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New Draft Organic Regulations Available for Public Comments

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Report Highlights:

In July 2014, the Russian State Duma Committee announced the start of public comments and expert evaluations of a draft version of National Standard (GOST) “Regulation of Organic Production” which will last until September 15, 2014. The GOST is prepared in accordance with the Council Regulation (EC) No 834/2007 of June 28, 2007, on organic production and describes the requirements for organic production and labelling. The GOST includes lists of fertilizers, plant protection products and agricultural chemicals which are allowed for use in organic production. Post is working on preparing the unofficial translation of the Standard and will publish it as soon as completed. The final law is anticipated to come into force in 2015. You can find an unofficial translation of the draft law in Appendix 1 of this report.

General Information:

In July 2014, the Russian State Duma Committee announced the start of public comments and expert evaluations of a draft version of National Standard (GOST) “Regulation of Organic Production” which will last until September 15, 2014. The Standard is prepared in accordance with the Council Regulation (EC) No 834/2007 of June 28, 2007, on organic production and describes the requirements for organic production and labelling. The Standard also includes lists of fertilizers, plant protection products and agricultural chemicals which are allowed for use in organic production. Post is working on preparing the unofficial translation of the Standard and will publish it as soon as completed.

The Russian government continues to work on the legislation for organic products. On July 16, 2014, an updated version of the Federal Law "On Manufacture of Organic Products" was published on the official website for public comments. The document introduces the general concept of organic production in Russia and certification requirements.

Russian authorities pursue the following objectives when creating this Law:

1. Development of a competitive economic environment in the field of organic production;
2. Increase in exports of organic products;
3. Development of the domestic market for organic products.

It is the fourth draft of the original 2010 document and has been significantly changed since the initial version. The main differences implemented in the current version are a voluntary certification system for producers (instead of previously proposed mandatory state registration) and provides for the opportunity to register the organic products in various accredited certification bodies instead of registering in a specially government created structure.

The law also states that the government will maintain a list of organic producers in Russia which will be published on an official website. Registered producers will be eligible for a federal government support programs as well. Industry experts have reviewed the federal law on organics and have made positive comments about it. They also confirmed that the Russian law is virtually harmonized with European organic laws. Currently, the law is going through the final phase and expected to come into force as of January 1, 2015. It is expected that the law will be followed by more specific regulations and standards for organic products.

In 2013, organic sales in Russia reached \$135 million, up 12.8 percent compared to 2012 (Source: Euromonitor updated statistics). Some experts confirm there is enough land in existence for organic agriculture in Russia since 40 million hectares of Russian land has been unused for two decades and can be considered “ecologically clean”. Moreover, it is estimated that roughly 50 percent of private farms do not use any synthetic pesticides, industrial solvents, chemical fertilizers or GMOs and could be certified as organic producers. (Euromonitor International, 2013)

To find more information on this topic in previous Post report please follow the link:

<http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Development>

Appendix 1

Unofficial Translation

DRAFT FEDERAL LAW

On Production of Organic Products

Article 1. Scope of this Federal Law

1. This Federal Law establishes the legal basis for regulation of relations in the area of manufacture and turnover of organic products, and determines the authorities of the federal executive bodies and the state government bodies of the constituent entities of the Russian Federation.
2. This Federal Law shall be applied to the relations arising from manufacture and turnover of products of plant, animal, or microbial origin in their natural or processed form, and used for human consumption, as animal feed, planting or seed material, information and/or attached documentation on which contains an indication that the products were produced through organic production.
3. This Federal Law shall not be applied to the relations associated with manufacture and turnover of perfumes and cosmetics, pharmaceuticals, as well as game and fish.

Article 2. General definitions

For the purpose of this Federal Law, the following general definitions shall be used:

1. organic products – products obtained through the manufacture certified to comply with the national standards on manufacture of organic products in accordance with the requirements of the Russian Federation laws on technical regulation;
2. manufacture of organic products (organic production) – all phases of production and processing of products based on compliance with the national standard for manufacture of organic products;
3. an organic producer – physical and legal entities involved in the manufacture (production) of organic products for the purpose of marketing;
4. the State register of organic producers of the Russian Federation – a set of data on organic producers.

Article 3. The Laws of the Russian Federation on manufacture and turnover of organic products

1. The Laws of the Russian Federation on manufacture and turnover of organic products are based on the Constitution of the Russian Federation, international treaties of the Russian Federation on

manufacture and turnover of organic products, the laws of the Customs Union, and consist of this Federal Law, other federal laws, other regulatory legal acts of the Russian Federation, national standards, laws and other regulatory legal acts of the constituent entities of the Russian Federation, as well as the regulatory legal acts of the bodies of local self-governments.

2. Should an international treaty of the Russian Federation stipulate rules other than those set forth in the Laws of the Russian Federation that regulate the relations in the area of manufacture and turnover of organic products, the rules of the international treaty shall be applied.

Article 4. Key objectives of the national policy on organic production and turnover

The national policy on manufacture and turnover of organic products is aimed at creating favorable conditions for:

1. development of the competitive economic activities in the field of manufacture and turnover of organic products;
2. increase in exports of organic products;
3. development of the domestic market for organic products and satisfying the demand of the Russian Federation population for organic products.

Article 5. Authorities of the federal executive body in charge of developing the national policy and regulations in the field of the agri-industrial complex and fisheries, manufacture and turnover of organic products.

Authorities of the federal executive body in charge of developing the national policy and regulations in the field of the agri-industrial complex and fisheries, manufacture and turnover of organic product are as follows:

1. formulation and implementation of the national policy and international cooperation in the field of manufacture and turnover of organic products;
2. formulation and implementation of the departmental special-purpose programs in the field of manufacture and turnover of organic products;
3. organization of informational, consultative and methodological assistance to the individuals engaged in organic manufacture or those who are planning to launch such manufacturing;
4. assistance to research in the field of manufacture of organic products;
5. maintenance of the State register of organic producers of the Russian Federation.

Article 6. Authorities of the state government bodies of constituent entities of the Russian Federation in the field of manufacture and turnover of organic products

Authorities of the state government bodies of constituent entities of the Russian Federation in the field of manufacture and turnover of organic products are as follows:

1. formulation and implementation of the regional programs in the field of manufacture of organic

- products;
- 2. promotion of sales of organic products.

Article 7. **The fundamentals of manufacture and turnover of organic products**

1. Activities in the field of manufacture and turnover of organic products are carried out on the basis of:
 - a) voluntary adoption of rules for manufacturing and turnover of organic products;
 - b) uniformity of rules for manufacturing and turnover of organic products;
 - c) uniformity of conditions for voluntary compliance verification of manufacture of organic products.
 1. Requirements established by the technical regulations of the Customs Union, other regulatory legal acts as well as the national standards are applied to organic products manufactured, imported and circulated on the territory of the Russian Federation.
 2. The fundamentals of manufacture of organic products are:
 - a. use of only healthy animals and plants;
 - b. manufacturing process without any use of agrochemicals, pesticides, antibiotics, animal growth promoters, and hormones;
 - c. eliminating the use of genetically modified and transgenic organisms and products manufactured from genetically modified and transgenic organisms or with the use of genetically modified and transgenic organisms;
 - d. eliminating the use of hydroponic production practices;
 - e. ban on the use of ionizing radiation to treat organic food products, feed and raw materials used in the organic food products or feed;
 - f. minimum use of non-renewable natural resources and means of production;
 - g. recycling of wastes and by-products of plant and animal origin to be used as means of production in crop farming and animal husbandry received through organic production;
 - h. crop protection using preventative measures that include selection of the appropriate species and varieties resistant to pests and diseases, and properly managed crop rotation;
 - i. mechanical and physical crop protection practices;
 - j. animal health maintenance through boosting the animals natural immune protection system, and selecting the appropriate breeds and herd management practices;
 - k. animal breed selection taking into consideration the animals capabilities to adapt or their adaptation level to local conditions, their livability, and resistance to diseases;
 - l. manufacture of organic products of animal origin from animals provided that their housing conditions comply with the requirements of organic farming from the moment of their birth;
 - m. use of animal feeds in livestock farming that consist of agricultural ingredients obtained through organic production;
 - n. eliminating the use of artificially obtained polyploid animals;
 - o. conservation of the biological diversity of the natural ecological water systems, maintenance of the appropriate conditions of the environmental water and surface natural ecological systems during aquaculture production.
 - p. Organic products shall be manufactured separately from any manufacture that is not compliant

with the rules of organic production.

q. Processing of organic products is based on:

- restricted use of food additives, feed additives, non-organic components (responsible for technological and sensoric functions) as well as trace elements and processing aids, which can be used in case of technological and zootechnical needs, or for dietary purposes;
- eliminating the use of substances and technological practices, effects of which may mislead the customer with regard to the product's true quality;
- application of predominantly biological, mechanical and physical processes during the primary processing of organic foods and feeds.
- All rules of organic production set forth in the national standard for the manufacture of organic products are applied to organic production.

Article 8. Verification of compliance of organic production

1. Verification of compliance of organic production is carried out as voluntary certification with the purpose of establishing the compliance of the manufacture of organic products with the national standard for organic production.
2. Voluntary compliance verification of organic production is initiated by an organic producer and is carried out by the certification agency accredited by the National Accreditation Authority of the Russian Federation under the terms of the contract signed between the organic producer and the certification agency.
3. Voluntary compliance verification of organic production is carried out in accordance with the procedures established for the voluntary certification system.

Article 9. Maintenance of the State Register of Organic Producers of the Russian Federation

1. The federal executive body in charge of developing the national policy and regulations in the field of the agri-industrial complex and fisheries shall maintain the State Register of Organic Producers of the Russian Federation on the official website of the Internet information and telecommunication network.
2. The Government of the Russian Federation determines the procedures related to maintenance of the State Register of Organic Producers of the Russian Federation as well as the requirements placed on organic producers to include them in the State Register of Organic Producers of the Russian Federation.

Article 10. Use of the “organic product” term.

1. The “organic product” term may be used to inform consumers and advertise organic products only after the physical or legal entities receive the certificate of compliance of the organic production in accordance with article 8 of this Federal Law, and after they are included in the State Register of Organic Producers of the Russian Federation.
2. It is prohibited to use other terms, their combinations, acronyms or derivatives to inform

consumers and advertise organic products on the territory of the Russian Federation.

3. The federal executive authority in charge of developing the national policy and regulations in the field of the agri-industrial complex and fisheries approves the graphic image (the state logo), as well as procedures governing its use.

Article 11. The state support of organic producers

1. The state support of organic producers shall be provided by ways and means stipulated by laws of the Russian Federation on the government support of the agricultural production.
2. The state support of organic producers is offered to those producers who are included in the State Register of Organic Producers of the Russian Federation.

Article 12. Informational and methodological support of organic producers and organic production

1. The following information may be posted on the official websites of the authorities of the state government bodies of the constituent entities of the Russian Federation in the Internet information and telecommunication network, official websites of the local self-governments, official websites of the unions (associations) of the agricultural producers:
 2. regarding commercial entities engaged in specialized trade in organic products including foods;
 3. regarding land plots suitable for organic production;
 4. regarding other information on organic products.
5. Methodological support of organic producers and organic production includes:
 6. scientific and methodological development of organic production technologies and processes, adaptation of international practices, as well as the best world practices in the field of organic production to conditions and requirements of the Russian agri-industrial complex;
 7. organization of training in organic production practices offered to agricultural producers including citizens engaged in farming their private households;
 8. consultative services on matters related to organic production.

Article 13. International cooperation of the Russian Federation on the manufacture and turnover of organic products

International cooperation of the Russian Federation on the manufacture and turnover of organic products is carried out in accordance with the generally accepted principles and rules of the international law, as well as the international treaties of the Russian Federation.

Article 14. Responsibility for violation of the laws of the Russian Federation on manufacture and turnover of organic products

Violation of the laws of the Russian Federation on manufacture and turnover of organic products shall involve responsibility in accordance with the laws of the Russian Federation.

President
of the Russian Federation