

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Federal Law 394 Amends Custom SPS procedures

Report Categories:

Sanitary/Phytosanitary/Food Safety

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Report Highlights:

Federal Law No. 394-FZ of December 28, 2010 moves primary control of all SPS import documents from VPSS and Rospotrebnadzor to custom authorities. However, VPSS and Rospotrebnadzor will survey all imported products at the specialized boarder control points.

General Information:

Russia adopted the Federal Law No.394-FZ that amends procedures of veterinary, sanitary and quarantine boarder control in order to implement the “one window” approach of customs control. This Federal Law 394-FZ of December 28, 2010 “On Amendments to Some Federal Legislative Acts of the Russian Federation in Connection with Transfer of Some Functions of State Control to the Customs Authorities of the Russian Federation” will come to force in June 2011, in 180 days after its publication in Rossiyskaya Gazeta on December 30, 2010: <http://www.rg.ru/2010/12/30/tamojnya-dok.html>.

The FL 394 amends the boarder-control sections of the following federal laws: Federal Law on Veterinary, Federal Law on Sanitary-Epidemiological Wellbeing of Population, Federal Law on Quality and Safety of Food Products, and Federal Law on Plant Quarantine. The amendments move primary control of SPS documents, accompanying imported products, from the VPSS and Rospotrebnadzor [1] officers to customs officers. At the boarder entry points customs officers will control validity of all documents of imported products, and will decide whether to allow transit of product (“allow imports on the terms of customs transit”), or reject imports, or to send the products to the specially equipped points of entry for the veterinary, sanitary or quarantine control. At these equipped points the products shall be surveyed by the officials of the state controlling bodies of executive power (veterinary, phytosanitary, or sanitary), namely the VPSS and Rospotrebnadzor’s officials. The FL does not determine procedure of such control, but states that procedures will be developed by the Russian Government. The FL 394 does not mention the names of VPSS and Rospotrebnadzor, refers only to the “federal body of executive power executing the surveying, controlling functions”, leaving room for any possible administrative changes in the government bodies. In the whole, although the FL 394 is targeted to simplification of boarder control, in reality it only separates control of validity of documents from the SPS control per se, and leaves the final decision on imports of products to the same controlling agencies: VPSS and Rospotrebnadzor.

^[1] VPSS – abbreviation for the Russian Federal Service of Veterinary and Phytosanitary Surveillance, and Rospotrebnadzor is the abbreviation for the Russian Federal Service for Surveillance in the Sphere of Consumer Rights Protection and Well-Being of Population