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VPSS Stepped Backward in the Border Phytosanitary Control

Report Categories:

Trade Policy Monitoring

Sanitary/Phytosanitary/Food Safety

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Report Highlights:

On the request of the Russian Federal Antimonopoly Service (RFAS) the Russian Federal Service for Veterinary and Phytosanitary Surveillance (VPSS) recalled its latest improved list of imported products under quarantine and phytosanitary control, and returned to the previous, more prohibitive version of the list.

General Information:

On September 30, 2009, the Russian Federal Service on Veterinary and Phytosanitary Surveillance (VPSS) informed the plant health authorities of foreign countries that the *List of Quarantine Products (Materials, Cargoes) That Are Subject to the State Quarantine Phytosanitary Control* approved by VPSS on May 27, 2009, and agreed upon with the Federal Customs Service of the Russian Federation on June 4, 2009^[i], would no longer be in force. Beginning September 23, 2009, VPSS returned to the previous *List of Quarantine Products (Materials, Cargoes) That Are Subject to the State Quarantine Phytosanitary Control* approved by VPSS and agreed upon with the Federal Customs Service of the Russian Federation on December 11, 2006^[iii].

The June 2009 list improved Russian quarantine and phytosanitary requirements for plant products by bringing them closer to international standards and norms. At the same time this list imposed phytosanitary restrictions on means of transportation. According to mass media, the importers of the used means of transportation immediately appealed to the Russian Federal Antimonopoly Service (RFAS). In the beginning of August 2009, RFAS initiated proceedings against the VPSS, and the Federal Customs service on elements of violation of the federal law “On Protection of Competition”^[iii], and on August 30 the RFAS’s Commission confirmed that VPSS violated Russian anti-monopoly legislature. The RFAS’s accusation had nothing to do with the phytosanitary issues but rather VPSS over stepping its authority by issuing a normative act.

In accordance with the Statute of VPSS updated by the Order of the Head of VPSS #357 of October 10, 2008 “On the Statute of the Federal Service for Veterinary and Phytosanitary Surveillance” (registered in the Russian Ministry of Justice on November 10, 2008, registration #12603)^[iv], VPSS is a controlling-surveillance body under the jurisdiction of the Ministry of Agriculture and has no legal authority to issue regulations. VPSS did not argue the Commission’s decision and returned to the old List, which had been issued by VPSS before VPSS’s statute was adjusted in October 2008.

Thus, imports of products of plant origin is monitored by the *List of Quarantine Products (Materials, Cargoes) That Are Subject to the State Quarantine Phytosanitary Control* approved by VPSS and agreed upon with the Federal Customs Service of the Russian Federation on December 11, 2006. The List can be found on the site: <http://fsvps.ru/fsvps/laws/97.html>. The English translation of this list is in the GAIN report RS7011.

Relevant Reports

RS9056 _ Sanitary/Phytosanitary/Food Safety _ Phytosanitary Control of Imported Means of Transportation

RS9048 _ Trade Policy Monitoring _ Imported Products Under Quarantine and Phytosanitary Control

RS7011 _ Trade Policy Monitoring _ List of Products That Require Quarantine and Phytosanitary Certificates

^[i] For information on this List see GAIN report RS9048 _ Trade Policy Monitoring _ Imported Products Under Quarantine and Phytosanitary Control

^[ii] For information on this List see GAIN report RS7011 _ Trade Policy Monitoring _ List of Products That Require Quarantine and Phytosanitary Certificates

^[iii] For more information see GAIN report RS9056 _ Sanitary/Phytosanitary/Food Safety _ Phytosanitary Control of Imported Means of Transportation

^[iv] The text of the Order #357 and the description of Status and Functions of VPSS can be found on <http://fsvps.ru/fsvps/laws/47.html#1>