

**Voluntary Report** – Voluntary - Public Distribution

**Date:** May 12, 2021

**Report Number:** RS2021-0015

**Report Name:** Draft Amendments to EAEU Regulation on Packaging  
Notified to WTO

**Country:** Russian Federation

**Post:** Moscow

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

**Prepared By:**

**Approved By:** Stanley Phillips

**Report Highlights:**

On April 12, 2021, Russia notified the World Trade Organization (WTO) of draft amendments to the Eurasian Economic Union (EAEU) Technical Regulation (TR) on Safety of Packaging via G/TBT/N/RUS/112. The draft measure would harmonize the TR with the requirements of the EU directives against the use of single-use plastic products. The public comment period for the draft will close on June 23, 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](mailto:ncsci@nist.gov). For potential inclusion in the U.S. official position, please send your comments by June 8, 2021.

## General Information

The Eurasian Economic Commission (EEC), which is the regulatory body of the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union<sup>1</sup> (EAEU), published the following draft document on its website:

- [On Amending the Technical Regulation of the Customs Union “On Safety of Packaging” \(TR TS 005/2011\) \(amendment No. 4\)](#)

On April 12, 2021, Russia notified the World Trade Organization (WTO) of the above draft via [G/TBT/N/RUS/112](#). The public comment period for the draft will close on June 23, 2021. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology at [nesci@nist.gov](mailto:nesci@nist.gov). For potential inclusion in the U.S. official position, please send your comments by June 8, 2021.

According to the EEC explanatory note, one of the goals of the draft measure is to harmonize the Technical Regulation (TR) with the requirements of the EU directives against the use of single-use plastic products. Among other things, a new concept of “biodegradable packaging” would be introduced in the TR.

An unofficial unedited automated 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 Safety of Packaging” please see GAIN report [RS1253 Customs Union Technical Regulation on Safety of Packaging](#). For information on previous amendments to this document please see GAIN reports [RS1361 Draft Amendments to CU Technical Regulation on Safety of Packaging](#) and [RS2020-0039 Draft Amendments to EAEU Regulation on Packaging Notified to WTO](#).

---

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

BEGIN UNOFFICIAL AUTOMATED TRANSLATION:

DRAFT

**EURASIAN ECONOMIC COMMISSION  
COUNCIL**

**DECISION**

\_\_\_\_\_ 20\_\_\_\_ No. \_\_\_\_\_ city

**On amendments to the technical regulations of the Customs Union "On the safety of packaging" (TR CU 005/2011)**

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

1. To introduce into the technical regulations of the Customs Union "On the safety of packaging" (TR CU 005/2011), adopted by the Decision of the Commission of the Customs Union of August 16, 2011 No. 769, amendments No. 4 according to the appendix.

2. This Decision shall enter into force upon the expiration of 12 months from the date of its official publication.

**Members of the Council of the Eurasian Economic Commission:**

**From the Republic of Armenia** **From the Republic of Belarus** **From the Republic of Kazakhstan** **From the Kyrgyz Republic** **From the Russian Federation**

ATTACHMENT  
to Decision of the Council  
of the Eurasian Economic Commission  
No. \_\_\_\_\_ dated \_\_\_\_\_ 20\_\_

**CHANGES,  
to the technical regulations of the Customs Union  
“On the safety of packaging” (TR TS 005/2011), adopted  
by Decision of the Customs Union Commission No. 769 of August 16, 2011**

**1. In article 1:**

a) clause 2 shall be supplemented with the following paragraph:

“All types of packaging supplied as part of packaged products released into circulation on the territory of the Union are subject to the requirements of only articles 2, paragraphs 1, 2 of article 6, article 9 of this technical regulation”;

b) Clause 5 shall be stated in the following edition:

“five. Means for closures are subdivided according to the materials used into: metal, cork, polymer and combined materials.”

**2. In article 2:**

a) the definition of the term “packaging” shall be stated in a new edition:

“Packaging is a product intended for placement, protection, movement, delivery, storage, transportation of goods (raw materials and finished products), used both by a manufacturer, user or consumer, and a processor, assembler or other intermediary”;

d) supplement with the following terms and definitions:

“Biodegradable packaging - packaging that can be compostable and biodegradable due to biological

activity of microorganisms, by aerobic decomposition into carbon dioxide, water, mineral salts and new biomass and (or) by anaerobic decomposition into carbon dioxide, methane, mineral salts and new biomass;”;

“Multilayer polymeric material - a material consisting of two or more layers of polymeric materials”;

“Oxo-degradable packaging is a packaging made of polymeric materials with the addition of special additives-catalysts, which accelerate the process of decomposition of the packaging material into microfragments or lead to its chemical decomposition;

oxo-biodegradable packaging - packaging made of polymeric materials of the polyolefin group (polyethylene, polypropylene) with the addition of at least 1% of special additives -

catalysts that accelerate the process of decomposition of the packaging material into microfragments or lead to its chemical decomposition with further biodegradation;

printed packaging materials - packaging materials, including combined and multilayer polymeric materials, in roll form or in sheets, with printed printing (information for the consumer about the packaged product), intended for the formation (manufacture) of packaging (package, packs, etc..) in the process of packing or wrapping the product;

disposal of packaging (closures) - any actions aimed at processing, use for the production of goods (products), performance of work, provision of services, as a secondary raw material and (or) for the production of energy used packaging (closures), not related with her burial.”

**3. In article 5:**

a) subparagraph 6.1 shall be supplemented with paragraphs of the following content:

- “- aerosol packaging must provide strength;
- aerosol packaging must withstand the established excess pressure”;

b) Subclause 6.3 shall be reworded:

“6.3. polymeric packaging:

- must ensure tightness;
- must withstand the specified number of impacts during free fall from a height without destruction (for sealed products, except for perfumery and cosmetic products);
- must withstand the compressive force in the direction of the vertical axis of the package body (except for packages and sacks);
- the strength of the welded and glue seams must be at least the established value (for bags and sacks);
- the breaking load of the bottom seam must be at least the specified value (for woven bags);
- the welded and glue seams of the package must be tight;
- should not deform and crack when exposed to hot water (except for packages and sacks);
- package handles (if any) must be firmly attached to it and withstand the specified load;
- must withstand bending tests, including when lifting with a fork, when stacking (for pallets);
- must withstand drop tests, impact resistance (assembly strength) (for pallets)”;

c) sub-clause 6.5:

exclude the paragraph: “- the inner surface of the package must be resistant to the effects of the products being packaged;”;

add the following paragraph:

“- packaging handles (if any) must be firmly attached to the packaging and must withstand the specified load”;

d) subparagraph 6.6 shall be supplemented with paragraphs of the following content:

- “- must withstand the cyclic lifting test for the top (for containers);
- must withstand stacking tests (for containers)”;

e) subparagraph 6.7 shall be supplemented with paragraphs of the following content:

- “- must withstand bending tests, including when lifting with a fork, when stacking (for pallets);
- must withstand drop tests, impact resistance (assembly strength) (for pallets)”;

f) in clause 8 the words “Appendix 1” shall be replaced by the words “Appendices 1 and 11”;

subparagraph 8 shall be stated as follows:

“Closures in contact with food products, including food products for baby food, perfumery and cosmetic products, should not release into the model and air media in contact with them in quantities harmful to human health, exceeding the permissible amounts of migration of chemicals.”;

g) Subclause 9.1 shall be stated as follows:

“9.1 Metallic closures:

- must ensure the tightness of the package (except for the muzlet and staples)
- the torque when opening the screw closures must comply with the established requirements;
- the glue seam of the crimp and roll-in caps must be strong;
- crown caps must withstand internal pressure;
- crown caps, muzlet and brace must be resistant to corrosion;

- the paintwork of the muselle must be resistant to the effects of the model environments;
- roll-in lids for canning, screw lids, easy-open lids and crown lids must be resistant to hot working;

- the paint-and-lacquer coating of the inner surface of the lid and the sealing gasket during the pasteurization and sterilization process must be resistant to the effects of model environments”;

h) subparagraph 9.2 shall be stated as follows:

“9.2. polymer closures:

- must ensure the tightness of the packaging (except for heat-shrinkable caps, valves, dispensers-limiters, dividers, sealing gaskets, closures) under the established operating conditions;

- the torque when opening the screw caps and caps must comply with the established requirements;

- closures intended for sealing sparkling (champagne) and carbonated wines must withstand the resistance to internal pressure;

- the amount of polymer dust should not be higher than the established one;

- lids for canning must be resistant to hot working;

- lids for canning must be resistant to acid solutions;

- the glue seam of the heat shrinkable caps must be strong;

- the strength of the bonding of the plugs with the additional top must comply with the established requirements ”;

i) subparagraph 9.3 shall be stated as follows:

“9.3 cork closures:

- must ensure the tightness of the package;

- the moisture content of plugs and gaskets must comply with the established requirements;

- the ultimate strength in torsion of agglomerated, microagglomerated and prefabricated plugs must comply with the established requirements;

- prefabricated plugs must withstand boiling in water without destruction and cracking;

- capillarity of the side surface of the plugs must comply with the established requirements;

- the amount of cork dust of natural, clogged, agglomerated, micro-agglomerated and collection corks should not be higher than the established one;

- the amount of residual oxidant in the clarified plugs should not be higher than the established one;

- the strength of the bonding of the plugs with the additional top must comply with the established requirements”;

j) Subclause 9.4 shall be deleted;

k) Subclause 9.5 shall be stated as follows:

“9.5 Closures made of combined materials:

- sealing components (gaskets, diaphragms and plug-in inserts) must be resistant to the effects of model media;

- the glue seam of the rolling-in caps must be strong”;

m) clause 11 shall be supplemented with subclauses 11.4 and 11.5 as follows:

“11.4 basic requirements for the production of packaging, including its processing, are given in Appendix 6;

11.5 in order to avoid environmental pollution and facilitate disposal:

11.5.1 Polyethylene terephthalate (PET) packaging must not contain PVC labels.

#### **4. In article 6:**

a) paragraph 1 shall be stated in the following edition:

“1. The labeling should contain the information necessary to identify the material from which the packaging is made (closures) in order to facilitate the collection and recycling or reuse of the packaging. The marking must be strong, abrasion resistant and durable. The marking required to identify the material from which the package is made must be applied directly to the package and (or) accompanying documentation.

In the absence of the appropriate marking on the package, the manufacturer of the product, who packs this product in the package, must put on the label (label) the marking necessary to identify the material from which the package is made, in accordance with the accompanying package documentation.

In the absence of appropriate markings on the packaging of the imported goods, the importer of such goods must put on the label (label) the markings necessary to identify the material from which the packaging is made, in accordance with the accompanying packaging documentation. If the package is made of two or more materials, then the marking is applied to the label (label) indicating all materials.

The marking required to identify the material from which the closure is made (its body), if there are technological and design capabilities determined by the manufacturer, is applied directly to the closure, in their absence, the relevant information is indicated in the accompanying documentation for the closures.”;

b) in paragraph 3:

- supplement with paragraphs of the following content:

“Way of disposal;

film thickness of the polymer bag;

service life (for reusable packaging, if specified by the manufacturer (manufacturer); method (aerobic decomposition (industrial and (or) household composting)), anaerobic decomposition, conditions and terms under which the packaging is biodegradable, and (or) another method of disposal (for biodegradable packaging, other than the packaging specified in point 4 of Annex 6).

Non-biodegradable packaging should not be labeled “biodegradable”, “compostable”, “bio”.”

**5. Article 8** to read as follows:

“Article 8. Marking with a single mark of product circulation on the Union market

1. Packaging (closures) that meet the requirements of this technical regulation and that have passed the conformity confirmation procedure in accordance with Article 7 of this technical regulation must be marked with a single mark of product circulation on the Union market, which is affixed in the accompanying documentation.

2. Marking with a single mark of product circulation on the Union market is carried out by the manufacturer, a person authorized by the manufacturer, or an importer before placing the product on the market.”

**6. In the Annex 1<sup>1</sup>** footnote <\*> shall be supplemented with the following paragraph:

“Coloring of the aqueous extract and sediment in the modeling of board for flat layers and paper for corrugation, made from fibrous semi-finished product (cellulose), are allowed.”

**7. In Appendix 1:**

a) Table 2 shall be stated in the following edition:

Controlled indicators	DCM, mg / l
cadmium	0.5

lead	2.0
------	-----

b) Clause 2 of the Notes shall be stated in the following edition:

“2. When assessing materials and products intended for packaging food products for baby food, migration of chemicals belonging to 1 and 2 hazard classes is not allowed.”;

c) The note should be supplemented with clause 4 as follows:

“4. Closures (die-cut caps ("plates"), lids and liners made of polymeric and combined materials) in contact with food products, the moisture content of which does not exceed 15%, are checked for the migration of harmful substances in the air model environment.

**8. In Annex 2** Notes shall be supplemented with clauses 5-7 as follows:

“5. In the study of aluminum foil, distilled water is used as a model medium.

6. The model environment, temperature-time regime and other methods of exposure when assessing the compliance of packaging with the requirements of this technical regulation are selected in accordance with the conditions for using the packaging specified in the accompanying documentation of the manufacturer or in the regulatory documentation (regulatory technical legal acts), in accordance with which packaging (closures).

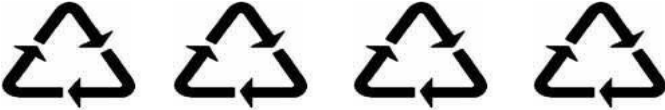
7. Closures for sealing packaging intended for contact with food products may be modeled:

- Provided that the closure for sealing the package and the package represent one sample consisting of two components, it is advisable to simulate “natural conditions”, i.e. fill the package with a model medium to its full volume, close it with a closure and hold in accordance with Appendix 2;
- to test caps and caps with sealing components under conditions corresponding to the conditions of use with simulation (ratio of the surface and volume of the simulated medium) under conditions close to real.”

**9. In Annex 3:**

a) Appendix 3 shall be supplemented with symbols, supplemented with an explanation:

If a specific type of material (paper and cardboard, wood materials, textiles and glass) is not assigned a numerical code, then only the letter designation (abbreviation) of the material should be used, for example,



PAP    FOR    TEX    GL

For packaging made of ceramics, the letter designation (abbreviation) is used - CER, for example:



CER

b) in paragraph 1 of the Notes after the words “letter designation” exclude the comma “,”;

c) the note shall be supplemented with clauses 5 and 6 of the following content:

“5. For marking a multilayer polymer material consisting of several layers of one type of polymer, a letter designation and (or) a digital code from “01 (1)” to “06 (6)” are used. To mark a multilayer polymer material consisting of several layers of different types of polymers, use the letter

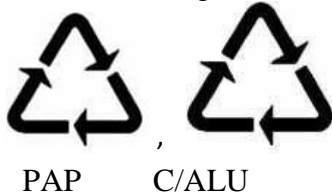


designation “O” or “OTHER” and (or) the digital code “07 (7)”, for example, a polymer material composed of “polyethylene / polypropylene” ...

6. For the marking of a complex package consisting of two or more components of the same type of material, the letter designation and (or) the digital code of this material is used.

For marking a complex package consisting of two or more components of different types of materials, a letter designation and (or) a digital code assigned to a specific type of material from which each component of the package is made is used.

For example: for a complex package consisting of two components of a cardboard box and a package of combined material “plastic / aluminum” placed in it (marked as follows: Latin letter C and, through a slash, the designation of the main material by weight in the composition):



7. Labeling of packaging (closures) intended for contact with food products is supplemented with the symbol “Packaging (closures) intended for contact with food products” (Fig. 1 in Appendix 4 to this technical regulation).

**10. Appendix 4 shall be supplemented with figure 3:**



“Fig. 3 Biodegradable packaging

The symbol “Biodegradable packaging” must be in green on a white background.”.

**11. In Annex 5:**

a) Section I:

paragraph 1 after the word “drums” shall be supplemented with the words “buckets \*\*, trays”;

paragraph 2 after the word “bottles” shall be supplemented with the word “, bottles”, after the word “canisters”, supplemented with the word “, buckets \*\*, pallets, packaging materials with printing”;

paragraph 4 after the word “cylinders” shall be supplemented with the word “, bottles”; paragraph 5, the words “packaging and labeling materials” shall be replaced by “printed packaging materials”;

point 6:

after the word “tubs” add the listing “baskets \*\*, pallets”.

In a footnote, add the following paragraph:

“\*\* Declared by the manufacturer (manufacturer's authorized person), importer as packaging.”

b) Section II, shall be stated as follows:

“9. Metal closures for sealing food and perfumery and cosmetic products (stoppers, caps (including screw caps with a sealing component, with a divider, with a dispenser-stop, with a protective device), crimping, rolling; screw caps, rolling, easy-to-open, crown caps, cut covers (plates), muzzle, brace, membranes).

10. Cork closures for sealing food and perfumery and cosmetic products (corks (natural, clogged, agglomerated, micro-agglomerated prefabricated, 1 + 1, with an additional top), sealing gaskets, plug inserts).

11. Polymer closures for sealing food and perfumery and cosmetic products, household chemical goods and paints and varnishes (corks (composite, with an additional top, cylindrical, nipple, capsule, expeditionary, production, with a tear-off belt, cork-lids, cork-inserts ); caps (including screw caps with an aerosol valve, with a trigger spray, with a disc-shaped hinge device, with a protective device, with a dispenser, with a dispenser-restrictor, with a sealing component, with a diffuser), heat-shrinkable, protective; caps (composite , screw, snap-on, with a hinged device, tension); gaskets, gaskets-liners, sealing rings, dispensers-restrictors, dividers, valve-valves, membranes, plug-in inserts).

12. Closures made of combined materials for sealing food and perfumery and cosmetic products (corks, cork-lids; lids (including die-cut lids), membranes, sealing components, plug-in inserts).”;

13. clause 13, delete.

**12.** To supplement with **Annex 6** as follows:

“Annex 6

Requirements for the production of packaging, including its processing

1. Requirements for the production of packaging:

1.1 Packaging must be made in such a way that its volume and weight are limited to the minimum required quantity to ensure the necessary level of safety, hygiene and acceptance for the packaged product and the consumer.

1.2 Packaging should be made taking into account the maximum involvement of its waste in the economic circulation, as well as preventing harmful effects on the environment.

1.3 Packaging should be carried out taking into account the minimization of the presence of hazardous substances in emissions, in ash, when used packaging or waste resulting from waste management of used packaging is recycled as secondary energy resources.

2. Requirements for packaging for its processing:

2.1 Packaging processed into secondary material resources (in order to obtain starting materials): packaging should be made taking into account the possibility of the priority method of processing - processing into secondary material resources.

2.2 Packaging recyclable as secondary energy resources: Packaging waste recyclable as secondary energy resources should have a calorific value for optimal energy recovery.

2.3 Packaging recyclable as organic recyclable resources: packaging waste recyclable for composting purposes should be biodegradable so as not to obstruct the composting process.

3. Requirements for biodegradable packaging:

3.1 Packaging in which only some of the constituent components are biodegradable (compostable) is not considered biodegradable (compostable). If biodegradable (compostable) packaging components are easily separated by hand or by simple mechanical means from components that are not biodegradable (compostable), then such components can be considered biodegradable (compostable).

3.2 The biodegradability of the package must be confirmed by test results.

Packaging made from materials of natural origin (such as wood, wood fiber, cellulose (paper, cardboard not laminated), cotton, jute, linen, hemp, kenaf) should be considered biodegradable without testing, provided the material used is identified.

A distinction should be made between biodegradable packaging and oxo-biodegradable packaging. Oxo-biodegradable packaging should not be labeled with the “Biodegradable packaging” symbol shown in Appendix 4 (Fig. 3)”.

**EURASIAN ECONOMIC COMMISSION  
COUNCIL**

**DECISION**

\_\_\_\_\_ 20\_\_\_\_ No. \_\_\_\_\_ city

**On the procedure for enactment of amendments to technical regulations Customs Union "On the safety of packaging" (TR CU 005/2011)**

In accordance with paragraph 2 of Article 52 of the Treaty on the Eurasian Economic Union dated May 29, 2014 and paragraph 11 of Appendix No. 2 to the Rules of Procedure of the Eurasian Economic Commission, approved by the Decision of the Supreme Eurasian Economic Council No. 98 dated December 23, 2014, the Board of the Eurasian Economic Commission **decided:**

1. Establish that:

a) documents confirming the compliance of packaging (closures) with the requirements established by the technical regulations of the Customs Union "On the safety of packaging" (TR CU 005/2011), adopted by the Decision of the Customs Union Commission of August 16, 2011 No. 769 (hereinafter - technical regulations) , adopted before the date of entry into force of the Decisions of the Council of the Eurasian Economic Commission dated " \_\_ " \_\_\_\_\_ 202\_\_ No. \_\_ "On amendments to the technical regulations of the Customs Union" On the safety of packaging "(TR CU 005/2011)" are valid until the end of their term actions;

b) circulation of products that are the object of technical regulation of technical regulations issued into circulation during the period of validity of the conformity assessment documents specified in subparagraph "a" of this paragraph is allowed during the storage period of these products (if established by the manufacturer (by manufacturer);

2. This Decision shall enter into force upon the expiration of 30 calendar days from the date of its official publication, but not earlier than the date of entry into force of the Decision of the Council of the Eurasian Economic Commission dated " \_\_ " \_\_\_\_\_ 202\_\_ No. \_\_\_\_.

Chairman of the Board  
Eurasian Economic Commission

M. Myasnikovich

END UNOFFICIAL AUTOMATED TRANSLATION.

**Attachments:**

No Attachments.