 299 of 28 May 2010 "On the Application of Sanitary Measures in the Customs Union" (as amended through October 18, 2011)

Veterinary Measures <<http://www.tsouz.ru/db/techregulation/vetmeri/Pages/default.aspx>>

- CU Commission Decision No. 317 of 18 June 2010 "On the Application of Veterinary-Sanitary Measures in the Customs Union" (as amended through December 9, 2011)
- CU Commission Decision No. 342 of August 17, 2010 "On Issues in the Sphere of Veterinary Control (Supervision) in the Customs Union" <http://www.tsouz.ru/KTS/KTS18/Pages/R_342.aspx>
- CU Commission Decision No. 455 of 18 November 2010 adopted "The Unified List of Dangerous and Quarantine Diseases of Animals of the Customs Union"
- CU Commission Decision No. 607 of 7 April 2011 "On Common Forms of Veterinary Certificates on Imported Goods Subject to Veterinary Control into the Customs Union Territory" (as amended through December 9, 2011) <http://www.tsouz.ru/KTS/KTS26/Pages/R_607.aspx, http://www.tsouz.ru/KTS/KTS32/Pages/R_832.aspx>
- CU Commission Decision No. 624 of 7 April 2011 "On the Regulation on the Procedure of Development and Maintenance of the Register of Companies and Persons which Carry out Production, Reprocessing and (or) Storing Products Subject to Veterinary Control (Surveillance) and Imported into the territory of the Custom Union"
- CU Commission Decision No. 834 of 18 October 2011 "On Regulation on Common System of Joint Inspections of Objects and Sampling Goods (Products), Subject to Veterinary Control (Surveillance)"

Phytosanitary Measures <<http://www.tsouz.ru/db/techregulation/fitosan/Pages/default.aspx>>

- CU Commission Decision No. 318 of 18 June 2010 "On Assurance of Plant Quarantine in the Customs Union" (as amended through November 18, 2010)

Technical Regulation <<http://www.tsouz.ru/db/techregulation/techbars/Pages/default.aspx>>

- CU Commission Decision No. 319 of 18 June 2010 "On Technical Regulation in the Customs Union" (as amended through December 8, 2010)
- CU Commission Decision No. 526 of 28 January 2011 “Common List of Products which shall be Subject to Mandatory Requirements within the Customs Union” <http://www.tsouz.ru/KTS/KTS23/Pages/R_526.aspx>

- CU Commission Decision No. 620 of 7 April 2011 “Common List of Products, Subject to Mandatory Evaluation (Confirmation) of Compliance within the Customs Union with the Issuance of Common Documents” <http://www.tsouz.ru/KTS/KTS26/Documents/P_620.pdf>
- CU Commission Decision No. 621 of 7 April 2011 “On the Regulation on Application of Standard Schemes for Evaluation (Confirmation) of Compliance with Technical Regulations of the Customs Union” <http://www.tsouz.ru/KTS/KTS26/Pages/R_621.aspx>
- CU Commission Decision No. 629 of 7 April 2011 “On Draft Procedure for Establishment of Lists of International and Regional (Interstate) Standards, and in their Absence - National (State) Standards, Ensuring Compliance with Technical Regulations of the Customs Union and Necessary for Assessment (Confirmation) of Compliance” <http://www.tsouz.ru/KTS/KTS26/Pages/R_629.aspx>
- CU Commission Decision No. 711 of 15 July 2011 “On the Common Sign of Circulation of Products on the Market of the Member-States of the Customs Union (as amended through September 23, 2011)” <<http://www.tsouz.ru/db/techregulation/techbars/Pages/EAC.aspx>>
- CU Commission Decision No. 896 of 9 December 2011 “Common Forms of Assessment (Confirmation) of Compliance (Declaration of Compliance with the Technical Regulations of the Customs Union, Certificate of Conformity with the Technical Regulations of the Customs Union)” <<http://www.tsouz.ru/db/techregulation/techbars/Documents/SertsootvtrebTRTS.pdf>>
- CU Technical Regulation TR TS 005/2011 “On Safety of Packaging” <<http://www.tsouz.ru/db/techreglam/Pages/technicalreglament.aspx>>
- CU Technical Regulation TR TS 015/2011 “On Safety of Grain” <<http://www.tsouz.ru/db/techreglam/Pages/technicalreglament.aspx>>
- CU Technical Regulation TR TS 024/2011 “Technical Regulation on Oils and Fats” <<http://www.tsouz.ru/db/techreglam/Pages/technicalreglament.aspx>>
- CU Technical Regulation TR TS 021/2011 “On Food Safety” <<http://www.tsouz.ru/db/techreglam/Pages/technicalreglament.aspx>>
- CU Technical Regulation TR TS 022/2011 “On Food Labeling” <<http://www.tsouz.ru/db/techreglam/Pages/technicalreglament.aspx>>
- CU Technical Regulation TR TS 023/2011 “Technical Regulation on Juice Products from Fruits and Vegetables” <<http://www.tsouz.ru/db/techreglam/Pages/technicalreglament.aspx>>

2. Federal Laws in effect to the extent that they do not contradict the CU Agreements and CU Commission Decisions:

General

- Federal Law No. 164-FZ of 8 December 2003 “On the Basis of Regulation of Foreign Trade Activity” (as amended through December 6, 2011) <<http://base.garant.ru/12133486/>>
- Chapters 19 and 21 of the Russian Tax Code (as amended through December 6, 2011), regulating the application of VAT (including import VAT and export VAT refunds) and excises <<http://base.garant.ru/10900200/>>
- The Federal Law on Customs Regulations No. 311 dated November 27, 2010 (as amended through December 6, 2011) <<http://base.garant.ru/12180625/>>
- Federal Law No. 2300-1 of February 7, 1992 “On Protecting Consumer Rights” (as amended through July 18, 2011) <<http://base.garant.ru/10106035/>>

General SPS Measures

- Federal Law No. 86-FZ of July 5, 1996 “On State Regulation In The Sphere Of Genetic Engineering Activities” (as amended through July 19, 2011) <<http://base.garant.ru/10135402/>>

Sanitary Measures

- Federal Law No. 52-FZ of 30 March 1999 “On The Sanitary And Epidemiological Well-Being Of The Population” (as amended through December 7, 2011) <<http://base.garant.ru/12115118/>>

- Federal Law No. 29-FZ of January 2, 2000 “On The Quality And Safety Of Food Products” (as amended through July 19, 2011) <<http://base.garant.ru/12117866/>>

Veterinary Measures

- Federal Law No. 4979-1 of 14 May 1993 “On Veterinary Practices” (as amended through July 18, 2011) <<http://base.garant.ru/10108225/>>

Phytosanitary Measures

- Federal Law No. 99-FZ of 15 July 2000 “On Quarantine of Plants” (as amended through July 18, 2011) <<http://base.garant.ru/12120209/>>

Technical Regulation

- Federal Law No. 171-FZ of November 22, 1995 “On State Regulation Of The Production And Handling Of Ethyl Alcohol, Spirits, And Products Containing Alcohol” (as amended through July 21, 2011) <<http://base.garant.ru/10105489/>>
- Federal Law No. 184-FZ of December 27, 2002 “On Technical Regulation” (as amended through November 30, 2011) <<http://base.garant.ru/12129354/>>
- Federal Law No. 88-FZ of December June 12, 2008 “Technical Regulation for Milk and Dairy Products” (as amended through July 22, 2010) <<http://base.garant.ru/12160959/>>
- Federal Law No. 90-FZ of December June 24, 2008 “Technical Regulation for Oils and Fats Products” <<http://base.garant.ru/193482/>>
- Federal Law No. 178-FZ of October 27, 2008 “Technical Regulation for Juice Products from Fruits and Vegetables” <<http://base.garant.ru/12163096/>>
- Federal Law No. 268-FZ of December 22, 2008 “Technical Regulation for Tobacco Products” <<http://base.garant.ru/12164162/>>

3. Russian Government Regulations:

Sanitary Measures

- Government Resolution No. 500 of June 29, 2011, "On Approval of Rules of Sanitary and Quarantine Control at Checkpoints on the Border of the Russian Federation" <<http://base.garant.ru/12187353/>>

Veterinary Measures

- Government Resolution No. 557 of July 7, 2011, "On the Defining Checkpoints across the State Border of the Russian Federation Intended for Importation into the Territory of the Russian Federation of Animals, Animal Products, Animal Feed, Feed Additives, Pharmaceuticals and Animal Quarantine Products (Quarantine Material, Goods in Quarantine)" <<http://base.garant.ru/12187826/>>
- Government Resolution No. 501 of June 29, 2011, "On Approval of Rules of the State Veterinary Supervision Control at Checkpoints on the Border of the Russian Federation" <<http://base.garant.ru/12187354/>>

Technical Regulation

- Government Resolution No. 982 of December 2009 “On Approval of the Unified List of Products Subject to Mandatory Certification and the Unified List of Products for which the Confirmation of Conformity is Made in the Form of a Declaration of Conformity” (as amended through November 13, 2010). <<http://base.garant.ru/12171546/>>
- Government Resolution No. 26 of January 18, 2002, "On State Registration of Feeds Derived from Genetically Modified Organisms" (as amended through July 14, 2006) <<http://www.fsvps.ru/fsvps/laws/243.html>>

4. Russian Competent Authority Regulations:

Sanitary Measures

- Hygienic Requirements For Foodstuff Safety and Nutrition (in force as [SanPiN 2.3.2.1078-01](#) since July 1, 2002, as amended through June 1, 2011)
- Hygienic Requirements for Food Additives ([SanPiN 2.3.2.1293-03](#), as amended through December 23, 2010)
- Hygiene Norms for Chemicals and Pesticides in the External Entities (HN [1.2.2701-10](#), in force since November 4, 2010). The Norms determine MRL for chemicals and pesticides in objects of environment, including agricultural crops.

Veterinary Measures

- Order of the Ministry of Agriculture No. 404 of 7 November 2011 "On Adoption of Administrative Regulation of the Federal Service on Veterinary and Phytosanitary Control on Provision of State Service on Issuance of Authorizations for Imports to the Russian Federation and Exports from the Russian Federation, as well as Transit within its Territory of Animals, Products of Animal Origin, Medicines for Veterinary use, Feeds and Feed Additives for Animals," establishes a new administrative regulation on issuing import permits for goods subject to veterinary (sanitary control). <Official publication and entry into force still pending>
- Order of the Ministry of Agriculture No. 456 of 29 December 2010 "On Approval of Rules to Ensure Plant Quarantine for Regulated Products Imported to the Russian Federation, as well as Stored, Moved, Transported, Processed or Used," updated the Russian phytosanitary requirements and regulations for imported products of quarantine concern in accordance with the CU approach and international requirements. <<http://www.mcx.ru/documents/document/show/15036.77.htm>>

Technical Regulation

- General Requirements For Providing Consumer Information Regarding Foodstuffs ([GOST P 51074-2003](#), as amended through December 15, 2009)

Russia's Federal Regulatory Bodies for Imported Foodstuffs

The Federal Veterinary and Phytosanitary Surveillance Service (VPSS or Rosselkhoznadzor) monitors veterinary and phytosanitary conditions within Russia and enforces Russian legal requirements for veterinary and plant health. It has veterinary and phytosanitary authority at Russia's borders and within Russia's interior. VPSS is responsible for protecting the Russian Federation from imports infected with contagious animal diseases, plant pests and plant disease pathogens, quarantine plants and weeds, and any other consignments it believes pose a threat according to its sanitary and phytosanitary standards.

The Federal Service for the Protection of Consumer Rights and Human Well-Being of the Ministry of Health and Social Development (Rospotrebnadzor) is responsible for food and foodstuff safety. Based on SanPiN 2.3.2.1078-01 and the regulations of the Customs Union, Rospotrebnadzor oversees the domestic foodstuffs market in Russia. Rospotrebnadzor may prohibit the transport and sale of products that do not meet official requirements.

The Federal Service for Technical Regulation and Metrology (Rosstandart or Rostekhnregulirovaniye) is part of the Ministry of Industry and Trade. Rosstandart manages product assessment, processing, and servicing to determine if products conform to national standards and certification criteria.

The Federal Customs Service of Russia (FTS) regulates foreign economic activity with a system of customs fees and charges, and carries out customs control. The introduction of the Customs Union has

not yet affected the internal structure of the Russian customs service, which remains as follows: the Federal Customs Service: provincial departments, customs-houses, and customs posts.

The Ministry of Industry and Trade regulates non-tariff external economic activity including licensing and quota administration.

The Ministry of Economic Development determines import quota quantities.

Customs Union Regulatory Bodies

The CU Commission is the CU regulatory body authorized to decide on customs administration; technical regulation; application of sanitary, veterinary, phytosanitary regulations; and customs statistics administration. Its decisions are binding on the members states. The Commission also maintains common registers of customs brokers (agents), operators of bonded warehouses, and takes preliminary classification decisions.

Due to plans for further economic integration between Russia, Kazakhstan, and Belarus, the CU Commission will be replaced by the Eurasian Economic Commission (EEC) on July 1, 2012. The EEC will be the first standing supranational body for governing the integration effort in the format of the Customs Union and a Single Economic Space (SES), launched as of as of January 1, 2012. While EEC will be based on the structure and achievements of the CU Commission, it will receive more powers and duties in customs and tariff regulation, customs administration, establishment of trade regimes with third countries, monetary policy regulations, macroeconomic issues, energy and competition policy, regulation of state monopolies, industrial and agricultural financial aid issues, procurement, transportation, migration, financial markets. The EEC is due to start work on January 1, 2012.

The structure of the EEC is similar to the regulatory bodies of the European Union, with its European Council and European Commission. The EEC will have two tiers. The upper tier, its council, will include deputy prime ministers of the three countries, with First Deputy Prime Minister Igor Shuvalov representing Russia. The lower level, the board, will be the EEC's main working body, with decision-making powers over customs duties as well as sanitary, veterinary, and immigration control. It will also oversee the allocation of industrial and agricultural subsidies. Viktor Khristenko, Russia's Minister of Industry and Trade is the appointed head of the EEC.

Contact information for the above regulatory bodies as well as other industry-specific regulators and certification agencies and entities can be found at the end of this report.

Section II: Labeling Requirements

The general requirements for labeling of food products are stipulated in the federal law “On Protecting Consumer Rights.” However, the details on labeling are prescribed by special GOSTs. The primary legislation is [GOST P 51074-2003](#), which came into effect on July 1, 2005 (last amended on December 15, 2009). This standard incorporates the Codex Alimentarius International Food-Packaging Standards [Codex Stan 1-1985 (Rev.1-1991)]. Among other things, GOST P 51074-2003 regulates pre-packaged food sold either in retail or wholesale markets that supply public catering facilities, schools, children’s facilities, therapeutic facilities, and other facilities directly servicing consumers. GOST P 51074-2003 establishes general requirements for product information that must be provided to customers, as well as all special requirements for nutrition labeling.

The labeling of diet products, baby-food, and other special products shall meet special requirements stipulated for these products in relevant GOSTs and in SanPiN 2.3.2.1078-01.

The general requirements for information to be presented on the label in the Russian language are:

- product name;
- data about the manufacturer (including name, country, and address of producer) and the organization authorized to accept claims from consumers;
- trademark;
- net weight, or volume, or quantity;
- composition (ingredients);
- nutritional value based on the specificity of the product;
- storage conditions;
- use-by date or shelf-life expiration date;
- date of production and packaging;
- regulatory or technical documents with which the products can be identified (this requirement is optional for imported products); and
- confirmation of conformity stamp.

In addition to the above, GOST P 51074-2003 also establishes a number of product-specific requirements.

GOST P 51074-2003 also requires labeling of the following:

- food additives, biologically active additives, flavorings, components of non-traditional composition (including components from raw materials containing protein that does not exist naturally and was added while manufacturing the product); and
- food products that are products of biotechnology, obtained from products of biotechnology, or contain components from products of biotechnology.

The manufacturer may list the basic mineral substances and vitamins inherent in the product without indicating their quantity. Manufacturers are required to list a recommended daily allowance in accordance with established procedures.

If more than 2 percent of the recommended daily allowance of proteins, fats, carbohydrates, or calories is included in a 100-gram serving, this information must be included on the label. The label must also indicate if a 100-gram serving contains more than 5 percent of the daily recommended allowance of minerals or vitamins.

According to amendments to GOST P 51074-2003 on December 15, 2009 which came into effect on January 1, 2011, information must be provided on the label if a product contains any ingredients that can cause allergic reaction or if they are contraindicated in certain types of diseases. These ingredients include:

- cereals containing gluten, and derived products;
- crustaceans and derived products;
- mollusks and derived products;
- eggs and derived products;
- fish and derived products;
- peanuts and derived products;
- soybean and derived products;
- milk and derived products (including lactose);
- nuts and derived products;
- celery and derived products;
- mustard and derived products;
- sesame and derived products;
- lupine and derived products;
- sulfur dioxide and sulfites if more than 10 mg/kg or mg/L in terms of sulfur dioxide; and
- aspartame and its salts (containing phenylalanine and its salts).

In December 2011, the Customs Union adopted the Technical Regulation TR TS 022/2011 “Food Product Labeling” <<http://www.tsouz.ru/db/techreglam/Documents/TrTsPishevkaMarkirovka.pdf>>. The document outlines regulations for food products labeling including the requirements for name, ingredients, nutritional contents and value, quantity, date of production, validity, place of manufacturer and importer, presence of genetically modified organisms, etc. The TR TS 022/2011 will come into effect as of July 1, 2013. However, production and circulation of food products in accordance with the current CU and national requirements of the CU member-states will be allowed until February 15, 2015.

Biotech Products

For products with biotech components, information must be provided when these components contain more than the permitted level of biotech ingredients. SanPiN 2.3.2.1078-01 sets a 0.9 percent threshold for each biotech (genetically modified material - GMM) component in food products for mandatory labeling. The information on the label must read (in Russian):

- for products containing viable GMM – “Product contains live genetically modified microorganisms;”
- for products containing unviable GMM – “Product is obtained based on genetically modified microorganisms;” and
- for products that are free from technological GMM or for products obtained based on components free from technological GMM – “Product has components that are obtained based on genetically modified microorganisms.”

Organic Products

In 2008 Russia adopted hygienic requirements for organic food products, and since July 1, 2008, a product may be labeled “organic” only if it was produced, transported, stored, handled and distributed in accordance with the requirements. For more details please see GAIN reports [RS8045 New SanPiN for Organic Products](#) and [RSATO1109 Russian Organic Market Taking Root](#).

Section III: Packaging and Container Regulations

Requirements for foodstuff packaging, currently regulated by 169 GOST standards, vary by type of packaging. Hygienic standards have been created for materials that come into contact with foodstuffs listed in HN 2.3.3.972-00, which also specifies the maximum permissible quantities of chemical substances allowed to escape from materials in contact with foodstuffs. Packing materials and transport containers must have completed sanitary and epidemiological inspection and have a certificate of conformity. GOST P ISO 3394-99 establishes the permitted size, shape, and material of transport containers.

Sanitary and hygienic requirements, regulated by GOST P 51074-2003, must also be used when selecting food packaging. Packing material may not be manufactured from highly toxic compounds having cumulative characteristics, including carcinogenicity, mutagenicity, or allergenicity. The material must not change the organoleptic or nutritional qualities of the foodstuffs, and it may not discharge hazardous substances in excess of permissible levels.

Many products imported into Russia must meet product-type-specific packaging requirements.

Packaged grains, for example, must be packaged in air-permeable materials as stated in the Ministry of Agriculture's Order No. 681 of September 3, 2002.

Specifications for packaging are a vital part of each commercial contract. Before signing a contract, the importer should research the specific packaging requirements and advise the exporter accordingly.

Packaging (e.g., cardboard or paper boxes, plastic or polymer packets, bottles or cans) that comes into direct contact with products must be certified.

Air, water, and steam affect some products. Therefore, the permeability of the packaging material to gas, steam, water, fats, and odors is an important requirement. For instance, chilled meat must be packaged in material with low-vapor permeability in order to prevent the loss of moisture. The material must also have a specific gas-permeability to preserve the color. Products must be packed reliably, taking into account their nature, the method of transport, and storage temperatures.

In 2011, the CU adopted Technical Regulation TR TS 005/2011 "On Safety of Packaging," which comes into force on July 1, 2012. Though it refers to safety of all kind of packaging, the document contains requirements for food products packaging as well. CU Technical Regulations also establish product-specific packaging requirements for specific food products, including fat-and-oil products, juice products, meat products, alcohol products, milk and dairy products, and specialized dietary food products. Some are already adopted

<<http://www.tsouz.ru/db/techreglam/Pages/tecnicalreglament.aspx>>, others are still drafts

<<http://www.tsouz.ru/db/techreglam/Pages/ProektVGS.aspx>>, and others are open for public comment

<<http://www.tsouz.ru/db/techreglam/Pages/Publichnoeobs.aspx>>.

Section IV: Food Additives Regulations

Controls and regulations on food additives are included in SanPiN 2.3.2.1078-01 (Section 9) and SanPiN-2.3.2.1293-03, Hygienic Requirements for Food Additives. These rules establish safety requirements for food additives in order to make products safe for human consumption. The total list of allowed food additives consists of several hundred names and is given in Attachments 1, 3, 4, 5, 6 to the SanPiN 2.3.2.1293-03. Rospotrebnadzor may prohibit or add food additives based on safety tests.

In April 2011, Rospotrbnadzor adopted Amendment No. 23 to SanPiN 2.3.2.1078-01, which extended the list of plants that may be harmful to human health if used as dietary supplements. The Amendment came into force as of June 1, 2011.

Additions and amendments No. 3 to SanPiN 2.3.2.1293-03, adopted in December 2010, modified the list of food additives allowed for use in production of food products; specified names and technological functions of certain additives on the list; amended sanitary regulations for acids, bases, and salts, preservatives, antioxidants, stabilizers, emulsifiers, thickeners, coloring agents, glazing agents, sweeteners, and some other types of additives. The list food products, which shall not be produced with the use of coloring agents, was extended to include fruit nectars; pasta; tea, vegetable, and fruit preparations for infusions and their soluble mixtures; malt and malt beverages; wine; fruit alcohol and alcoholic beverages; fruit and wine vinegar; oil and fat; non-flavored cheeses; and bread. The Amendments came into force in April 2011.

In 2011, the CU published the draft Technical Regulation on Safety Requirements for Food Additives, Flavorings and Processing Substances <<http://www.tsouz.ru/db/techreglam/Pages/Pishdobavki.aspx>> that contains a list of food additives allowed for use in food products manufacture and will become the main document regulating production and controlling quality of the products in the sector of food ingredients and additives. The draft has already gone through the public comment period and now is in the process of interstate approval. The CU Technical Regulation is expected to come into effect as of July 1, 2013, while production and circulation of products meeting the current CU and national requirements of the CU member-states will be allowed until February 15, 2015.

Section V: Pesticides and Other Contaminants

VPSS examines, approves, and registers pesticides and veterinary drugs, which can be used in Russia. It regulates the application procedures and the use of officially registered pesticides. The current registry (as of May 2011) is available at <http://www.fsvps.ru/fsvps/laws/1278.html>. The catalogue contains the brand name, name of registrant, date of registration, and expiration date. Chemical agents not listed in this catalogue are banned from use and their residue is not allowed in or on imported foodstuffs.

The Federal Service for the Protection of Consumer Rights and Human Well-Being of the Ministry of Health and Social Development (Rosпотребнадзор) is responsible for setting tolerances of pesticides, veterinary drugs, and other contaminants in food. However, VPSS is the primary implementer of such tolerances in imported food and agricultural crops at the border.

Russian tolerances are based on CU Commission Decision No. 299. [Section 1 in Chapter II](#) of Decision No. 299, “Requirements for Safety and Nutritional Value of Food Products,” provides maximum tolerances in food. Additional tolerances can be found in SanPiN 2.3.2.1078-01 “Hygienic Requirements for Safety and Nutritional Value of Food Products.” [Section 15 in Chapter II](#), “Requirements for Pesticides and Agrochemicals,” provides maximum tolerances in soil, air, water, human body, crops. CU tolerances are said to be in conformity with EU requirements; however, more restrictive tolerances exist.

VPSS requires the exporter provides information on the pesticides used during the growing and storing of the plant products, the date of the last treatment, and on the residue levels of pesticides in these products. The information may be in the form of a letter from producer, from the producers’ association, etc. There is no standard form, but VPSS developed a sample form of a letter (declaration) in Russian on pesticides (see [Attachment I](#)).

Section VI: Other Regulations and Requirements

Licensing

Tariff Rate Quotas (TRQs)

In order to bring a product into the Russian Federation at the in-quota tariff rate for beef, pork, and poultry, it is necessary for the importer to secure a license. Russia's Ministry of Industry and Trade (MIT) issues this license. MIT reviews license applications within 5 days of submission and then issues the licenses. Licenses are to be obtained annually or each time the volume of the imported meat increases.

Alcohol

According to Russia's Federal Law 171 of 1995, alcoholic products, including wine, may pass through Customs into the Russian Federation only if the importer has a license to procure, store, and import such products. As of January 1, 2010, importers of each category of alcohol (wine and spirits) must have an import license issued by the Ministry of Industry and Trade (*Note:* Based on Customs Union Committee Decision #747 of August 16, 2011, import licenses will no longer be required once one of the members joins the WTO). Importers may obtain a general import license valid for one year.

The Federal Service for Regulation of the Alcohol Market (Rosalcoholregulirovaniye, or FSR) also issues wholesale licenses for a maximum of five years. Since January 29, 2010, the state tax of 500,000 Rubles (\$16,000) should be paid for issuance of an alcohol wholesale license). In order to obtain a wholesale license, the importer/distributor must meet more than 100 detailed requirements laid out in Russia's national standards and the Technical Conditions for Storage of Alcohol (FSR Order #59n of October 26, 2010). All importers of alcohol products must have a wholesale license in order to obtain the necessary excise stamps and to produce or distribute and store alcoholic products.

Excise Stamps

Alcohol

The importer is responsible for marking imported alcohol products with excise stamps before the products enter the Russian Federation. To do this, the importer must provide for registration of the imported alcohol product in the Unified State Automated Information System (UFAIS), as well as print data about the alcohol product on the excise stamps, procure such stamps, and attach them to the consumer packaging. The importer bears responsibility for the authenticity of the data as well as for the correctness of their placement on the excise stamps. However, the supplier is responsible for providing the importer with correct information. The following data are placed on the excise stamp, much of the data being provided by the exporter:

- Name of the alcoholic product;
- Type of alcoholic product;
- Ethyl alcohol content;
- Volume of the alcoholic product in consumer packaging;
- Name of producer of the alcoholic product;
- Producer's place of performance;
- Country of origin of the alcoholic product;
- Confirmation of correspondence of the established requirements of quality and safety;
- Confirmation of lawfulness of use on the alcoholic producer's trademark, guarded in the Russian Federation; and
- Other data in accordance with Article 12 of Federal Law 171 On state regulation of production and handling of ethyl alcohol, alcoholic products and alcohol containing products.

Products under sanitary-epidemiological control

Customs Union Decision No. 299 (May 28, 2010) and its amendments defines the products subject to sanitary-epidemiological control. To clear customs, these products must be accompanied by documents confirming conformity with Russian standards of safety and quality, i.e. - the state registration and the Declaration of Conformity. To expedite customs clearance procedures, and to reduce the cost of clearance and temporary storage, it is recommended that the state registration and declaration of conformity of the imported products be conducted approximately one month in advance of the shipment's arrival at customs. To do this, the supplier must provide the following to the importer:

- Product samples of every type and/or name, in sufficient quantities to conduct the sanitary-epidemiological expert examination and certification (samples for testing are not subject to customs fees);
- Contract to supply the product (or data about the contract), the annex to the contract or specifications (or the data about it);
- Documents confirming the origin, safety, and quality of the product (issued by the authorities of the country of origin), manufacturer of the product, the certificate of origin or another document confirming the origin, quality certificate and/or protocols of testing, and analysis;
- and Samples or mockups of the label.

All documents, labels, and markings must be translated into the Russian language, and copies and their translations must be certified in accordance with established procedures.

Product Registration

Customs Union Decision No. 299 establishes the list of products subject to state registration. The list includes the following:

- Soft drinks, alcoholic beverages, including alcoholic products, beer.
- Specialty foods, including baby foods, foods for pregnant and lactating women, dietary products (therapeutic and prophylactic) food products for feeding athletes (hereinafter - Specialty Foods), biologically active food additives, raw materials for production dietary supplements, organic products.
- Foods produced using genetically modified (transgenic) organisms, including genetically modified organisms.
- Food additives, complex food additives, flavorings, vegetable extracts as flavor substances and raw materials, starter cultures of microorganisms and bacterial starter cultures, technological aids, including enzymes.

Importers must register the products subject to sanitary-epidemiological control with Rospotrebnadzor prior to importation. In lieu of registration, importers may provide a Sanitary-Epidemiological Conclusion on the product. The list of products, procedure, and standard form of state registration is at: <http://www.tsouz.ru/db/techregulation/sanmeri/Pages/default.aspx>.

Biotech Crops

Since 2000 the Russian government has required registration of biotechnology crops (events) and has monitored marketing of products derived from products of biotechnology. Russia currently allows 18 genetically engineered products (crops) to be legally imported to Russia for food use, including 10 corn lines, 4 soybean lines, 1 rice line, 1 sugar beet line, and 2 potato lines. Of these 18 lines, 13 are also registered for feed use, including 9 corn lines and all 4 soybean lines (for details please see Post's GAIN report [Biotechnology Annual 2011](#)). According to the current Russian legislation up to 0.9 percent of each biotech ingredient is considered adventitious and does not require labeling. Feeds are not subject to labeling. VPSS's instruction defines feed as biotech free if 0.5 percent or less of each component contains a non-registered biotech product, and if 0.9 percent or less of each component contains any registered biotech products.

Alcohol

Russia's Federal Law 171 of 1995 establishes the legislative groundwork for the production and handling of ethyl alcohol, alcohol products and products containing alcohol in the Russian Federation, including products with ethyl alcohol content exceeding 0.5 percent by volume of the final product, as well as the production and handling of beer, and the production and handling of natural beverages with alcohol content exceeding 1.5 percent and below 22 percent by volume manufactured from wine materials and produced without fortification with ethyl alcohol. This law delineates special

requirements for the production and handling of alcoholic beverages and products containing alcohol. Registration of data about the alcoholic beverages and products containing alcohol in the Unified State Automated Information System (UFAIS), which tracks production and turnover of ethyl spirit, is one of such special requirements. The goal of the UFAIS is to account for and control all distilled beverages in the Russian market and help the GOR collect all alcohol tax revenue. The Federal Service for Regulation of the Alcohol Market (FSRAM) regulates wholesale licensing and the Unified Federal Automated Information System.

Sanitary-Epidemiological Conclusion

Russian importers must register the products subject to sanitary-epidemiological control with the Rospotrebnadzor prior to importation. In lieu of registration, importers may provide a Sanitary-Epidemiological Conclusion (SEZ) on the product, which is issued by an office of Rospotrebnadzor.

The following documents are necessary to obtain SEZs for imported products:

- Completed application including:
 - a. Application form stamped by the applicant for conduct of inspection of the product being applied for,
 - b. Name and legal address of the applicant (for organizations)
 - c. Last name, first name, and patronymic of applicant or authorized representative;
- Contract or data about the contract to supply the product;
- Copies of documents confirming the product's safety for humans provided by authorities in the country of origin;
- Copies of the regulatory and/or technical documents (technical specifications, regulations, technical instructions, specifications, formulas/compositions, etc.) that were used when manufacturing the imported product;
- Consumer label, draft of consumer label, or data to be included on consumer label;
- Testing protocols and conclusions of the accredited labs (if available); and
- Product samples in the quantity or volume required to conduct a sanitary and epidemiological evaluation if there are no results from previously conducted expert examinations and no evaluation estimates of toxicological, hygienic, or other tests.

The importer must submit one set of documents. Documents in a foreign language must be translated into Russian.

The sanitary-epidemiological conclusion of a product is valid for one year.

Certificate of Conformity / Declaration of Conformity

If the product is registered in the Russian Federation, the Russian importer must obtain a Certificate of Conformity (or Declaration of Conformity) for each shipment. In practice, the Certificate of Conformity is valid for one year.

Customs Union Decision No. 319 and its amendments establish the import procedure for goods subject to mandatory conformity. These following products require a Certificate of Conformity:

- Tobacco products
- Animal, Bird, and Fish Feed: Compound feed and feed additives (e.g., soy meal, milk powder, etc.)
- Finished Food Products: Fish, coffee, tea, sugar, spices

A detailed list of products subject to mandatory conformity may be found in Russian at http://www.tsouz.ru/KTS/KTS17/Pages/P6_319.aspx.

To obtain certification, the applicant must submit the following documentation to the certification body:

- Contract,
- Invoice,
- Bill of lading (CMR),
- Veterinary certificate,
- Veterinary certificate (Form 2),
- Certificate of origin, and
- Label.

The charter/terms of reference of the applicant's business are also necessary, if this is a first application.

Regardless of the procedure for conformity confirmation, a sample from the lot of products is taken for identification and laboratory testing and a report is composed on the results of the laboratory tests. The samples are forwarded to an accredited laboratory, where they are tested. Upon completion of testing, the testing records are forwarded to the certification body. A similar set of documents is prepared to obtain the sanitary-epidemiological conclusion, which is issued by an office of Rospotrebnadzor. Based on these documents, the protocol of identification, the testing protocols, the sanitary-epidemiological conclusion and the certificate of conformity are issued.

Products not subject to mandatory certification require a Declaration of Conformity.

Products under veterinary control

CU Decision No. 317 and its amendments define the products under veterinary control:

<http://www.tsouz.ru/db/techregulation/vetmeri/Documents/Пр.1%20Единый%20перечень%20тов.pdf>.

This list includes the following categories:

- Live animals (all animals, including agricultural, domestic, wild, zoo, sea, commercial fur, circus, laboratory animals, etc.), live birds (all birds, including domestic, wild, ornamental, etc.), semen, and embryos
- All types of meat and meat by-products including poultry
- Milk and dairy products
- Food products of egg-processing
- Materials of animal origin
- Feed and feed additives for animals including pet food
- Fish and sea-products and products of their processing

Veterinary Health Certificate

Veterinary certificates are generally required for all products subject to veterinary control.

Please consult the current FAIRS Export Certificate report for a list of individual certificates.

Lists of Approved Establishments

In general, products under veterinary control are required to come from approved supplier lists. VPSS currently maintains such lists for the following U.S. commodities:

- [Feed and feed additives](#)
- [Feed and feed additives for dogs and cats](#)
- [Fish and seafood](#)
- [Beef \(including offal and fat\)](#)
- [Pork \(including offal and fat\)](#)
- [Poultry \(including offal and fat\)](#)
- [Prepared meat and poultry](#)
- [Hatching eggs and day-old chicks](#)

Establishments wishing to be added to the existing lists should contact the competent U.S. authority:

- USDA/Food Safety and Inspection Service,
- USDA/Animal and Plant Health Inspection Service, or
- U.S. Department of Commerce/National Marine Fisheries Service.

The Customs Union is temporarily exempting the following products from the list requirement:

- Animals and genetic material

- Bee products
- Raw materials of animal origin (skin, hair, raw furskins, feathers, etc.)
- Animal feed and feed additives of vegetable origin
- Composite products
- Gelatin, etc.

VPSS often issues conditions to source from approved establishments in the import (veterinary) permit. As a result, non-exempt commodities without a list of approved establishments (e.g., dairy) are routinely blocked from entry. Following WTO Accession, the list requirement will be trimmed back to permanently exempt products of plant origin, livestock genetics, and select processed products of animal origin, including dairy.

Import Permits

Permits are required for products subject to veterinary control, except for the following:

- feed additives for dogs and cats, as well as prepared feeds for cats and dogs, heat treated at the temperature not low than +70 ° C for at least 20 minutes in the consumer's (manufacturer) package;
- hunting trophies purchased at retail net and underwent full taxidermic process;
- medicines for animals duly registered in the Russian Federation.

Permits are the responsibility of the importer, and they apply to VPSS for them. Recently, Order No. 1 of the Ministry of Agriculture (January 9, 2008), which regulated the procedure of the issue of Import Permits, was replaced with new Order No. 404 of the Ministry of Agriculture of November 7, 2011. The new regulation came into force on December 16, 2011. According to the new regulations, VPSS will be in charge of issuing two kinds of import permits:

- Import (veterinary) Permit: valid for a calendar year and specifies the foreign supplier, Russian importing company, volume of goods, and border entry point.
- General (Import) Permit: valid for a calendar year and specifies the exporting country, border entry points, and exporting establishments. However, the procedure for the issue of the General Permit has not yet been finalized.

According to the new regulations, import permits are published in VPSS' online database named "Argus".

Products under phytosanitary control

CU Decision No. 318 of June 18, 2010, approved the Common List of Regulated Products (Materials, Commodities) Subject to Quarantine Phytosanitary Control. The list divided products into two groups: Regulated products of high phytosanitary risk, and Regulated products of low phytosanitary risk.

Phytosanitary Certificate

Imported products of low phytosanitary risk do not require a phytosanitary certificate issued by the exporting country, while high phytosanitary risk products require a phytosanitary certificate from the exporting country.

Phytosanitary certificates are issued for each lot of a product. A lot is a specified quantity (depending on the product) that meets the following requirements:

- the product was manufactured at one facility,
- the entire lot was manufactured during the same month, and
- the entire lot was transported in the same vehicle.

All of the above criteria must be met in order for a product to be described as a single lot. If, for example, products arrive in the same vehicle but were manufactured during different months, separate certificates and packaging descriptions will be assigned.

List of Quarantine Pests

Ministry of Agriculture's Order 456 of December 29, 2010, updated the Russian phytosanitary requirements and regulations for imported products of quarantine concern in accordance with the CU approach and international requirements. Order No. 456 approved two attachments that specified requirements by quarantine pest, by country, and by product groups. The Order confirmed that the Russian List of Quarantine Pests <<http://www.fsvps.ru/fsvps/laws/238.html>> remains unchanged, but the phytosanitary requirements are made product and country specific in accordance with the customs code of the Customs Union (Annex 1 to the Order 456). Annex 2 clarifies requirements for quarantine border control for high phytosanitary risk products (e.g., grain and grain products; planting seeds and planting materials; fresh fruits, vegetables, and nuts; table potato; cut fresh flowers; wood packaging materials) as well as low phytosanitary risk products. GAIN report [RS1102 Russia Updates Quarantine Regulations of Imported Products](#) provides detailed information on Order 456, on the list of quarantine objects that shall be controlled in products imported from the United States.

Import Quarantine Permits (IQP)

Since June 2011, in accordance with CU regulations, Russia stopped issuing Import Quarantine Permits (IQP) for imported plants and plant products, including products of high phytosanitary risk, and NO

LONGER REQUIRES IQP FOR IMPORTED PRODUCTS (See GAIN [RS1140 Russia No Longer Requires Import Quarantine Permit](#)). However, in August 2011, VPSS issued an instruction 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. The increased control will take place during the customs clearance process and effectively replace the import quarantine permit (IQP) (See GAIN [RS1141 VPSS Strengthens Border Quarantine Check](#)). If authorities detect a quarantined organism during quarantine inspections at border checkpoints, they have the right to decontaminate the shipment or return the shipment to the exporter. If decontamination is not possible, the authorities may dispose of the shipment in a manner compliant with phytosanitary rules.

Section VII: Other Specific Standards

Specific Standards for Meat and Poultry Products

Meat and poultry export requirements are frequently revised. Please consult the current requirements at [http://www.fsis.usda.gov/Regulations_& Policies/Russia_Requirements/index.asp](http://www.fsis.usda.gov/Regulations_&Policies/Russia_Requirements/index.asp)

Specific Standards for Marine Products

A label in the Russian language must contain information in accordance with the requirements of GOST P 51074 – 2003:

- Title (name) of the product (commodity name or biological name);
- Fishery location;
- Length and weight of fish (large, medium, small);
- Type of cutting (de-headed, eviscerated, sheet, pieces, etc.);
- Type of processing (salted, smoked cured by drying, etc.);
- Level of saltiness (lightly-salted, slightly-salted, medium-salted, strongly-salted);
- Name and location of the manufacturer [legal address including the country, if it is different from the legal address, then the address (addresses) of the production facility (facilities)] and the organization in the Russian Federation that is authorized by the manufacturer to accept claims from the customers on its territory;
- Trademark of the manufacturer (if available);
- Net weight;
- Nutritional value, vitamin content;
- Storage conditions;
- Period of time spent in storage for both live and frozen fish, for non-fish fishery subjects;
- Shelf life (use by date) for the foodstuffs included into the list of products adopted by the government of the Russian Federation, which are considered to be unfit for being used in accordance with the purpose upon completion of the term;
- Date of manufacture and date of packing [date, month, year (date, month and hour of completion of the technological process for special perishable products)];
- Composition of the product, including all food additives, flavorings, biologically active food additives, ingredients of the products having a non-traditional composition;
- Information about conformity confirmation (when the certificate of Conformity is available);
- Technique and conditions to manufacture ready to consume dishes (for semi-finished products/convenience food);
- Vacuumed packed (when vacuum packaging is used); and
- Location of the fishery area, length and weight of fish, type of cutting, type of processing, level of saltiness, composition of the product, and information on the preparation technique and/or consumption is indicated when required.

The new additions to sanitary and labeling requirements came into force on October 1, 2010. On April 21, 2010, the Chief Sanitary Officer of the Russian Federation approved Amendment No. 17 to SanPiN 2.3.2.1078-01 The Hygienic Requirements for Foodstuff Safety and Nutritional Value as regards to fish and fish products. The new sanitary rules are meant to improve the quality of frozen fish and products, specify weight of glaze applied on different categories of seafood, and provide the consumer with more detailed information regarding the product. Please refer to [GAIN RS1027 Amendments to the Russian Sanitary and Labeling Requirements for Fish](#) for more details.

Currently, the following national standards regulate consumer indices of the products in a particular group:

- GOST R 51493-99, Frozen cut fish and uncut fish, technical specifications;
- GOST R 51494-99, Frozen fillet of marine fish, technical specifications;
- GOST R 51495-99, Frozen squid, technical specifications;
- GOST R 51496-99, Frozen raw shrimp, blanched shrimp, and cooked shrimp, technical specifications;
- GOST R 51497-99, Fish, shellfish, and cuttlefish. dimensional categories.

Other imported goods from fish and seafood must have quality indices in accordance with interstate standards accepted in the CIS countries:

- GOST 1368-91, Fish, all types of processing, length and weight;
- GOST 24896-81, Live fish, technical specifications;
- GOST 814-96, Chilled fish, technical specifications;
- GOST 30314-95, Frozen scallop fillet, technical specifications.

Specific Standards for Wine, Beer and Other Alcoholic Beverages

There are countless acts of legislation covering alcohol, however the principal laws and legislative acts regulating Russia's alcohol imports (in addition to those indicated in Section I of this report) are:

- Federal Law No. 171 of November 22, 1995, "On State Regulation of Production and Handling of Ethyl Alcohol, Alcohol Products, and Alcohol Containing Products" (as amended through July 21, 2011);
- Resolution of the Government of the Russian Federation No. 866 of December 31, 2005, "On Labeling Alcohol Products with Excise Stamps" (as amended through March 9, 2010);
- Resolution of the Government of the Russian Federation No. 786 of December 21, 2005, "On Excise Stamps for Labeling Alcohol Products" (as amended through December 30, 2011);

- Customs Union Commission Decision No.257 of May 20, 2010, “Instructions on Filling in Customs Declaration and the Customs Declarations Forms” (as amended through April 7, 2011);
- Resolution of the Government of the Russian Federation No. 872 of December 31, 2005, “Certification Attached to the Shipment Customs Declaration” (as amended through October 10, 2007);
- Resolution of the Government of the Russian Federation No. 770 of December 25, 2006, amending the Resolution of the Government of the Russian Federation No. 55 of January 19, 1998, and repealing certain acts regarding the retail sale of alcohol products Federal Law No. 184 of December 27, 2002, “On Technical Regulation” (as amended through July 21, 2011);
- Resolution of the Government of the Russian Federation of February No. 15 of 24, 2009, “On the Federal Service for Regulation of the Alcohol Market ”;
- Order of the Federal Service for Regulation of the Alcohol Market No. 59n of October 26, 2010, “Technical Conditions in the Sphere of Production and Turnover of Alcoholic and Spirits-Containing Production as regards Storage of Alcoholic and Spirits-Containing Production, Packed in Consumer Package”;
- Resolution of the Government of the Russian Federation No. 261 of April 21, 2010, “On issue general license of ethyl spirits and alcohol production import”;*
- Resolution of the Government of the Russian Federation No. 858 of December 31, 2005, “On Providing Declaration on Volume Production, Usage of Ethyl Spirit, Alcoholic and Alcohol-Containing Products” (as amended through January 26, 2010);
- Resolution of the Government of the Russian Federation of August 25, 2006, No. 522, “Functioning of the Unified State Automated Information System for Accounting Volume of Production and Turnover of Ethyl Spirit, Alcoholic and Alcohol-Containing Products” (as amended through March 9, 2010);
- Federal Law No. 38 of March 13, 2006 “On Advertising” (as amended through July 21, 2011);
- Resolution of the Chief Medical Officer of the Russian Federation No. 46 of June 29, 2009, “On Supervision over alcohol products”.

Key Russian national standards for alcohol are:

GOST P 51074-2003 (as amended of January 1, 2011) – Food products. Information for consumer. General requirements - part 3, wine - 4.17, beer - 4.18.4, vodka and strong alcohol products - 4.19;

GOST P 52194-2003 - Vodkas & Special Vodkas, Liqueur and Vodka Products. Packaging, labeling, transportation and storage;

GOST P 52523-2006 – Table wines and table wine stocks. General Specifications;

GOST P 51174-2009 – Beer. General Specifications.

In addition to the general information required for a majority of all imported products, the following specific requirements apply:

- For beer- The type of beer (light, semi-dark, dark), the value of alcohol by percent (except for non-alcoholic beer and special beer with aromatic and flavored additives), the minimum percentage of ethyl alcohol by volume, bottling date, the composition of the primary raw materials used to manufacture the beer, and the nutritional value must be on the label.
- For wine- In addition to the name and address of the producer, and the organization in the Russian Federation that is authorized to accept claims from the consumer in Russia (if available), the facility that bottled the wine, bottling date or the date it matures (for sparkling wines that age in bottles); the percentage of ethyl alcohol by volume, the mass concentration of the sugars (except for dry wines) should also be indicated. For sparkling wines, flavored wines, and ciders, the name based on the sugar content; the year of harvest (for controlled appellation wines based on the location, as well as for mature wines prepared from the grapes harvested during one year); the expiration date for wine in which the percentage ethyl alcohol by volume is less than 10%, and nutritional value should be indicated on the label as well.
- For alcoholic beverages- The volume of ethyl alcohol, concentration of sugar (if sugar is in the formulation) by mass, bottling date, the composition (including the list of the primary ingredients influencing the taste and the aroma of the product), the expiration date for beverages in which ethyl alcohol by volume is less than 10 percent.

As of February 1, 2007, a mandatory warning must be displayed on the label about the health risks of excessive alcohol consumption.

Russian regulatory documentation requirements are more prescriptive than those of the Customs Union for particular quality and safety indices of the alcohol products. For example, the following information is required:

- Content of methanol, fusel oil, aldehydes, and esters in cognac and brandy;
- Volume of iron in cognac/brandy;
- Volume of total sulfur dioxide, citric acid, reduced extract in wines, in addition to exclusive requirements for the absence of sediment (deposits) in wines (crust on the walls of the bottle or on the bottom of the bottle is only acceptable in special collection wines); and
- Content of preservatives and microorganisms in beer and other low alcohol beverages.

Information about the state registration and declaration of conformity obtained is entered into a document attached to the shipment's customs declaration that is required for alcoholic products to enter Russian territory. This document also contains information about excise stamps. When buying and shipping ethyl alcohol (including denatured alcohol), if a non-consumer packaged product contains alcohol, and the ethyl alcohol content makes up more than 60 percent of the final product, one must obtain an additional document. This document contains a reference to the number of the Russian national technical regulation or technical specifications with which the product must comply.

The Customs Union has drafted a Technical Regulation on the Safety of Alcoholic Beverages (TR), which has already gone through the public comment period and now is pending interstate approval. The TR sets unified mandatory requirements for alcoholic products and its processes of manufacturing, storage, transportation, disposal and recycling, as well as mandatory requirements to terminology, packaging, labeling, ensuring product safety and preventing action misleading consumers, and systematizing the provisions of the regulations of the CU Members. The TR could become effective as early as March 2012.

Section VIII: Copyright and/or Trademark Laws

Russian intellectual property (IP) legislation consists for the most part of the Civil Code of the Russian Federation, specifically its Part Four (“Part IV of the Civil Code”) put into force in 2008 by Federal Law No. 230-FZ dated December 18, 2006. Part IV of the Civil Code along with Federal Law No. 231-FZ dated December 18, 2006 “On Enacting Part Four of the Civil Code of the Russian Federation” (the “Enactment Law”) have replaced or amended accordingly as of 1 January, 2008 all preceding individual IP laws. Part IV of the Civil Code represents a codification of pre-existing IP laws, which have been compiled as respective chapters in Part IV of the Civil Code, partially unaltered, with just certain instances where significant amendments have been made. Parts I-III of the Russian Civil Code also set out certain general provisions pertaining to legal protection of IP rights. Part IV covers a broad range of IP-related goods and activities, which are subject to the same principles of protection and sanctions in the case of infringement in compliance with international treaties and practices, in particular the WTO Trade-Related Intellectual Property Agreement (TRIPS).

Any foreign legal entity or individual may seek protection for its/his/her intellectual property rights in Russia, provided that the requirements of the law are satisfied. Russia is a signatory to major international treaties on intellectual property rights, including the Universal Copyright Convention, the Paris Convention for the Protection of Industrial Property, the Madrid Agreement on the International Registration of Trademarks, the Protocol to the Madrid Agreement, the Singapore Treaty on the Law of Trademarks, and the WIPO Copyright Treaty.

Trademarks are governed by Chapter 76 of Part IV of the Civil Code. The provisions regulate registration and protection of trademarks (including well-known marks), service marks, firm names, and appellation of origin/geographical indications. Infringement of rights to a trademark, service mark or appellation of origin of goods may entail civil, administrative or criminal liability.

Trademarks and Service Marks

Under Part IV of the Russian Civil Code, trademarks (service marks) are designations individualizing goods or services of legal persons and individual entrepreneurs. Legal protection of trademarks and service marks is granted by virtue of their registration with Russia’s Federal Service on Intellectual Property, Patents and Trademarks (Rospatent) or by virtue of international agreements to which the Russian Federation is a party. A mark may be represented by a word or words, pictures, three-dimensional signs and other designations or combinations thereof. A trademark may be registered in any color or color combination.

Trademark and service mark protection is granted for ten years from the filing date of the application, and may be renewed during the last year of its validity for subsequent ten year period. Trademark and service mark registration is cancelled if its term expires without having been renewed. Trademark and service mark legal protection may be terminated upon a request from an interested party in respect of all

or part of the respective goods and services due to non-use of the trademark or service mark during any continuous three year period counted from the registration date. Assignments and licenses of trademarks and service marks must be registered with Rospatent. In the absence of such registration, they are deemed null and void.

Appellation of Origin of Goods

An appellation of origin of goods is a name constituting or containing a current or historical denomination of a country, settlement, locality or other geographic unit (hereinafter referred to as a “geographic unit”) or a derivative of such denomination that has become known as a result of its use with respect to goods the specific features of which are mainly or exclusively determined by natural conditions or human factors which are characteristic of such geographic unit. A designation which, through representing or containing the name of a geographic unit, has entered in the Russian Federation into the public domain as a designation of goods of a certain kind (has become generic), which goods are not related to the place of their manufacture, may not be deemed to be the appellation of the origin of those goods.

Legal protection is given to an appellation of origin of goods based on its registration with Rospatent. An appellation of origin of goods may be registered in the name of one or more persons. The person or persons that have duly registered an appellation of origin of goods obtain the right to use such appellation, provided that the goods manufactured by such person(s) satisfy the criteria mentioned above. The right to use an appellation of origin of goods may be granted to any legal entity or individual which produces goods with the same specific features within the same territory. The term of protection is granted for ten years from the date of filing the application, and may be renewed for subsequent ten year period. The owner may not grant licenses for use of the appellation of origin of goods.

Section IX: Import Procedures

Exporting products into the Russian Federation can be a difficult task for inexperienced U.S. exporters, because import requirements and customs clearance rules frequently change as a result of the Customs Union and Russia's pending WTO accession. Therefore, it is recommended that the importer, with the help of up-to-date information sources, check all import documents closely and not violate Russian laws and Russian agencies' product-specific regulations.

While the formation of the Customs Union is expected to ultimately allow performing customs clearance of imported goods on the external border of the Customs Union, currently, during a transitional period as defined by Article 368 of the CU Customs Code, the CU customs declaration is based on the "residency principle", i.e. the applicant shall submit a customs declaration only to specific customs bodies of the country where the applicant is registered or permanently lives in the CU. The Residency Principle will apply until entry into force of a relevant international agreement between the CU member states allowing the presentation of the goods declaration to any customs office in the CU.

Meanwhile, the goods that are supplied into Russia through Kazakhstan and Belarus are placed under the transit customs regime at the external border of the Customs Union and are finally released for free circulation by the Russian customs authorities.

It is recommended that customs clearance be carried out by an agency located in the country where the customs clearance must be performed, or at least by a representative of this party *in situ*.

Import permits are issued in the name of physical or legal entities that are officially registered in the territory of the Russian Federation with the Russian tax authorities. Typically, a product's exporter handles export customs-clearance and the product's importer handles import customs-clearance.

CU Classification of Commodities and Customs Tariff

All imported commodities are classified in accordance with the Codes of the Customs Commodities' Nomenclature of the Foreign Economic Activity of the Customs Union. The descriptions of the new edition of the Nomenclature and the CU Customs Tariff, to be applied as of January 1, 2012, can be found online at <http://www.tsouz.ru/db/ettr/tnved2012/Pages/default.aspx>. The CU codes are similar, but not identical, to the U.S. Customs Service Harmonized Code numbers. The new CU Commodity Codes are based on the HS Nomenclature 2012 Edition.

Customs Payments

Customs duties, fees, and the value-added tax (VAT) are usually paid in advance to avoid delays in customs clearance. Customs duties, payments, and taxes depend on the type of product and are calculated based on the customs value of the product. The customs value of goods imported into the

CU, which is used as a basis for calculation of the import custom duties and taxes, includes the cost of goods, insurance costs and transportation costs on transportation of the goods to the customs border. Depending on the actual circumstances, including contractual arrangements, an importer may in addition have to include royalties (payable for the right to use trademarks and other IP rights in order to resell the goods) or other income into the customs value of those goods, provided that the importer must directly or indirectly (e.g., via third parties) pay those royalties, other license fees and/or other income as a direct consequence of importation of the goods being valued at customs.

Traders should use the CU Customs Tariff and the Russian Tax Code to calculate customs duties and fees. Customs duties, fees, and payments are calculated based on rates from the customs value of the goods and are assigned while developing the consignment's customs declaration. Tariff rates are subject to change, so importers and exporters should monitor amendments to the tariff schedule.

Approximately three days before the shipment is due to arrive; the importer must transfer money into a designated bank deposit to pay for customs fees and taxes based on the shipment's value.

Customs Clearance

Customs clearance usually occurs at the point of destination and typically takes between 2 and 4 days. In Russia, imported goods may not be legally released for free circulation until the customs authorize the delivery (entry) of the goods into mainland Russian territory, confirmed by a special ("vypusk razreshyon" - release granted) stamp of the customs authorities placed on the customs declaration. Imported goods are normally cleared at customs either before their shipment to Russian customs territory or at the time the goods reach the designated customs house/post (and are placed in a special temporary customs warehouse, if needed).

Customs clearance is normally completed by the importer filing the appropriate documents. The main document required for customs clearance is the customs declaration, which should be filed by the importer (or a customs agent acting on its behalf). The importer is also required to submit the following documents:

- A customs declaration;
- Documents confirming the authority of an entity or individual(s) to represent the importer/exporter before the customs authorities (e.g., customs broker agreement or power of attorney);
- Documents confirming the legal capacity of the entities, data on which is indicated in the customs cargo declaration, to operate on Russian territory (e.g., statutory documents, the accreditation certificate of the branch or representative office of a legal entity, the passport (ID) of an individual, the state registration certificate of a legal entity or individual entrepreneur, etc.);
- Relevant tax registration documents of such entities;

- Supporting documentation with respect to the declared customs value of the goods (e.g., foreign trade contract, payment documentation, exporter’s official price lists, etc.);
- A foreign-trade contract and/or other commercial documents relevant to the products being declared, as required for the selected customs regime (e.g., commercial invoice from the supplier/exporter, shipping documentation, e.g. for sea transportation – the Bill of Lading, for vehicle transportation - CMR);
- A “transaction passport” for the foreign-trade contract, which is a currency control document issued by the importer’s Russian bank (the Russian importer would have to provide the supply contract with its foreign supplier to its local bank for the purposes of opening and registering the “transaction passport”);
- Documents proving the right to apply tariff preferences or tax benefits, if any;
- A country of origin certificate;
- A certificate of conformity, declaration of conformity, sanitary registration certificate;
- Supporting payment documents proving that the relevant customs payments have been made (e.g., cash payment orders, other payment documentation);
- Documents proving the provision of security for making customs payments; other guarantees, if required (if customs payments have been made in full for the customs clearance of imported products, this provision would not be applicable);
- Transportation documents for international carriage of goods;
- A phytosanitary certificate and/or veterinary health certificate, if applicable;
- Other certificates and licenses, if required.

These documents must be issued in the name of the importer and must be in the Russian language. The above is a general list of the documents required for the customs clearance of goods under any customs regime declared for importation into Russia; the list of the required documents may be expanded for a given customs regime. At the request of the customs authorities, the importer should also present additional documents relevant to the importation at issue.

By law, the customs clearance of goods in Russia should be performed within one day after the importer, and the Russian customs authorities have accepted all the required documentation. However, because the moment when this term starts running is controlled by the customs authorities, in practice the customs clearance process may take longer than the statutory term.

According to the Customs Code of the Customs Union, the customs clearance of goods is shortened to just one day after receipt of the customs declaration (under the Russian Customs Code the goods should have been cleared within 3 days). At the same time, the legislation provides for the right of a customs inspector to extend that term by up to ten days at his/her discretion.

Pre-Arrival Submission

CU Decision No. 899 of December 9, 2011, <http://www.tsouz.ru/KTS/KTS33/Pages/R_899.aspx> mandates pre-arrival submission of information about goods imported into the CU customs territory by automobile transport two hours prior to the good's arrival. The requirement will come into force in late June 2012.

The scope of pre-arrival submission shall be as follows:

- The sender, recipient of the goods in accordance with the transportation (shipment) documents; their name and address;
- The seller and the buyers of the goods in accordance with the commercial documents of the carrier
- Country of origin, country of destination;
- The declarant;
- The carrier, its name and address;
- The vehicle of international transport, which carried the goods, or its state registration;
- The name, quantity, value of goods in accordance with the commercial, transportation (shipment) documents;
- Code of the goods in accordance with the Harmonized Commodity Description and Coding System or the Nomenclature of Foreign Economic Activity of the Customs Union for at least the first six digits;
- Gross weight or volume of goods, as well as the quantity of goods in additional units (if such information is available) for each code of the Nomenclature for Foreign Economic Affairs of the Customs Union or the Harmonized Commodity Description and Coding System;
- The number of packages; their labeling and types of packaging;
- The destination of the goods in accordance with the transportation (shipment) documents;
- Documents confirming compliance with the restrictions associated with the movement of goods across the customs border of the Customs Union, if such movement is permitted;
- Planned transshipment of goods or cargo operations in a way;
- Time and place of arrival of goods into the customs territory of the Customs Union. Availability of goods whose import into the customs territory of prohibited or restricted;
- About the place and date of drawing up international commodity transport bill of lading;

Typical Errors When Supplying Foodstuffs to Russia

Listed below are the most common reasons for prohibiting or suspending suppliers' imports of foodstuffs to Russia:

- Absence of the sanitary-epidemiological conclusion for the products (55.4%);
- Absence (non-conformity) of labeling (41.0%);
- Non-conformity with sanitary-hygienic requirements (2.4%); and

- Non-conformity with transportation terms and conditions (1.2%).

Sometimes imports are detained because importers (legal entities, individual entrepreneurs) do not request official information from the producer about the safety of the product, including the use of pesticides. The contracts signed to supply the food products do not spell out the issues relating to labels in the Russian language; and/or return of potentially dangerous products to the supplier is not specified. Other problems include price discrepancies, documentary discrepancies (e.g., wrong health certificate, different products described in bill of lading and health certificate), supplying meat products from uncertified (unapproved) facilities, and failure to pay fees.

Exporters should be prepared for requests for the following documents from importers:

- For food materials of plant origin – information about the pesticides used when growing the plants, fumigation of the premises, storage methods of pest control, etc.;
- For food materials of animal origin – information about the use of veterinary preparations indicating the name and the withdrawal period; and
- Documents confirming the quality and safety of products for human consumption.

The above documents must include a contract between the buyer and the supplier, a consignment layout showing how the transportation vehicle was loaded (e.g., on pallets), and an export declaration showing the value of the consignment.

Appendix I: Government Regulatory Agency Contacts

1. Federal Service for Veterinary and Phytosanitary Surveillance (Rosselkhoznadzor)
107139 Moscow, Orlikov per., 1/11
Tel: 011 7 (499) 975-4347
Fax: 011 7 (495) 607-5111
<http://www.fsvps.ru>

Rosselkhoznadzor reports to the Ministry of Agriculture: <http://www.mcx.ru/>

2. Federal Service for Protection of Consumer Rights and Human Well-Being (Rospotrebnadzor)
Moscow, Vadkovskiy per. 18/20
Tel: 011 7 (499) 973-2690, 973-2666, 973-1803, 973-2674
Fax: 011 7 (495) 200-0212, 258-4497
Certification Center Tel: 011 7 (499) 973-1571, 973-1976, 973-2710
<http://www.rospotrebnadzor.ru/>

Rospotrebnadzor reports to the Ministry of Health and Social Development:
<http://www.minzdravsoc.ru/>

3. Federal Service for Technical Regulation and Metrology (Rosstandart)
Moscow, Leninskiy Prospekt, 9
Tel: 011 7 (495) 236-0300, 237-5468
Fax: 011 7 (495) 236-6231, 237-6032
<http://www.gost.ru/wps/portal/>

Rosstandart reports to the Ministry of Industry and Trade: <http://www.minpromtorg.gov.ru/>

4. Federal Service for Regulation of the Alcohol Market (Rosalkoholregulirovniye)
125993, Moscow, Miusskaya pl. 3, bld. 4
Tel: 011 7 (495) 662-5052
<http://www.fsrar.ru>

Rosalkoholregulirovniye reports directly to the Government of the Russian Federation:
<http://government.ru/eng/#>

5. The Federal Customs Service of Russia (FTS)
121087, Moscow, Novozavodskaya ul. 11/5
Tel: 011 7 (499) 449-7771, 449-7675
Fax: 011 7 (495) 913-9390, (499) 449-7300
<http://eng.customs.ru/>

FTS reports directly to the Government of the Russian Federation: <http://government.ru/eng/#>

6. Secretariat of the Customs Union Commission
119121 Moscow, Smolensky blvd., 3/5

Tel: 011 7 (495) 604-4038
Fax: 011 7 (495) 607-5111
<http://www.tsouz.ru>

Appendix II: Other Import Specialist Contacts

Certification bodies

- VNIIS – issues certificates of conformity
All-Russian Scientific-Research Institute for Certification (VNIIS)
Electricheskiy per. 3
Moscow
tel. 011 7 (495) 253-3580, fax 911 7 (495) 253-3360
- Russian State Agricultural Research Institute of Control, Standardization, and Certification of Veterinary Substances
Moscow, Zvenigorodskoye Shosse 5
tel. 011 7 (495) 253-1491, 253-1472, 256-0381
- ROSTEST– all procedures for quality control and safety control
“Rostest - Moskva”, Russian Center for Test and Certification, GOSSTANDART
Nakhimovsky prospect, 31
117418 Moscow
tel. 011 7 (495) 129-3200, fax 011 7 (495) 124-9966
- REA-TEST
Stremyanniy per., 36
Moscow
tel. 011 7 (495) 958-2939
- PRODEKOTEST
Kozhevnickeskaya ul., 1a
Moscow
tel. 011 7 (495) 235-7390
- ROS-TEST, St. Petersburg
2, Babushkina Str., office 404
St. Petersburg
Tel.: 011 7 (812) 923-8223
Fax: 001 7 (812) 335-0511
www.ros-test.ru

Attachment I: Sample Declaration of Safety of Food Products of Plant Origin

(the letter shall be in Russian, the courtesy translation is FAS Moscow's):

Декларация Безопасности пищевой продукции растительного происхождения, поставляемой в
Российскую Федерацию согласно норм, касающихся остаточного содержания пестицидов.

Нитратов и нитритов, установленных российским законодательством

Declaration of Safety of Food Products of Plant Origin (of Phytogenesis) Delivered to the Russian
Federation According to Norms, Concerning Pesticides Residues, Established by the Russian
Legislation

Наименование и адрес экспортера/

Name and address of the exporter _____

Наименование и адрес получателя/

Name and address of the receiver _____

Продукция, поставляемая транспортом/

The products supplied by transport _____

По Фитосертификату №/by phytosanitary certificate # _____

Обрабатывалась защитными средствами из нижеперечисленного списка/

have been treated with the plant protection products listed below:

Product name	Country	Quantity	Netto weight, kg	Brutto weight, kg	Pesticides (plant protection products)	Active ingredient	Date of application	Content of active ingredient in products mg/kg DOSAGE
Examples:								
Grapes					Stroby	Kresoxim methyl	Oct. 10	<0.5 ppm 0.7 -?/ha
Grapes					Success 48	Spinosad	October 25	<0.5 ppm 100 cc/ha

Подпись/Signature _____

Печать/Stamp _____

Дата/Date _____