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SP2 - Prevent or Resolve Barriers to Trade that Hinder

U.S. Food and Agricultural Exports

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Report Highlights:

This report contains summaries of relevant decisions and documents from the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union (EAEU) meetings, published between August 9 and November 14, 2017 that impact EAEU food and agriculture policy. Key documents included herein are EAEU Technical Regulation on Packaged Potable Water and the EEC Collegium decision No. 97 establishing EAEU tariff-rate quotas for 2018. As noted herein, Russia notified some of the SPS/TBT measures covered in this report to the World Trade Organization (WTO).

General Information:

This report contains summaries of relevant decisions and documents from the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union (EAEU) meetings, published between August 9 and November 14, 2017 that impact EAEU food and agriculture policy. Key documents included herein are EAEU Technical Regulation on Packaged Potable Water and the EEC Collegium decision No. 97 establishing EAEU tariff-rate quotas for 2018.

The documents below are hyperlinked via automated translation services for readers seeking further details. Select “refresh” on your browser if the page does not translate to the end.

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Update on the EAEU Customs Code Ratification

During the EAEU summit in Sochi on October 11, 2017, the EAEU heads of state called for accelerated completion of national ratification procedures of the new EAEU Unified Customs Code that should replace the current Customs Code of the Customs Union of 2009.

Russia was the first to complete ratification with President Putin signing the ratification bill into law on November 14, 2017. The parliament of Belarus passed the ratification bill, which is yet to be signed by President Lukashenko. The parliament of the Kyrgyz Republic plans to review the ratification law in November, the Armenian government approved its draft law on October 26, 2017, and plans to send it to the parliament shortly, while in Kazakhstan the ratification law was passed by Mazhilis, the lower chamber of the parliament, on November 2, 2017, and forwarded on to the Senate.

INTERNATIONAL MEMORANDA AND AGREEMENTS***Publication Date: September 27, 2017***

Memorandum of Cooperation between the Eurasian Economic Commission and the Government of the Hashemite Kingdom of Jordan - original in [English](#)

Summary: The Memorandum was signed in Amman on September 20, 2017. According to the Memorandum, it does not create any rights or obligations for the Parties governed by international law. The Memorandum is a declaration by the Parties of their intent “to promote comprehensive cooperation” between the Parties. The areas of cooperation under the Memorandum, inter alia, include regional economic integration, customs regulation, technical regulation, application of sanitary, veterinary-sanitary and phytosanitary measures, and agro-industrial complex. The Memorandum was written in Russian, Arabic, and English, with the English text to prevail in case of any dispute.

Publication Date: November 13, 2017

Agreement on the Circulation of Seeds of Agricultural Plants within the Framework of the Eurasian Economic Union - original in [Russian](#)

Summary: The Agreement that will regulate handling of non-GMO seeds within the EAEU, stipulates unification of rules for handling seeds among all member states, including certification, testing, and registration of seeds. The Agreement also foresees creation of a common EAEU register for seeds species.

MEETING OF THE EURASIAN INTERGOVERNMENTAL COUNCIL
October 25, 2017

Publication Date: October 26, 2017

EEC Intergovernmental Council Order No. 17 *“On Plan of Actions (“Roadmap”) to Eliminate Exemptions and Restrictions on the Internal Market of the Eurasian Economic Union” – original in [Russian](#).*

Summary: According to the document, the following existing internal barriers in agriculture and related customs and technical regulation areas are to be addressed by the EAEU countries via new regulations in 2018-2019:

- Lack of unified requirements for the import, export and movement of breeding animals, as well as lack of mutual recognition of documents confirming the origin and breeding value of breeding animals;
- Lack of unified requirements for the movement of seeds inside the EAEU, as well as lack of mutual recognition of documents with information on the varietal and sowing characteristics of seeds;
- Impossibility of transit of goods which are subject to special economic measures by one of the EAEU members through the territory of that member;
- Lack of unified principles and approaches to harmonization of the EAEU members’ TBT legislation, including agreed mechanisms of cooperation between the EAEU members’ supervision bodies when incompliant goods are detected;
- Lack of unified approaches to the application of national and interstate standards included in the lists of standards for implementation of the EAEU technical regulations.

MEETING OF THE EURASIAN ECONOMIC COMMISSION COUNCIL
June 23, 2017

Publication Date: July 24, 2017

EEC Council Decision No. 45 *On the Technical Regulation of the Eurasian Economic Union “On Safety of Packaged Potable Water Including Natural Mineral Water” - original in [Russian](#)*

Summary: The document adopts the EAEU Technical Regulation (TR) “On Safety of Packaged Potable Water Including Natural Mineral Water” (TR EAEU 044/2017.) According to the decision, the TR shall come into effect as of January 1, 2019. For unofficial automated translation into English please see GAIN report [RS1752 EAEU Technical Regulation on](#)

[Packaged Water](#). As a draft, Russian notified the TR to the WTO via [G/TBT/N/RUS/37](#) in August 2014.

MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
August 18, 2017

Publication Date: August 21, 2017

[EEC Collegium Decision No. 96](#) *On Establishing Volumes of Tariff-Rate Quota for Certain Types of Long Grain Rice Originating from the Socialist Republic of Vietnam and Imported in 2018 into the Territory of the Eurasian Economic Union Member States* - original in [Russian](#)

Summary: The decision establishes the respective 2018 TRQ volumes for two rice items (from HS 1006). As in previous years, Russia and Belarus will split the total TRQ amount of 10,000 MT between themselves in 2018, while rice TRQs for the other three EAEU Member States Armenia, Kazakhstan, and Kyrgyzstan will be zero. Russia's TRQ will increase in 2018 to 9,039 MT from 8,974 MT in 2017, while Belarus will get the remaining 961 MT in 2018, down from 1,026 MT in 2017.

[EEC Collegium Decision No. 97](#) *On Establishment of Tariff-Rate Quotas for Import of Certain Agricultural Goods into the Customs Territory of the Eurasian Economic Union in 2018, as well as Volumes of Tariff-Rate Quotas for Import of these Goods in the Territories of the Eurasian Economic Union Member States* - original in [Russian](#)

Summary: The decision establishes tariff-rate quotas (TRQs) and respective volumes for imports of meat, poultry and whey into the Eurasian Economic Union. Unchanged from 2017, Russia's TRQ volumes appear consistent with its WTO commitments. Belarus and Kazakhstan TRQ volumes also remained unchanged. In addition to pork and poultry TRQs from 2017, Kyrgyzstan received a TRQ for beef in 2018. As in 2017, no TRQs were established for Armenia in 2018. For unofficial translation of the decision please see GAIN report [RS1748 Eurasian Economic Commission Announces 2018 TRQs](#).

[EEC Collegium Decision No. 99](#) *On Extending the Validity of Import Tariff Rates of the Unified Customs Tariff of the Eurasian Economic Union for Certain Types of Cocoa Products* - original in [Russian](#)

Summary: The decision extends temporary zero import tariffs on two cocoa product items (EAEU HS codes 1803 10 000 0 and 1804 00 000 0) for a year, from January 1, 2018, through December 31, 2018. Previously, the import tariff on these items was reduced from 3 and 5 per cent, respectively, to zero for the period between March 26, 2016, and December 31, 2017.

MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
August 29, 2017

Publication Date: August 31, 2017

EEC Collegium Decision No. 106. *On the List of standards, the voluntary application of which ensures implementation of the requirements of the Technical Regulation of the Eurasian Economic Union “On Safety of Fish and Fish Products” (TR TS 040/2016), and the List of Standards Containing Rules and Methods of Analysis (Tests) and Measurements, Including Sampling Rules, Necessary for the Application and Compliance with the Requirements of the Technical Regulation of the Eurasian Economic Union “On Safety of Fish and Fish Products” (TR TS 040/2016) and Carrying out Assessment of Compliance of the Regulated Products* - original in [Russian](#)

Summary: The decision approves the stated lists of standards containing 133 and 182 items, respectively. For details on the Technical Regulation of the Eurasian Economic Union “On Safety of Fish and Fish Products” (TR TS 040/2016) please see GAIN report [RS1734 Technical Regulation on Safety of Fish and Fish Products](#).

MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
September 12, 2017

Publication Date: September 18, 2017

EEC Collegium Order No. 126. *On Draft Decision of the Council of the Eurasian Economic Commission “On Approval of Rules for Laboratory Testing (Studies) in the Process of Veterinary Control (Supervision)”* - original in [Russian](#)

Summary: The draft Rules will introduce common requirements for sampling, samples storage and transportation, laboratory testing and application of testing results, samples utilization during the monitoring of regulated goods, epizootic monitoring sampling, and veterinary control (supervision). Russia notified the World Trade Organization (WTO) of this draft document via [G/SPS/N/RUS/104](#) in September 2015. According to the notification, the draft document would only affect the EAEU member-states. For English translation of document notified in 2015, please see GAIN report [RS1572 Draft EAEU SPS Measure on Testing Notified to WTO](#).

MEETING OF THE EURASIAN ECONOMIC COMMISSION COLLEGIUM
November 7, 2017

Publication Date: November 10, 2017

EEC Collegium Decision No. 135. *On Transitional Provisions of the Technical Regulation of the Eurasian Economic Union “On Safety of Packaged Potable Water Including Natural Mineral Water” (TR EAEU 044/2017)”* - original in [Russian](#)

Summary: The decision establishes a number of transitional provisions for the implementation of the new EAEU TR in effect through July 1, 2020. For example, production and circulation of the covered products in accordance with the current EAEU and national requirements of the EAEU Member States will be allowed until July 1, 2020. As of the date of publication of this report, FAS/Moscow does not believe this measure has been notified to the WTO.

Publication Date: November 13, 2017

EEC Collegium Decision No. 145. *On Amending Decision of the Collegium of the Eurasian Economic Union No. 80 of May 26, 2014* - original in [Russian](#)

Summary: The decision updates the lists of standards for implementation of the Technical Regulation of the Customs Union “On Safety of Milk and Dairy Products” (TR TS 033/2013). In particular, the new version of the lists contains 181 standards for products and 613 standards for rules and methods of testing, up from 151 and 518 items in the previous version of the lists, respectively.