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**Report Highlights:**

This report is an overview of the general legal and technical requirements for food and agricultural imports imposed by Kazakhstan. The following sections of this report have been updated from the 2020 FAIRS report: Section II's "Digital Labeling Requirements," Section V's "Draft Maximum Residue Levels," Section VI's information on "Tariff Rate Quotas," and Section VII's "Halal Standards."

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## **Disclaimer**

This report was prepared by the USDA's Foreign Agricultural Service Office of Agricultural Affairs in Nur-Sultan, Kazakhstan for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of 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. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

## **Executive Summary**

Kazakhstan continues to balance its domestic import regulations and standards with those of the Eurasian Economic Union (EAEU), while adhering to its World Trade Organization (WTO) obligations. As a result, importers must ensure they follow a patchwork of standards and regulations overseen by domestic, EAEU, and EAEU member state (i.e., Russian) agencies. Major U.S. exports to Kazakhstan include poultry, beef, live cattle, animal genetics, planting seeds, and tree nuts.

As the largest landlocked country in the world, Kazakhstan has had an especially difficult time ensuring the timely trade of food and agriculture due COVID-19 related transport and shipping delays, port closures, and supply chain labor shortages. While Kazakhstan's economy has slowed in 2021, its annual food inflation rate is nearly 10%. Even so, the government has been slow to liberalize food and agricultural standards and regulations that would increase food and agricultural imports. The Ministry of Agriculture retains domestic authorities for regulating plant and animal imports for human, plant, and animal safety, while most food and agricultural trade issues are regulated by the Ministry of Trade and Integration (MTI). The MTI oversees the administration of import quotas which affects the majority of U.S. agricultural exports to Kazakhstan by value.

In 2021, the EAEU and Kazakhstan's ministries and regulatory agencies announced several plans to "digitalize" agricultural trade and customs procedures. In many cases, the exact nature of these digitalization initiatives remains unclear. The relevant offices have not published draft rules or notified potential measures to the WTO. Trading partners generally welcome Kazakhstan and the EAEU's move to introduce modern technology and trade facilitation measures to replace the excessively bureaucratic and slow procedures currently in use. While there were no major changes to Kazakhstan's food and agriculture import regulations and standards in 2021, the EAEU and Kazakhstan have been working on measures related to digital labeling, maximum residue levels (MRLs) for certain veterinary drugs, halal standards, and tariff rate quota administration.

## Section I: Food Laws

Kazakhstani food and trade regulations are generally harmonized with Armenia, Belarus, Kyrgyzstan, and Russia via the EAEU, which replaced the Customs Union<sup>1</sup> on January 1, 2015. For additional details on EAEU integration, please, see GAIN report [RS1611 Eurasian Economic Union One Year On](#).

In 2015, Kazakhstan joined the WTO and affirmed its commitment to the Sanitary and Phytosanitary (SPS) Agreement. As a relatively new WTO member, it continues to adjust import policies and regulations to adhere to WTO and international standards. As a member of the EAEU, there have been instances when Kazakhstani WTO commitments and EAEU standards and regulations appear to contradict each other in practice.

### *Legislation and Principal Regulatory Documents on Foodstuff Imports*

Kazakhstan's regulatory framework governing the import of foodstuffs consists of: (1) EAEU documents, (2) domestic laws, (3) Government decrees, and (4) regulatory documents of the executive bodies of Kazakhstan. The major documents are listed in Appendix I.

### *Kazakhstan's Domestic Regulatory Bodies for Imported Foodstuffs*

The [Committee of the Veterinary Control and Surveillance of the Ministry of Agriculture](#) monitors veterinary conditions within Kazakhstan and enforces legal requirements for animal health. This Committee has the authority over veterinary matters at domestic borders, the country's interior, and is responsible for protecting the country from animal diseases.

The [Agricultural State Inspection Committee of the Ministry of Agriculture](#) monitors phytosanitary conditions within the country and enforces plant health legal requirements.

The [Committee for Sanitary Epidemiological Surveillance of the Ministry of Health](#) is responsible for food safety. This Committee may prohibit the sale of products that do not meet requirements.

The [MTI](#) oversees non-tariff regulations for external economic activities, including licensing and quota administration and determination of import quota volumes.

The [Committee on Technical Regulation and Metrology](#) is part of the MTI. This Committee manages product assessment, processing, and servicing to determine if products conform to national standards and certification criteria.

The [Committee of State Revenue of the Ministry of Finance](#) regulates foreign economic activity through customs fees and charges. It is also responsible for customs control.

### *EAEU Regulatory Bodies for Imported Foodstuffs*

The EAEU includes Armenia, Belarus, Russia, Kazakhstan, and Kyrgyzstan. The Eurasian Economic Commission (EEC) is the EAEU regulatory body overseeing customs, tariff, and non-tariff regulations, customs administration, technical regulations, and sanitary, veterinary and phytosanitary measures. For

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<sup>1</sup> The Customs Union between Russia, Belarus, and Kazakhstan, launched on January 1, 2010. The Customs Union Commission served as the Custom Union's regulatory body until July 1, 2012. The Eurasian Economic Commission replaced the Custom Union Commission as the regulatory body of the Customs Union after July 1, 2012.

more information about the EAEU's structure and the EEC's authorities please see the GAIN report [RS1611 Eurasian Economic Union One Year On](#).

## Section II: Labeling Requirements

The key EAEU labeling requirement document is the Technical Regulation (TR) on "Food Products Labeling" (TR TS 022/2011). The TR outlines regulations for food product labeling including the requirements for name, ingredients, nutritional content, value, quantity, date of production, validity, address of manufacturer and importer, and presence of genetically engineered organisms. For more information about this TR, please see the GAIN report [RSATO1211 Customs Union Technical Regulations on Food Products Labeling](#).

The general requirements for packaged food labels are:

- Product name (the made-up name<sup>2</sup>, if any, should be included in the name of food product and located near the name of the food product)
- Data about the manufacturer (including name, country, and address), manufacturer representative, or importer
- Net weight, volume, or quantity
- Composition (i.e., ingredients) (with a few exceptions, it is not required to indicate ingredients for unprocessed fresh fruit, berries, and vegetables, or single-component foods);
- Information about the presence of genetically engineered (GE) components in the product (including information that the product was produced from/with GE components).
- Nutritional value of the product
- Storage conditions prescribed by the producer or by EAEU TRs, including storage conditions for the opened product if the quality or safety changes after opening the package
- Use-by or shelf-life expiration date
- Date of production and packaging
- Recommendations or limitations of usage, including preparation mode if needed; in case the usage without these recommendations or limitations may be complicated, harmful, or lead to quality degradation
- Eurasian Conformity mark (EAC) (Figure 1).

**Figure 1. Eurasian Conformity Mark**



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<sup>2</sup> The CU Technical Regulation "Food Products Labeling" defines a made-up name as "a word or a word combination which may accompany the name of a food product. A made-up name of a food product may not reflect its consumer properties and shall not replace the name of the food product."

The information should be printed in Russian and the state language (or languages) of the respective EAEU member state if required by the legislation of the EAEU member state. For Kazakhstan, this means that information must appear in Kazakh and Russian. Location of the manufacturer of food products from third countries can be provided in Latin letters and Arabic numerals or in the state language (or languages) of the country of the food product manufacturer's location, provided the name of the country is indicated in Russian. Additional information can be placed on the same label, such as brand, technical document license, brand trademark, origin of components, licensor name, and voluntary certification labels. Label translations can be applied via a sticker.

TR TS 022/2011 also establishes several product-specific requirements. For example, non-alcoholic beverages containing more than 150 mg/l of caffeine, or pharmaceutically active plants or extracts that are enough to lead to health effects, should have the written warning 'Not recommended for people under 18 y.o., pregnant, nursing, and people suffering from increased nervous irritability, insomnia, and arterial hypertension.'

Other EAEU technical regulations also establish product-specific labeling requirements for fat-and-oil products, juices, meat, alcohol, milk and dairy products, specialized dietary foods, fish, and potable water. For more information, please see GAIN reports:

[RS1343 Customs Union Food Technical Regulations in Force as of 1 July 2013](#)

[RS1382 Customs Union Technical Regulation on Milk and Dairy Products](#)

[RS1384 Customs Union Technical Regulation on Meat](#)

[RS1734 Technical Regulation on Safety of Fish and Fish Products](#)

[RS1752 EAEU Technical Regulation on Packaged Water](#)

[RS2020-0037 EAEU Technical Regulation on Safety of Alcohol Products](#)

EAEU technical regulations also require that products which have complied with regulations and have passed conformity assessment procedures be marked with the EAC (Figure 1), which was approved by [Decision of the CU Commission No. 711 of July 15, 2011](#). The EAC is meant to show that the product is in accordance with the relevant EAEU technical regulations and has passed all procedures of conformity assessments<sup>3</sup>. For details, please see GAIN reports [RS1493 Eurasian Conformity Mark for Poultry and Red Meats](#) and [RS1506 Eurasian Conformity Mark for Food Products](#).

### *Other Specific Labeling Requirements*

#### *GE Materials*

For any product with GE components or processed from GE materials, the label must show that it is a "GMO product" or a "product obtained from GMO" even if the product does not contain GE DNA or proteins. However, the presence of up to 0.9 percent of each GE ingredient is considered adventitious. The [CU Technical Regulation TR TS 022/2011 on Food Labeling](#) requires that food products be labeled according to the following parameters:

The information on the label must read (in Russian) and state language(s) of the EAEU member states:

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<sup>3</sup> Assessment (confirmation) of conformity in the EAEU should be carried out by legal entities that are registered in accordance with the legislation of the Eurasian Economic Union Member State of its territory, such as importers.

- For products containing viable GE microorganisms: “Product contains live genetically modified microorganisms”
- For products containing unviable GE microorganisms: “Product is obtained based on genetically modified microorganisms”
- For products purified from GE microorganisms or for products obtained based on components purified from GE microorganisms: “Product has components that are obtained based on genetically modified microorganisms.”

The inscription “GMO” should be marked next to the EAC and the inscription should be similar to the EAC in form and size.

The requirements for information on GE organisms/line in feeds of plant origin are stipulated in the TR CU 015/2011 “On Safety of Grain” which covers both grain and oilseeds. Please see GAIN report [RS1250 Customs Union Technical Regulation on Safety of Grain](#) for an unofficial English translation. This TR stipulates that grains and oilseeds transported unpacked should be accompanied by shipping documents that ensure their traceability and provide information on GE organisms/lines if presence of GE organisms/lines is higher than 0.9 percent. Such grains and oilseeds should be identified as “Genetically modified grain” or “grain obtained from the use of genetically modified organisms” or “grain contains components of genetically modified organisms,” and indicating the unique identifier of the transformation event.

The TR CU 015/2011 “On Safety of Grain” stipulates that grains and oilseeds (for both food and feed use) may contain only registered GE lines. Presence of more than 0.9 percent of non-registered GE lines is prohibited both in products that are declared as GE, and in non-GE products. For more details about GE registration, please see GAIN report [KZ2021-0010 Kazakhstan Agricultural Biotechnology Annual Report](#).

#### *Organic Products*

On November 27, 2015, Kazakhstan approved the [Organic Production Law No 423-V](#). The stated intent of the law was the promotion of healthy foods, environmental protection, and rational soil use. The law stipulated that:

- Organic production must be labeled with the national mark of organic production conformity (Figure 2); and

Organic production must be completed in accordance with the rules of organic production. The [Minister of Agriculture Order No 230](#) specifies organic production standards for crops, livestock, poultry, fishery, and apiary production.

## Figure 2. Organic Production Conformity



The law also provided for the possibility of international agreements establishing different standards than those required under Kazakhstani legislation.

### *Digital Labeling*

Since 2019, Kazakhstan has implemented the [EAEU Agreement on Labeling of Goods with Means of Identification in the Eurasian Economic Union](#) by mandating digital labeling for certain consumer goods. The stated goal of the Agreement is to strengthen control over the circulation of goods within the EAEU to fight counterfeiting and illegal trade. As part of this process, consumer goods are labeled at the point of production or before sale with data matrix (QR) codes. In July 2021, Kazakhstan announced that it would a digital labeling pilot project with manufacturers for selected food products, including dairy products, packaged water, and beverages containing sugar. It announced the intention of fully enforcing digital labeling for dairy product exports beginning January 1, 2022. The digital labeling of packaged water and sugary drinks will depend on the results of the pilot project. Domestic manufacturers and retailers have expressed opposition to this initiative, and the government has delayed implementation several times. The government has not released details about how this digital labeling scheme might apply to imports.

## Section III: Packaging and Container Requirements

The CU Technical Regulation “On Safety of Packaging” (TR TS 005/2011), which contains requirements for metal, polymer, carton, wood, glass, and composite packaging has been in force since July 1, 2012. The food packaging should comply with the sanitary-hygienic requirements in Attachment 1 of the TR TS 005/2011. Before the packaging can be released into circulation in the EAEU territory, the producer and/or importer must obtain the [declaration of conformity](#) for the packaging.

For an unofficial English translation of the TR, please see GAIN report [RS1253 Customs Union Technical Regulation on Safety of Packaging](#). The full text in Russian of the TR TS 005/2011 is available [here](#).

### *Packaging Sustainability Measures*

The EEC published [On Amending the Technical Regulation of the Customs Union “On Safety of Packaging” \(TR TS 005/2011\) \(amendment No. 4\)](#). According to the EEC explanatory note, one of the goals of the measure is to harmonize packaging regulations with the requirements of European Union



directives against the use of single-use plastic products. For more details, please see the GAIN report [RS-2021-0015 Draft Amendments to EAEU Regulation on Packaging](#).

#### **Section IV: Food Additive Regulations**

The key EAEU document covering food additive regulations is the TR “Safety Requirements for Food Additives, Flavorings, and Technological Aids” (TR TS 029/2012), which contains a list of food additives allowed. For more information, please see GAIN report [RS1338 Customs Union Technical Regulation on Food Additives](#). The TR TS 029/2012 came into effect on July 1, 2013 and became the primary document regulating production and quality of products in the food ingredients and additives sector. The TR refers to the Russian national regulation [SanPiN 2.3.2.1078-01](#) (in Russian) with a list of food additives allowed for use in food products manufacturing (see Annex No. 7). This Russian national regulation continues to apply within the EAEU to the extent it does not contradict EAEU regulations. The current text of the TR TS 029/2012 as amended is available [here](#).

#### **Section V: Pesticides and Other Contaminants**

Tolerances are based on the requirements stipulated in the EAEU technical regulations by product category. For details, please see GAIN reports:

[RS1343 Customs Union Food Technical Regulations in Force as of 1 July 2013](#)

[RS1382 Customs Union Technical Regulation on Milk and Dairy Products](#)

[RS1384 Customs Union Technical Regulation on Meat](#)

[RS1734 Technical Regulation on Safety of Fish and Fish Products](#)

[RS1752 EAEU Technical Regulation on Packaged Water](#)

[RS2020-0037 EAEU Technical Regulation on Safety of Alcohol Products](#)

[Section 15 in Chapter II](#) (in Russian) of the CU Commission Decision No. 299, “Requirements for Pesticides and Agrochemicals,” provides maximum residue levels (MRLs) for soil, air, water, the human body, and agricultural products. These EAEU requirements were amended in 2015. Please see the GAIN report [RS1596 Eurasia Economic Union - New Pesticide MRLs](#).

On October 7, 2021, the EEC published a draft decision "[On Amendments to the Section 1 of the Chapter II of the Common Sanitary-Epidemiological and Hygienic Requirements for Products Subject to Sanitary-Epidemiological Surveillance \(Control\)](#)." The draft decision provides MRL standards for veterinary drugs in animals that will be slaughtered for food use. According to the draft, the standards have been developed based on the residue limits of medicinal products for veterinary use established by the international standard of the Codex Alimentarius Commission’s CX/MRL 2-2018 and the regional standards of the European Commission’s Regulation No. 37/2010 of 22 December 2009. This draft decision has been notified to the WTO for comment.

## Section VI: Other Requirements, Regulations, and Registration Measures

### *Products under Sanitary-Epidemiological Control*

[CU Commission Decision No. 299 of May 28, 2010](#), and its amendments, define products subject to sanitary-epidemiological control, which includes food products under HS groups 02-05, 07-25, 27-29, 32-34, and 35. To clear customs, these products must be accompanied by documents confirming their conformity with safety and quality standards, including the state registration (only for regulated products that are imported into the EAEU for the first time) and the declaration of conformity. To expedite customs clearance and to reduce the cost of clearance and temporary storage, it is recommended that the state registration and declaration of conformity 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);
- 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 Kazakh and Russian languages, and copies and their translations must be certified in accordance with established procedures.

### *Product Registration*

The key EAEU document regulating state registration of certain food products the TR on Food Safety (please, see GAIN report [RS1233 Customs Union Technical Regulation on Food Safety](#)), which establishes the following list of products that are subject to registration:

- Specialized food products, as follows:
  - Food products for infants, including potable water for infants;
  - Food products of dietary therapeutic and dietary prophylactic nutrition;
  - Mineral natural, medical table mineral water, medical mineral water with mineralization above 1 mg/dm<sup>3</sup> or of lower mineralization, containing biologically active substances in the amount of not less than balneological norms;
  - Food products for sportsmen, pregnant, and nursing women;
  - Biologically active additives to food.
- Novel food products<sup>4</sup>.

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<sup>4</sup> The CU Technical Regulation on Food Safety defines novel food products as “food products (including food additives and flavorings) that were not previously used for human consumption on the customs territory of the Customs Union, namely: with new or deliberately modified primary molecular structure; consisting of or being isolated from microorganisms, fungi or algae; from plants; isolated from animals, obtained from GMO or with their use; nanomaterials and nanotechnology products except for food products obtained by traditional methods, being in circulation and considered safe by virtue of experience.”

### *GE Crops*

An amendment to the 2003 Law “On Seeds Farming” restricted new testing and prohibited commercial growth of GE seeds. Research may be conducted in laboratory greenhouses. For more information, please see the GAIN report [KZ2021-0010 Kazakhstan Agricultural Biotechnology Report](#).

All imported GE grains and oilseeds must have their lines registered in the Customs Union prior to importation, and the presence of non-registered lines cannot exceed 0.9 percent. Currently, 15 corn lines, eight soybean lines, one rice line, one sugar beet line, and two potato lines are registered for food use in the EAEU.

### *Declaration of Conformity*

Customs Union Commission Decision No. 319, of June 18, 2010 “On Customs Union Technical Regulation,” partially adopted some of Russia’s system for safety assessments, but still allowed businesses to follow the guidelines of EAEU member states, if they prefer. It is expected that EAEU regulations will eventually replace individual member state regulations. As a result, there is no official unified list covering all goods and products that are subject to mandatory safety assessment (confirmation) within the EAEU. Kazakhstan follows the [list approved by the CU Commission Decision 620](#), which requires a declaration of conformity for the following agricultural products:

- Animal, bird, and fish feed: compound feed and feed additives (e.g., soy meal, milk powder, fishmeal, etc.)

Declarations of conformity are valid for up to five years and allow importers to mark products with a sign of conformity.

EAEU TRs for food products establish declaration of conformity procedures for almost all agricultural and food products, including fat-and-oil products, juices, meat, alcohol, milk and dairy products, specialized dietary food products, fish, and potable water. For more information please see GAIN reports:

[RS1343 Customs Union Food Technical Regulations in Force as of 1 July 2013](#)

[RS1382 Customs Union Technical Regulation on Milk and Dairy Products](#)

[RS1384 Customs Union Technical Regulation on Meat](#)

[RS1734 Technical Regulation on Safety of Fish and Fish Products](#)

[RS1752 EAEU Technical Regulation on Packaged Water](#)

[RS2020-0037 EAEU Technical Regulation on Safety of Alcohol Products](#)

In addition to implementing EAEU import requirements, Kazakhstan requires that importers and/or domestic producers of certain specific goods obtain a Certificate of State Registration before the product can be sold in Kazakhstan, according to [Government Decree No 165 dated February 19, 2008](#). The Committee for Sanitary-Epidemiological Surveillance at the Ministry of Health and the Committee for Veterinary Control and Surveillance are responsible for issuing these certificates. Goods subject to this certification requirement include:

- Feed and feed additives;
- Biologically active supplements for childhood nutrition;
- Genetically modified products;
- Materials and items designated for contact with water and food;

- Chemicals harmful to human health.

The application for feed and feed additive registration shall include the following:

- Products title and its characteristics
- Quantity
- Country of origin, purpose of importation
- Type of transportation
- Importation route
- Entry point to Kazakhstan
- Place for storage and processing
- Terms and place of sale
- Other information, in case of transit, according to the World Organization for Animal Health's Terrestrial Code

The feed and feed additive registration will become valid within 60 calendar days.

#### *Products under Veterinary Control*

[CU Commission Decision No. 317, and its amendments](#) (in Russian) define products subject to veterinary control. This list includes:

- Live animals (all animals, including agricultural, domestic, wild, zoological, sea, commercial fur, circus, and laboratory animals), live birds (all birds, including domestic, wild, ornamental, etc.), semen, and embryos;
- All types of meat and meat products, including poultry;
- Fish, seafood, and processed seafood products;
- Milk and dairy products;
- Eggs and processed egg products;
- Materials of animal origin;
- Feed and feed additives for animals including pet food;
- Leguminous vegetables used for veterinary purposes, including as animal feed.

As of August 22, 2012, several products from the list, including grains for animal feed of plant origin such as oilseed cake and meal, products of milling and oilseeds extraction industries, and some prepared foods such as ice-cream, are no longer subject to veterinary control when exported to Kazakhstan. For the full list of exempt products, please see the [CU Commission Decision No. 810 of September 23, 2011](#) (in Russian).

#### *Veterinary Health Certificate*

Veterinary certificates are generally required for all products subject to veterinary control. Please consult the current FAIRS Export Certificate report for more information.

#### *Lists of Approved Establishments*

In general, products subject to veterinary control are required to come from establishments identified on approved supplier lists. The [Ministry of Agriculture maintains such lists \(in Russian\)](#) for the following commodities:

- Meat and Meat Products: Poultry

- Fish and Seafood
- Meat and Meat Products: Pork
- Meat and Meat Products: Beef/Veal
- Meat and Meat Products: sub-products and Fat of Beef
- Food Products: Finished Beef Products
- Food Products: Finished Lamb Products
- Food Products: Finished Poultry Products
- Food Products: Finished Pork Products
- Food Products: Finished Horse Meat Products
- Food Products: Prepared Meat Products
- Feed and Feed Additives
- Feed and Feed Additives: Feed for Non-Productive Animals, Bird, Fish
- Meat and Meat Products: sub-products and Fat of Pork
- Live Animals: Day-Old Chicks
- Live Animals: Hatching Eggs
- Non-Edible Products: Raw Intestines (Casings)
- Products Not Requiring a Permit: Feed and Feed Additives
- Meat and Meat Products: sub-products and Fat of Poultry

Establishments wanting to be added to these lists should contact the appropriate U.S. competent authority:

- USDA’s Food Safety and Inspection Service
- USDA’s Animal and Plant Health Inspection Service
- U.S. Department of Commerce’s National Marine Fisheries Service

The EAEU has indicated that it is “temporarily” exempting the following products from the listing requirement:

- Animals and genetic material
- Bee products
- Raw materials of animal origin (skin, hair, raw fur skins, feathers, etc.)
- Animal feed of vegetable origin
- Food additives of animal origin
- Composite (containing animal origin components) products
- Gelatin.

#### *Tariff Rate Quotas (TRQs)*

To bring a product into Kazakhstan at the in-quota tariff rate for beef and poultry, it is necessary for the importer to secure a license. The MTI issues licenses. The MTI reviews license applications within 15 working days of submission and then issues the licenses. Licenses are required on an annual basis.

On August 23, 2021, the EEC issued [Decision No. 102](#), “On Establishment of Tariff-Rate Quotas for Import of Certain Agricultural Goods into the Customs Territory of the Eurasian Economic Union (EAEU) in 2022” and “Volumes of Tariff-Rate Quotas for Import of these Goods in the Territories of the Eurasian Economic Union Member states.” The decision establishes TRQs rates and volumes for

imports of meat, poultry, and whey into the EAEU for 2022. TRQ volumes and rates Kazakhstan will be the same as in 2021.

#### *Products under Phytosanitary Control*

CU Commission Decision No. 318 of June 18, 2010, approved the “Regulation on the Procedure of Phytosanitary Quarantine Control (Supervision) at the Customs Border of the Customs Union” and 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.

The [Ministry of Agriculture Order No 4-4/282 of March 30, 2015](#) (amended in January 31, 2020) approved the List of Quarantine Pests and List of Very Dangerous Pests, which specified pests subject to internal control.

#### *Phytosanitary Certificates*

Imported products of low phytosanitary risk do not require a phytosanitary certificate, while high phytosanitary risk products require a phytosanitary certificate from the exporting country. Please consult the current FAIRS Export Certificate report for more information.

Phytosanitary certificates should be issued for each lot of product. One 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 the above criteria must be met for a product to be described as one lot. If products arrive in the same vehicle but were manufactured during different months, separate certificates and packaging descriptions will be assigned.

Since 2013, replacement phytosanitary certificates have been allowed in some cases under the condition that the authorized agencies of exporting countries guarantee safety and wholesomeness of regulated products. Please see GAIN Report [RS1389 Amended CU Regulations Allow Replacement Phytosanitary Certificates](#) for more information.

Kazakhstan’s phytosanitary certificate is approved by the [Ministry of Agriculture Order No 4-4/66 dated January 30, 2015](#) (amended August 9, 2021).

#### *Phytosanitary Requirements*

Since 2017, EAEU phytosanitary requirements have been in effect in Kazakhstan via three key documents, [Unified EAEU List of Quarantine Pests](#), [Unified EAEU Phytosanitary Requirements](#), and [Unified Rules and Norms to Ensure Plant Quarantine on the EAEU Territory](#). The EAEU List of Quarantine Pests replaced the national lists of quarantine objects (pests) of the individual EAEU member states, including Kazakhstan, as of July 1, 2017. The initial list contained 182 quarantine objects (pests) and replaces the national lists of quarantine objects (pests) of the individual EAEU member states. For details please see GAIN reports [RS1721 WTO Notifications on the EAEU Common](#)

[List of Pests](#), [RS1722 WTO Notifications on EAEU Phytosanitary Requirements](#), and [RS1723 WTO Notification on EAEU Common Phytosanitary Rules](#).

In 2018, the EAEU List of Quarantine Pests and the EAEU Phytosanitary Requirements have been amended to include additional quarantine objects (pests) into the List from the national lists of Russia and Kazakhstan. Please see GAIN reports [RS1830 Eurasian Economic Union Ag Times No. 2 of 2018](#) and [RS2019-0018 Eurasian Economic Union Ag Times 2019](#).

Additionally, Kazakhstan's [Plant Quarantine Law No 344 dated February 11, 1999](#) (amended November 16, 2020) specifies, that each batch of imported regulated products with high and low phytosanitary risk is subject to quarantine and phytosanitary control at the border.

## **Section VII: Other Specific Standards**

### *Vitamin Enrichment Requirement*

The Ministry of Health Order No 176/2020 from October 31, 2020 "[On Food Products Enrichment \(fortification\)](#)" (in Russian) specifies that the following food products must be fortified:

1. Wheat flour for baking purposes, grade 1 and 2
2. Baking yeast, bread, bakery products and flour confectionery
3. Milk and sour milk products
4. Fatty products
5. Bottles drinking water
6. Non-alcoholic drinks
7. Cereal products from cereals
8. Ready meals
9. Edible table salt

The regulation defines fortification as "enrichment with vitamins, minerals and other substances to food products during its process of production or processing with purpose to increase food and biological value as well as to prevent diseases caused by deficiency of particular elements among the population." Wheat flour of grades 1 and 2 should be fortified with iron-containing vitamins, minerals and other substances. Baking yeast, bread, bakery products, and flour confectionery should be fortified with iodine preparations, vitamins of group B and E, nicotinic and folic acid, water-soluble preparations of K-carotene, vitamin, and mineral supplements. Bottled drinking water should be fortified with biologically active macro- and microelements (iodine, fluorine, calcium, magnesium, bicarbonates, sodium, potassium, and selenium). Non-alcoholic drinks should be fortified with vitamins A, C, PP, group B, and macro elements (calcium, magnesium, sodium, potassium). Table salt should be fortified with iodine.

### *Dietetic or Special Use Foods*

Dietetic and special use foods are covered by the CU Technical Regulation [TR TS 027/2012 "On Safety of Certain Types of Specialized Food Products, Including Dietary Therapeutic and Dietary Prophylactic Nutrition](#) (in Russian)." For an unofficial English translation as originally adopted please see GAIN report [RS1340 Customs Union Technical Regulation on Specialized Foods](#).



### *Halal/Kosher*

In 2021, Kazakhstan adopted five Halal national standards: 1) ST RK 3483-2019 “Halal Products. Main Provisions;” 2) ST RK 3453-2019 “Requirements for slaughtering” (slaughtering of animals, poultry, its processing and storage); 3) ST RK 3484-2019 “National sign for compliance. Halal. Technical requirements and labelling;” 4) ST RK 3485-2019 “Halal. Conformity Assessment;” and 5) ST RK 3454-2019 “Halal Catering.”

According to the Committee for Technical Regulation and Metrology, these standards are voluntary for producers and suppliers.

The national standard ST RK 3483-2019 “Halal Products. Main Provisions” sets the scope and main provisions for halal products, and its processes of production, storage, transportation, and labelling. Halal products include beverages, plant and plant products, fungi, animals, and animal products which were slaughtered under the ST RK 3453, including:

1. Meat and meat products of allowed animals and poultry
  - 1.1. Cattle, horses, buffalo, camel, sheep, goat, rabbit
  - 1.2. Chicken, geese, turkey, guinea fowl, quail
  - 1.3. Deer, elk, antelope, chamois, hare, wild cattle (non-predatory wild animals)
  - 1.4. Pigeon, quail, ostrich (non-predatory birds)
2. Fish, aquatic invertebrates, aquatic mammals, and other aquatic animals, as well as their processed products, excluding poisonous, toxic, and others, which present danger for life and human health
3. Milk of allowed animals and milk products, excluding products, produced with non-Halal components
4. Eggs of allowed birds and their products
5. Honey and bee products: honey, polish, royal jelly, propolis, bee bread, etc. Particles of honeybees in honey are not considered as Halal
6. Grains, and its processed products, oil and fat products, sugar products, and confectionery products
7. Fruits, vegetables, mushrooms, and their products, excluding poisonous, toxic, and other types, which present danger for human life and health
8. Plants, including seaweed, and their products, excluding those which present danger for human life and health
9. Microorganisms (fungi, bacteria, yeast, etc.) and their products, excluding those which present danger for human life and health. The microorganisms, used for manufacturing, should be derived from use of media, from Halal products. Yeast extract and its products should not be made from brewer’s yeast.
10. Natural table, mineral waters and non-alcohol beverages, excluding those, produced from fermentation, poisonous, intoxicating or dangerous for health
11. Enzymes and enzyme preparations, used as a raw material, technological component or final product, should be produced from materials, produced from Halal products
12. Mineral and chemical substances, excluding poisonous, toxic or any other, which present danger for human life and health
13. Biologically active additives should be produced from Halal sources (plants and animals) and should not contain non-Halal products
14. Allowed food additives, produced from Halal products

Kazakhstan does not regulate Kosher products.



### *Food Sanitation Laws/Guidelines*

Food sanitation laws and guidelines are covered in Section VI.

### *Plant-Based Meat and/or Dairy Alternatives*

Plant-based meats and dairy alternatives are subject to conventional food regulations. Plant-based dairy alternatives are widely available for sale in Kazakhstan, however plant-based meat alternatives are not.

### *Organic Products*

For the last five years, the government has actively promoted organic or “environmentally clean” agricultural products. Kazakhstan approved its [Organic Production Law No 423-V](#) on November 27, 2015 (amended October 28, 2019). The Law regulates manufacturing, storage, transportation, labeling, and marketing of organic products and provides the regulatory framework for the organic industry.

Various implementation details of the law are under development, especially concerning certification and accreditation procedures, lists of officially certified organic producers, and guidelines for imports of organic products.

### *Specific Standards for Meat and Poultry Products*

U.S. meat and poultry export requirements to Kazakhstan are frequently revised. Please consult the current export requirements at <http://www.fsis.usda.gov/wps/portal/fsis/topics/international-affairs/exporting-products/export-library-requirements-by-country/Kazakhstan>.

The key EAEU regulation covering standards and requirements for meat and meat products is the TR “On Safety of Meat and Meat Products” that has been in force since May 1, 2014. Please see GAIN report [RS1384 Customs Union Technical Regulation on Meat](#).

### *Specific Standards for Fish and Seafood Products*

Procedures for U.S. fish and seafood processors exporting to Kazakhstan are published on the U.S. Department of Commerce’s National Marine Fisheries Service: <https://www.fisheries.noaa.gov/topic/seafood-commerce-certification#domestic-&-international-services>.

The key EAEU regulation covering standards and requirements for fish and fish products is the TR “On Safety of Fish and Fish Products” (TR EAEU 040/2016) that came into force as of September 1, 2017. Please see GAIN report [RS1734 Technical Regulation on Safety of Fish and Fish Products](#).

### *Specific Standards for Wine, Beer and Other Alcoholic Beverages*

The EAEU drafted a TR “On Safety of Alcohol Products” (TR EAEU 047/2018) in 2011. The TR set unified mandatory requirements for alcoholic products and 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 EAEU Member states. Please see GAIN report [RS2020-0037 EAEU Technical Regulation on Safety of Alcohol Products](#). On November 3, 2020, the EEC decided that the regulation will come into force on January 1, 2022.

Kazakhstani legislation regulating alcohol products includes the following:

- The Law on “[State regulation of the ethyl spirit and alcohol products manufacturing and circulation](#)” No 429 dated July 16, 1999, which specifies that alcohol products are food products containing ethyl spirit more than 1.5 percent, except products for medical purposes.
- [Technical regulation “Requirements on Alcohol Products Safety” No 1081 dated October 20, 2010](#)

#### *Excise Stamps*

Excise stamps are required on all alcoholic products for sale to consumers, except beer and wine. Rules on alcohol product labeling are specified in the [Minister of Finance Order No 143](#), dated February 8, 2018.

In addition to the excise stamp, the importer should secure a deposit according to the [Minister of Finance Order No 144 dated February 8, 2018](#) and [item 6, article 653 of the Tax Code](#). The stated purpose of this deposit is to guarantee the proper usage of the excise stamps. The importer should pay the excise and security deposit at the same time in Kazakhstan. The amount to be deposited is calculated at 2,917 tenge (\$6.8) per 1 liter of vodka (HS2208) and 291 tenge (\$0.68) per 1 liter of any other type of alcohol for 2021.

### **Section VIII: Trademarks, Brand Names, and Intellectual Property Rights (IPR)**

As a relatively new WTO member, Kazakhstan’s IPR legislation is still evolving. In 2015, the country signed an Enhanced Partnership and Cooperation Agreement with the European Union, which includes a special section on IPR protection. Kazakhstan follows the 2015 EAEU Agreement on coordinating IPR protection activities and the 2017 Treaty on the EAEU Customs Code.

In 2015, Kazakhstan enacted two IPR laws enhancing the role and transparency of organizations for collective management of copyright royalty payments and extending the original medicine patent protection period to six years, during which no new drug can be registered with reference to the test data and confidential information submitted under the original drug owner’s patent.

In 2018, Kazakhstan amended several IPR laws to streamline the IPR protection system. The amended law creates one-tier system for trademark registration, reduces a time period for registration, introduces opportunities for pre-trial dispute resolution of trademark issues through the Appeals Council at the Ministry of Justice, and modifies qualification requirements of patent attorneys.

Kazakhstan has ratified 18 of 24 treaties endorsed by the World Intellectual Property Organization. Additional information is available [here](#).

In 2019, Kazakhstan made some progress in becoming a member of the [International Union of the Protection of New Varieties of Plants](#) (UPOV). The Ministry of Agriculture amended the Law “[On protection of breeding achievements](#)” No422-I dated July 13, 1999 (amended October 29, 2019) to include UPOV provisions.

## Section IX: Import Procedures

It is recommended that importers check all import documents and confer with in-country experts to ensure they follow Kazakhstani and EAEU standards and regulations. While the EAEU is expected to allow for expedited customs clearance of imported goods to the entire Union, implementation has been uneven and unpredictable. The transitional provisions as defined by [Article 449 of the EAEU Customs Code](#) state that the EAEU customs declaration shall be submitted to the customs bodies of the country where the applicant is registered, permanently lives in the EAEU, or where the product is located.

It is recommended that customs clearance be carried out by an agency located in the country where the customs clearance must be performed or by a representative of this party *in situ*. In cases of shipment delays and/or other transportation irregularities, Kazakhstani importers can “provisionally” clear shipments at the customs border of other EAEU member countries, however in practice, importers note this process is unclear and difficult to negotiate.

Import permits are issued in the name of physical or legal entities that are officially registered in Kazakhstan with the tax authorities. Typically, the exporter handles export customs clearance procedures and the importer handles import customs clearance.

### *EAEU 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 Eurasian Economic Union. The descriptions of the current edition of the Nomenclature and the EAEU Customs Tariff as well as customs tariff rates, as currently amended, can be found at [EAEU Unified Customs Tariff](#). The EAEU codes are similar, but not identical to the U.S. Customs Service Harmonized Code numbers. As of January 1, 2017, the EAEU Commodity Codes were updated to reflect the HS Nomenclature [2017 Edition](#).

### *Customs Payments*

Customs duties, fees, and value-added tax (VAT) are usually paid in advance to avoid delays in customs clearance. Customs duties, fees, 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 EAEU, which is used as a basis for calculation of the import custom duties and taxes, includes the cost of goods, insurance costs, and costs of transportation of the goods to the customs border. Depending on actual circumstances, including contractual arrangements, an importer may 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.

Importers should use the EAEU Customs Tariff and the Kazakhstani Tax Code to calculate customs duties and fees. Tariff rates are subject to change, so importers should monitor amendments to the tariff schedule.

Customs clearance fees are established by the [Ministry of Finance](#) and can be searched [here](#). The importer must transfer money into a designated bank account to pay for customs fees and taxes based on the shipment’s value approximately three days before the shipment is due to arrive.

### *Customs Clearance*

Customs clearance usually occurs at the country of destination and typically takes between two and four days. In Kazakhstan, imported goods are generally released one business day after the customs declaration is registered. Imported goods are normally cleared at customs either before the shipment transits to Kazakhstan or at the time the goods reach a designated customs house (and are placed in a special temporary customs warehouse, if needed).

Customs clearance is normally completed by the importer who files 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 generally required to submit the following documents:

- 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 in Kazakhstan (e.g., statutory documents, the accreditation certificate of the branch or representative office of a legal entity, identity document, 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 Kazakhstani bank (the importer provides 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
- 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

These documents must be issued in the name of the importer and be in official language(s) of the EAEU member state(s). The above is a general list of the documents required for goods to clear customs under

any customs regime declared by Kazakhstan. The list of the required documents may be expanded at the discretion of customs authorities.

Under Kazakhstani law and EAEU regulations, the customs clearance of goods should be performed within one day after the submission, and once customs authorities have accepted all the required documentation. In practice, the customs clearance process may take longer.

#### *Electronic Navigation Seals*

Russia has recently updated domestic legislation to address food imports (mainly from the United States and the EU) transiting Russian territory to EAEU member states but which are banned within Russian territory. The legislation intended to streamline transit of these products by using a “track and trace” electronic tracking system (i.e., electronic seals). The use of electronic navigation seals is a paid service with fees for installation, uninstallation, and use starting from 4,720 rubles (~\$67) a day. Please see GAIN report [RS2020-0033 Transit of Embargoed Food through Russia Streamlined](#).

## **Section X. Trade Facilitation**

#### *E-Certification*

While Kazakhstan and the [EAEU have declared their intention to digitalize all trade documentation at meetings](#) (in Russian) and other public fora, drafts of the necessary regulations have not been released. Petty corruption among government and private customs clearance agencies remains prevalent. E-certification initiatives intend to increase customs clearance efficiency, decrease trade in counterfeit goods, and reduce opportunities for corruption.

#### *Pre-Arrival Submission*

[EEC Collegium Decision No. 56](#) of April 17, 2018, mandated a pre-arrival submission of information about goods imported into EAEU customs territory by automobile transport two hours prior to the good’s arrival.

The scope of a pre-arrival submission is as follows:

- The sender, recipient of the goods in accordance with the transportation (shipment) documents; their names and addresses
- 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 that 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 EAEU 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 EAEU 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 EAEU, if such movement is permitted
- Planned transshipment of goods or cargo operations in a way
- Time and place of arrival of goods into the EAEU customs territory
- Availability of goods whose import into the territory is prohibited or restricted
- Place and date of drawing up international commodity transport bill of lading

According to the [EEC Collegium Decision No. 57](#) of April 17, 2018, pre-arrival submission of information about goods imported into the EAEU via railway is required two to four hours prior to the good's arrival. Please see GAIN reports [RS1349 Draft CU Pre-Notification Requirement for Imports by Rail](#) and [RS1380 Eurasian Economic Union Ag Times No. 2 of 2018](#).

Pre-arrival submission of information about goods imported into the EAEU by air is mandated by the [EEC Collegium Decision No. 62](#) of April 24, 2018.

The [EEC Collegium Decision No. 51](#) of April 10, 2018, introduced a pre-arrival submission of information about goods imported into the EAEU by water transport no later than six hours prior to the good's arrival.

## Appendix I: Key Government Regulatory Agency Contacts

1. The Committee of the Veterinary Control and Surveillance  
010000, Nur-Sultan, Kenessary 36, floor 6  
Tel: 7 (7172) 555-815  
Fax: 7 (7172) 555-815  
e-mail: [priemnaya.kvkn@minagri.gov.kz](mailto:priemnaya.kvkn@minagri.gov.kz)  
<https://www.gov.kz/memleket/entities/vetcontrol?lang=ru>

The Committee of the Veterinary Control and Surveillance reports to the Ministry of Agriculture: <https://www.gov.kz/memleket/entities/moa?lang=ru>

2. The Committee of the State Inspection in Agriculture  
010000, Nur-Sultan, Kenessary 36  
Tel: 7 (7172) 555-961  
e-mail: [priemnaya.kgiapk@minagri.gov.kz](mailto:priemnaya.kgiapk@minagri.gov.kz)  
<https://www.gov.kz/memleket/entities/agroindust?lang=ru>

The Committee of the State Inspection in Agriculture reports to the Ministry of Agriculture: <https://www.gov.kz/memleket/entities/moa?lang=ru>

3. The Committee for Sanitary-Epidemiological Surveillance  
010000, Nur-Sultan, Orynbor, 8  
Tel: 7 (7172) 74-17-72  
Fax: 7 (7172) 74-17-72  
<https://www.gov.kz/memleket/entities/kkkbtu?lang=ru>

The Committee for Sanitary-Epidemiological Surveillance reports to the Ministry of Health: <https://www.gov.kz/memleket/entities/dsm?lang=ru>

4. The Committee for Technical Regulation and Metrology  
010000, Nur-Sultan, Orynbor 11  
Tel: 7 (7172) 270-701  
<https://www.gov.kz/memleket/entities/mti-ktrm/about?lang=ru>

The Committee for Technical Regulation and Metrology reports to the Ministry of Trade and Integration: <https://www.gov.kz/memleket/entities/mti?lang=ru>

5. Eurasian Economic Commission  
115114, Moscow, Letnikovskaya ul., 2, bld. 1, bld. 2  
Tel./Fax: 011 7 (495) 669-2400  
<http://www.eurasiancommission.org/ru/Pages/default.aspx>

## **Appendix II: Other Import Specialist Technical Contacts**

Kazakh Institute of Standardization and Certification (certification/declaration of conformity)

11, Orynbor, Bld. "Ethalon Center"

010000, Nur-Sultan, Yessil district

Tel. 7 (7172) 79-34-22

<https://www.gov.kz/memleket/entities/mti/about/structure/organization/leadership/14361/1?lang=ru>

### **Attachments:**

No Attachments