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Russia to Adopt New Law on Organics

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Report Highlights:

On January 1, 2020, Federal Law No. 280-FZ “On Organic Products and Amendments to Certain Legislative Acts of the Russian Federation” will enter into force. The new law will, for the first time, begin to regulate manufacturing, storage, transportation, labeling, and marketing of organic products.

General Information:

On January 1, 2020, Federal Law No. 280-FZ “On Organic Products and Amendments to Certain Legislative Acts of the Russian Federation” will enter into force. The new law will, for the first time, begin to regulate manufacturing, storage, transportation, labeling, and marketing of organic products.

Russia’s nascent organic food industry views the new law as a legal framework for further development of Russia’s organic sector. It gives impetus not only to the development of Russian organic food production, but it also aims to increase Russia’s export potential, a key goal of the Russian Government. Industry experts are cautiously optimistic, hoping that the new law will be effectively implemented. A lot of details are still under development, especially in regard to certification and accreditation procedures, labeling and specific support mechanisms for organic producers.

Prior to Federal Law No.280-FZ, Russian regulations did not specifically address issues pertaining to organic food production, trade and marketing. Even under the new law, there are still no clear guidelines for imports of organic products. According to some estimates, imported organic products currently account for almost 80 percent of Russia’s organic food market.

There is a widespread belief that Russia has great potential to expand organic food production and export its own organic products to foreign markets. According to Russia’s Ministry of Agriculture, there are more than 10 million hectares of unused agricultural land in Russia. Most of this land is considered to be suitable for organic farming, under the claim that there are no contaminants or chemical fertilizer applications.

Federal Law No. 280- FZ “On Organic Products and Amendments in Certain Legislative Acts of the Russian Federation” is available for download using the following link –

<http://publication.pravo.gov.ru/Document/View/0001201808030066>

BELOW IS AN UNOFFICIAL TRANSLATION:

Federal Law of August 3, 2018, No. 280-FZ

“On Organic Products and Amendments in Certain Legislative Acts of the Russian Federation”

Adopted by the State Duma

July 25, 2018

Endorsed by the Federation Council

July 28, 2018

Article 1. Scope of the Federal Law

1. This Federal Law regulates relations associated with the manufacture, storage, transportation, labeling, and marketing of organic products (hereinafter – manufacture of organic products).
2. This Federal Law does not apply to relations associated with the manufacture, storage, transportation, and marketing of perfume and beauty products, pharmaceuticals, forest plant seeds, hunting products, fish products (except aquaculture products).

Article 2. Basic Definitions Used in the Federal Law

For the purposes of this Federal Law, the following basic definitions are used:

- 1) Organic products – eco-friendly agricultural products, raw materials, and foodstuffs produced in compliance with the requirements established in the present Federal Law;
- 2) Organic agriculture – a set of economic activities outlined in Federal Law No. 264-FZ dated December 29, 2006 “On Agricultural Development” and carried out using practices, methods, and technologies that strive to ensure favorable ecological situation, promote human health, and to maintain and restore soil fertility;
- 3) Manufacturers of organic products – legal entities and physical persons who are involved in the manufacture, storage, labeling, transportation, and marketing of organic products and included in the unified state register of organic product manufacturers.

Article 3. Legal Regulation of Relations in the Area of Organic Products Manufacturing

Legal regulation of the relations in the area of organic products manufacturing is based on the acts comprising the law of the Eurasian Economic Union and implemented in compliance with this Federal Law, other federal laws, and legislative acts of the Russian Federation, as well as, laws and legislative acts of constituent entities of the Russian Federation adopted in accordance with the above federal laws and acts.

Article 4. Requirements for the Manufacture of Organic Products

1. The following basic requirements should be met during the manufacture of organic products:

- 1) the manufacture of organic products is separated from the manufacture of products other than organic products;
- 2) ban on the use of agrichemicals; pesticides; antibiotics; agents promoting animal growth and fattening; hormonal formulations, other than those allowed for the use by the national, interstate, and international standards in the sphere of manufacture of organic products that are effective in the Russian Federation;
- 3) ban on the use of embryo transplantation; cloning, and gene engineering techniques; genetically engineered (modified) and transgenic organisms; as well as products manufactured with the use of genetically engineered (modified) and transgenic organisms;
- 4) ban on the use of hydroponic plant culturing method;
- 5) ban on the use of ionizing radiation;
- 6) the application of agents of biological origin to control pests, plant, and animal diseases, and the implementation of measures to prevent losses inflicted by pests to plants or products of plant origin that are based on the protection of entomophages (natural enemies of plant pests), the selection of plant

species and varieties, and the choice of crop rotation, optimal plant raising techniques, and methods of thermal treatment of organic products;

7) the selection of farm animal breeds or species taking into consideration their adaptation capacity and resistance to diseases; establishing conditions that facilitate their health protection, veterinary welfare, and natural reproduction; and, ensuring the optimal sanitation and hygienic parameters of their housing conditions;

8) the use of food additives, processing aid means, flavoring agents, taste enhancers, enzymatic preparations, microelements, vitamins, amino acids, envisaged in the national, interstate, and international standards in the sphere of manufacture of organic products that are effective in the Russian Federation;

9) the application of biological, including probiotic, microorganisms, traditionally utilized in food processing; the implementation of measures for protecting products of animal origin against microbial spoilage based on the interaction between microorganisms in the natural environment;

10) ban on mixing organic products with products other than organic during storage and transportation of the organic products;

11) ban on the use of containers, shipment and retail packages which may cause contamination of the organic products and the environment, e.g. the use of polyvinylchloride for containers, shipment and retail packages.

2. Rules for the manufacture of organic products are established in the national, interstate, and international standards in the sphere of manufacture of organic products that are effective in the Russian Federation and that consider the requirements for the organic products' manufacturing prescribed in Section 1 of this Article.

Article 5. Verification of Organic Product Manufacture Conformity

1. Conformity of the organic product manufacture is verified in the form of voluntary certification in accordance with the requirements of the Russian Federation legislation on technical regulation for the purposes of establishing compliance of organic product manufacture with the national, interstate, and international standards in the sphere of manufacture of organic products that are effective in the Russian Federation (RF).

2. Voluntary verification of conformity of the organic product manufacture is conducted by certification bodies accredited in the sphere of organic product manufacture within the national accreditation system pursuant to the RF legislation on accreditation; the certification bodies issue a certificate of conformity of organic product manufacture (hereinafter – the “conformity certificate”).

3. Voluntary verification of conformity of organic product manufacture does not replace the mandatory verification of conformity of organic products in cases envisaged in the acts comprising the law of the Eurasian Economic Union and the legislation of the Russian Federation.

Article 6. The Unified State Register of Organic Products

1. A unified state register of organic product manufacturers is developed to provide free-of-cost information to consumers about the organic product manufacturers and the types of organic products manufactured by them. The register contains information on the organic product manufacturers and the types of organic products manufactured by them, as well as other data specified in this Federal Law.

2. The unified state register of organic product manufacturers is kept in electronic format by the federal executive body responsible for the development of state policy and legal regulation in the area of agro-industrial complex and fishery, with the use of the federal state information management systems of the above mentioned federal executive authority.

3. Mandatory data to be included in the unified state register of organic product manufacturers:

1) full and short (if available) name; brand name; the main state registration number; the date of making entry on the establishing of a legal entity into the unified state register of legal entities; the tax payer identification number (for legal entities – manufacturers of organic products);

2) last name, first name and middle name (if available), identification number of the tax payer, a natural person – organic product manufacturer; the main state registration number; the date of making entry on the registration of a physical person as individual entrepreneur into the unified state register of individual entrepreneurs (for natural persons – organic product manufacturers acting as individual entrepreneurs);

3) address where the organic product manufacture is located;

4) types of manufactured organic products;

5) registration number of the conformity certificate;

6) date of issuance, suspension, or termination of the conformity certificate;

7) period of validity of the conformity certificate;

8) data on the certification body which issued the conformity certificate:

a) full and short (if available) name; brand name in the Russian language, and address of the legal entity; the main state registration number; the date of making entry on the legal entity establishing into the unified state register of legal entities; the tax payer identification number - for legal entities;

b) last name, first name and middle name (if available) in the Russian language; the main state registration number; the date of making entry on physical person registration as an individual entrepreneur into the unified state register of individual entrepreneurs; the tax payer identification number – for individual entrepreneurs).

4. The certification authorities shall, within three business days, from the day following the date of issuance, suspension, termination of the conformity certificates, provide information envisaged in Section 3 of this Article in electronic format using encrypted and certified digital signature, to the

federal executive body responsible for the state policy development and legal regulation in the sphere of agro-industrial complex and fishery.

5. A procedure of keeping the unified state register of organic product manufacturers, including a procedure of providing the data envisaged in Section 3 of this Article by the certification authorities, is established by the federal executive body responsible for the state policy development and legal regulation in the sphere of agro-industrial complex and fishery.

6. The data contained in the unified state register of organic product manufacturers are open to the public and posted on official website of the federal executive body responsible for the state policy development and legal regulation in the sphere of agro-industrial complex and fishery, accessible through the Internet, e.g. as open source data. Authorization of recipients of the above data is not required.

7. Information on the presence or of absence of the data about organic product manufacturers in the unified state register of organic product manufacturers is provided to any person interested therein on a free-of-cost basis according to the procedure established by the federal executive body responsible for the state policy development and legal regulation in the sphere of agro-industrial complex and fishery.

Article 7. Labeling of Organic Products

1. As soon as conformity of the organic product manufacture is verified in accordance with Article 5 of this Federal Law, the organic product manufacturers have the right to place a label, designed to portray a characteristic feature of the organic products and presented as a standardized combination of wordings and graphic images (logo) of the organic products, on retail and/or shipment packages of the organic products or on some other data carriers attached to or put in the packages.

2. Wordings used for organic product labeling may contain the word “organic” as well as abbreviations or derivatives of this word, and may be written either individually or in combination with the name of organic products.

3. The graphic image (logo) of organic products of standardized pattern should allow placing and reading data about the organic product manufacturers and types of their organic products, contained in the uniform state register of organic product manufacturers, with the use of technical tools.

4. The way and procedure of using the standardized graphic image (logo) of organic products is established by the federal executive body responsible for the state policy development and legal regulation in the sphere of agro-industrial complex and fishery.

5. If the label, portraying characteristic feature of organic products is placed on retail and/or shipment packages of the products for which manufacture conformity was not verified pursuant to Article 5 of this Federal Law or if the certificate on product manufacture conformity is suspended or cancelled, the manufacturer of such products who placed the above label will be held accountable in accordance with the RF legislation.

Article 8. Transition to Organic Agriculture and Manufacture of Organic Products

1. In the course of transition to organic agriculture and manufacture of organic products, a transition period shall be established during which the arrangements are made to introduce the rules for keeping organic agriculture and manufacturing organic products established in the national, interstate, and international standards in the sphere of manufacture of organic products that are effective in the Russian Federation.

2. The use of labels with wording “organic products” is not allowed for containers, shipment and retail packages of the agricultural products, raw materials and foods manufactured in the transition period.

Article 9. State Support of Organic Product Manufacturers

The state support of organic product manufacturers is ensured in accordance with the procedure and in the ways envisaged in Federal Law No. 264-FZ of December 29, 2006 “On Agricultural Development.”

Article 10. Informational and Methodological Support in the sphere of Organic Product Manufacture

1. The federal executive body responsible for the state policy development and legal regulation of agro-industrial complex and fishery shall provide informational and methodological support in the sphere of organic product manufacture.

2. Informational and methodological support of organic product manufacture includes the following:

1) briefing on research and experimental developments relating to practices, methods, and technologies of organic farming and organic product manufacture;

2) making arrangements for the provision of consulting services on the issues linked to organic farming and manufacture of organic products, including practices, methods and technologies of organic farming and organic product manufacture.

Article 11. On amendments in the Federal Law “On Land Management”

In Article 12, Section 1, of Federal Law dated June 18, 2001, No. 78-FZ “On Land Management” (Collection of Legislative Acts of the Russian Federation, 2001, No. 26, p. 2582), to add the words “including in the organic agriculture”.

Article 12. On amendments in the Federal Law “On Agricultural Development”

In Federal Law dated December 29, 2006, No. 264-FZ “On Agricultural Development” (Collection of Legislative Acts of the Russian Federation, 2007, No.1, p. 27; 2008, No. 49, p. 5748; 2009, No.14, p. 1581; No. 30, p. 3735; 2011, No. 31, p. 4700; 2013, No. 30, p. 4069; 2015, No. 1, p.. 20; No. 7, p. 1016), the following amendments shall be made:

1) In Article 3, Section 1, to add the wording “(including organic products)” after the words “agricultural products”;

2) In Article 7, Section1, to add item 13 as follows:

"13) the development of organic agriculture and the support of organic product manufacturers”;

3) In Article 13 to add the following wording “as well as for the development of organic agriculture”;

4) In Article 17, Section 3, to add item 2.1 as follows:
"2.1) on the state of development of organic agriculture and the manufacture of organic products".

Article 13. Entry into Force of this Federal Law

This Federal Law comes into force on January 01, 2020.

President of the Russian Federation
V. PUTIN

Round Seal
Office of the President of the Russian Federation
Moscow, the Kremlin
August 03, 2018
No. 280-FZ

END UNOFFICIAL TRANSLATION