

Voluntary Report – Voluntary - Public Distribution

Date: May 12, 2021

Report Number: RS2021-0016

Report Name: Draft Amendments to EAEU Regulation on Food Labeling
Notified to WTO

Country: Russian Federation

Post: Moscow

Report Category: WTO Notifications, Sanitary/Phytosanitary/Food Safety, FAIRS Subject Report

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Report Highlights:

Russia notified the World Trade Organization (WTO) of draft amendments to the Eurasian Economic Union (EAEU) Technical Regulation (TR) on Food Products Labeling via G/TBT/N/RUS/113 and G/TBT/N/RUS/116. The draft measure aims to update the TR based on the results of its application, as well as harmonize it with some EU and Codex documents on food labeling. The public comment period for the draft will close on June 24, 2021. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology at ncsci@nist.gov. For potential inclusion in the U.S. official position, please send your comments by June 9, 2021.

General Information

The Eurasian Economic Commission (EEC), which is the regulatory body of the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union¹ (EAEU), published the following draft document on its website:

- [Draft Amendments No. 4 to the Technical Regulation of the Customs Union “On Food Products Labeling” \(TR TS 022/2011\)](#)

On April 16, 2021, Russia notified the World Trade Organization (WTO) of the above draft via [G/TBT/N/RUS/113](#). On April 22, 2021, Russia notified the same document again via [G/TBT/N/RUS/116](#), apparently in an effort to clarify that the measure refers to food products labeling. The public comment period for the draft will close on June 24, 2021. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology at ncsci@nist.gov. For potential inclusion in the U.S. official position, please send your comments by June 9, 2021.

According to the EEC explanatory note, the draft measure clarifies a number of provisions of the Technical Regulation (TR) based on the results of its application. The amendments also bring the TR in line with the EU Regulation No. 1169/2011 in terms of disclosing the information on the use of plant and animal oils and fats as part of the mandatory nutrition declaration. Additionally, the information on the components that can cause allergic reactions will be clarified and supplemented. The TR will also be harmonized with the requirements of the Codex Alimentarius Commission Guidelines on Nutrition Labelling (CXG 2-1985, Rev.6-2017) in terms of indicating proteins, fats, carbohydrates and trans isomers of fatty acids, as well as clarification of the requirements for the norms of the physiological need for nutrients.

An unofficial English translation of the notified measure can be found below.

For translation of the full text of the original Technical Regulation of the Customs Union “On Food Products Labeling” please see GAIN report [RSATO1211 Customs Union Technical Regulations on Food Products Labeling](#). For information on previous amendments to this document please see GAIN reports [RS1417 Draft Amendments to CU TR on Food Labeling on required information on GMOs](#), [RS1604 Draft Amendments to EAEU Food Labeling Regulation](#) and [RS1626 Draft TBT Measure on Food Labeling Notified to WTO](#).

¹ For details, please see 2016 GAIN report [RS1611 Eurasian Economic Union One Year On](#).

BEGIN UNOFFICIAL TRANSLATION:

**EURASIAN ECONOMIC COMMISSION
COUNCIL**

DECISION

_____ 20____ No. _____ city

On Amending the Technical Regulation of the Customs Union “On Food Products Labeling” (TR TS 022/2011)

In accordance with article 52 of the Treaty on the Eurasian Economic Union of May 29, 2014, and paragraph 29 of Annex No. 1 to the Rules of Procedure of the Eurasian Economic Commission approved by Decision of the Supreme Eurasian Economic Council No. 98 of December 23, 2014, the Council of the Eurasian Economic Commission **has resolved:**

1. To amend the Technical Regulation of the Customs Union “On Food Products Labeling” (TR TS 022/2011), approved by Decision of the Customs Union Commission No. 881 of December 9, 2011, in accordance with the attachment.

2. The present Decision shall come into effect after 180 calendar days from its official publication.

Members of the Council of the Eurasian Economic Commission

**From the
Republic of
Armenia**

**From the
Republic of
Belarus**

**From the
Kyrgyz Republic**

**From the
Republic of
Kazakhstan**

**From the
Russian
Federation**

**AMENDMENTS
TO THE TECHNICAL REGULATION OF THE CUSTOMS UNION “ON FOOD PRODUCTS
LABELING” (TR TS 022/2011)**

1. Throughout the text of the technical regulation and its annexes, the words “Customs Union” shall be replaced with the words “Eurasian Economic Union” in the corresponding number and case.

2. Section “Contents”:

a) the title of Annex No. 2 shall read as follows:

“Recommended Daily Intake of Essential Nutrients and Energy for Adults for Food Labeling (Reference Values)”;

b) to supplement with the following structural element:

“Annex No. 6. Conversion factors for vitamin equivalents.”

3. Throughout the text of the technical regulation, the words “average daily requirement” shall be replaced with the words “recommended daily consumption” in the corresponding case.

4. In article 4:

a) Item 1 of part 4.4 shall be supplemented with the following paragraph:

“It is allowed to group refined vegetable oils in the composition of food products in the form of a single entry “vegetable oils”, to be followed by the list of names of specific oils included in the composition and the phrase “in various proportions” in brackets. The grouped refined vegetable oils in the list of components are indicated in accordance with the requirements of the first paragraph of this paragraph, taking into account their total amount in the food product”.

For example, vegetable oils (soybean, sunflower, rapeseed) unmodified and modified in various proportions.

b) Item 14 of part 4.4 shall read as follows:

“14. The most common components, which can cause allergic reactions or intolerance, or are contraindicated in certain types of diseases, include:

1) peanuts and products of its processing;

2) aspartame and aspartame-acesulfame salt;

3) mustard and products of its processing;

4) sulfur dioxide and sulfites, if their total content is more than 10 milligrams per one kilogram or 10 milligrams per one liter in terms of sulfur dioxide, calculated for products ready for use or reconstituted according to the manufacturer’s instructions;

5) cereals containing gluten (gluten), namely: wheat (including spelt, kamut), rye, barley, oats or their hybrid variants and products of their processing, with the exception of:

a) wheat-based glucose syrup, including dextrose;

b) wheat-based maltodextrins;

c) glucose syrup based on barley;

d) cereals used to obtain distillates and ethyl alcohol from food raw materials”;

6) sesame seeds and products of their processing;

7) lupine and products of its processing;

8) mollusks and products of their processing;

9) milk and its processed products (including lactose), with the exception of the following:

- a) whey used to obtain distillates and ethyl alcohol from food raw materials”;
 - b) lactitol;
- 10) nuts, namely: almonds (*Amygdalus communis* L.), hazelnuts (*Corylus avellana*), walnuts (*Juglans regia*), cashews (*Anacardium occidentale*), pecans (*Carya illinoensis* (Wangenh) K. Koch) Brazil nuts (*Bertholletia excelsa*), pistachios (*Pistacia vera*), macadamia or Queensland nuts (*Macadamia ternifolia*) and products of their processing, except for those used for the production of distillates, including ethyl alcohol from food raw materials;
- 11) crustaceans and products of their processing;
- 12) fish and products of its processing, with the exception of the following:
- a) gelatin obtained from fish and used as a carrier of vitamins or carotenoid preparations;
 - b) gelatin obtained from fish and fish glue and used as a clarifying agent in the production of wine and beer;
- 13) celery and products of its processing;
- 14) soybeans (beans) and products of their processing, with the exception of the following:
- a) fully refined soybean oil and soybean fat (beans);
 - b) a mixture of natural tocopherols (E306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, natural D-alpha tocopherol succinate, made from soybeans (beans);
 - c) phytosterols and their esters made from vegetable oils, obtained from soybeans (beans);
 - d) plant stanol esters made from vegetable oil sterols obtained from soybeans (beans);
- 15) eggs and products of their processing;
- c) item 1 of part 4.9 shall read as follows:
- “1. The nutritional value of food products indicated in its labeling includes the following indicators:
- 1) energy value (calorie content);
 - 2) the amount of proteins;
 - 3) the amount of fat, including saturated fatty acids;
 - 4) the amount of carbohydrates;
 - 5) the amount of vitamins and minerals;
 - 6) the amount of salt (determined by calculation);
- d) item 7 of part 4.9 shall read as follows:
- “7. The amount of proteins, fats (including saturated fatty acids), carbohydrates, salt and the energy value (caloric value) of food products should be indicated for proteins, fats (including saturated fatty acids), carbohydrates, salt and energy value (caloric value), if their content in 100 grams or 100 milliliters or in one serving of food products (in case the nutritional value is indicated per serving) is 2 or more percent of the values reflecting the recommended daily intake for an adult of these nutrients. In other cases, the amount of proteins, fats (including saturated fatty acids), carbohydrates, salt and the energy value of food products may be indicated at the discretion of the manufacturer”;
- e) item 5 of part 4.9 shall be supplemented with the following words “unless otherwise specified in the technical regulations of the Eurasian Economic Union for certain types of food products”;
- f) item 16 of part 4.9 shall be amended as follows:
- “16. When determining the amount of vitamins, conversion factors should be used in accordance with Annex No. 6 to this Technical Regulation”;
- g) item 4 of part 4.12 shall be amended as follows:
- “4. In the event that the area of the larger side of the consumer packaging of food products does not exceed 10 square centimeters, the information provided for in sub-item 2 (except for the information provided for in item 13 of part 4.4 of this article) and sub-items 3, 7-11 of item 1 of part 4.1 of this article must applied to the consumer package and (or) on the label and (or) leaflet placed in each consumer package or in each transport package or attached to each consumer package or to each transport package”;
- h) item 8 of part 4.12 shall be amended as follows:

“8. Labeling of food products should not contain, unless otherwise specified in the technical regulations of the Eurasian Economic Union for certain types of food products, an image or text description of food products that are not contained in the consumer packaging or were not used in the production of food products or food products components in the consumer packaging, or the taste and (or) aroma of which are not imitated by the components that make up food products in the consumer packaging, except for the cases provided for in item 9 of part 4.12 of this article.”

5. Annex No. 1. The first line should read as follows:

Refined animal fats	Fat with indication of origin: animal
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6. Annex No. 2 shall read as follows:

“Annex No. 2 to the Technical Regulation of the Customs Union “Food Products Labeling” (TR TS 022/2011)

Recommended daily intake of essential nutrients and energy for adults for food labeling purposes
(Reference values)

Basic nutrients	Reference value
Energy value, kJ / kcal	8370/2 000
Proteins, g	50
Fat, g	66
including polyunsaturated fatty acids, g	8.8
including saturated fatty acids, no more, g	20.0
Digestible carbohydrates, g,	260
of which sugar, g	90
Dietary fiber, g	20
Salt, g, no more	5*
Minerals:	
Calcium, mg	1000
Phosphorus, mg	700
Iron, mg	14
Magnesium, mg	310
Zinc, mg	11
Iodine, mcg	150
Potassium, mg	3 500
Selenium, mg	0.06
Copper, mcg	900
Manganese, mg	3
Molybdenum, mcg	45
Vitamins:	
Vitamin A (mcg, RAE, or RE)	800
Vitamin D, µg	10**
Vitamin E, mg	9
Vitamin C, mg	100

Thiamine, mg	1.2
Riboflavin, mg	1.2
Niacin, mg	15
Vitamin B ₆ , mg	1.3
Folic acid (DFE), µg	400
Vitamin B ₁₂ , µg	2.4
Biotin, mg	0.03
Pantothenic acid, mg	5
Vitamin K, µg	60
* The amount of salt is equal to the amount of sodium × 2.5.	
**10 mcg cholecalciferol - 400 IU vitamin D.	

7. Supplement the Technical Regulation with Annex No. 6 as follows:

Annex No. 6 to the Technical Regulation of the
Customs Union “Food Products Labeling”
(TR TS 022/2011)

Conversion factors for vitamin equivalents

Vitamin	Food equivalents	
Nicotinic acid	1 mg of nicotinic acid equivalents (NE) =	1 mg of nicotinic acid 60 mg of tryptophan
Folic acid	equivalents of 1 µg of dietary folic acid (DFE) =	- 1 µg of dietary folic acid; - 0.6 µg of folic acid (synthesized) as part of a food product enriched with this vitamin or as part of a dietary supplement; - 0.5 µg of folic acid (synthesized) as part of dietary supplements when taken on an empty stomach
Vitamin A	1 µg of retinol activity equivalents (RAE) =	- 1 µg of retinol - 12 µg of β-carotene - 24 µg of other carotenoids (provitamin A)
	1 µg of retinol equivalents (RE) =	1 µg of retinol 6 µg of β-carotene 12 µg of other carotenoids (provitamin A)
Vitamin E	1 mg of α-tocopherol	1 mg of RRR-α-tocopherol (d-α-tocopherol)

**EURASIAN ECONOMIC COMMISSION
COLLEGIUM**

Draft

DECISION

_____ 20____ No. _____ city

On the Procedure for Implementation of Amendments the Technical Regulation of the Customs Union “On Food Products Labeling” (TR TS 022/2011)

In accordance with article 52 of the Treaty on the Eurasian Economic Union of May 29, 2014, and paragraph 11 of Annex No. 2 to the Rules of Procedure of the Eurasian Economic Commission approved by Decision of the Supreme Eurasian Economic Council No. 98 of December 23, 2014, the Collegium of the Eurasian Economic Commission **has resolved:**

1. To establish the following:

a) during 18 months from the date of entry into force of amendments to the Technical Regulation of the Customs Union “On Food Products Labeling” (TR TS 022/2011), introduced by decision of the Council of the Customs Union Commission dated _____ No. _____, it shall be allowed to produce and release food products into circulation in the customs territory of the Eurasian Economic Union in accordance with the mandatory requirements for their labeling, established by the Technical Regulation of the Customs Union “On Food Products Labeling” (TR TS 022/2011), adopted by decision of the Customs Union Commission No. 881 of December 9, 2011.

b) circulation of the products, stated in sub-item a) of the present item, shall be allowed within the shelf-life period for the products as established by the producer.

2. The present Decision shall come into effect after 30 calendar days from its official publication, but not earlier than the entry into force of the decision of the Council of the Customs Union Commission dated _____ No. _____.

Chairman of the Collegium
Of the Eurasian Economic Commission

M. Myasnikovich

END UNOFFICIAL TRANSLATION.

Attachments:

No Attachments.