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### Russian New Federal Law on Plant Quarantine

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Sanitary/Phytosanitary/Food Safety

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**Report Highlights:**

On July 21, 2014, the Russian President signed the new Federal Law No. 2016-FZ “On Plant Quarantine”. This Federal Law will replace the previous Federal Law “On Plant Quarantine” and many other related legislative documents. The law will regulate the phytosanitary situation on the territory of the Russian Federation and issues of phytosanitary and quarantine control of products imported to the Russian Federation and exported from Russia. The Federal Law No. 206-FZ comes to force on January 1, 2015, if another period is not defined by provisions of this Federal Law.

**General Information:**

On July 21, 2014, the Russian President signed the Federal Law No. 206-FZ “On Plant Quarantine”. This Federal Law will replace Russia’s previous federal law on plant quarantine and many other related legislative documents. The law will regulate the phytosanitary situation in the territory of the Russian Federation and issues of phytosanitary and quarantine control of products imported to the Russian Federation and exported from Russia. The main articles of the Federal Law No. 206-FZ of July 21, 2014 will come into force on January 1, 2015, although some special provisions enter into force later.

Summary of Federal Law on Plant Quarantine:

According to the official notes to the law, it introduces the concept of “phytosanitary risk”, or the probability of penetration into and spread within the territory of the Russian Federation of quarantine pests, as well as the scale of the associated potential impacts. The results of the analysis of this risk are taken into account in the development of quarantine phytosanitary requirements, in making decisions about introduction of quarantine phytosanitary regime and temporary restrictions on import.

The law stipulates that the following information shall be published on the official websites of the authorized federal bodies and made available to the public: lists of quarantine facilities, regulated products, and phytosanitary quarantine zones; quarantine phytosanitary requirements (including requirements of foreign countries to the Russian products); register of quarantine facilities that use technologies to ensure the de-vitalization of quarantine objects; decisions to impose restrictions on imports; registration of quarantine-free zones and sites in foreign countries or groups of foreign countries where they grow planting materials and planting seeds for export to the Russian Federation; and other information.

The law determines the framework rules for imports and exports of regulated products and principles of quarantine and phytosanitary control of imports and exports (Charter 4). However, the detailed regulatory documents for this control still need to be developed by the appropriate government bodies.

On decontamination of regulated products, the federal law stipulates that beginning January 1, 2018, decontamination must be conducted by a licenced individual or legal entities. January 1, 2018 will also be the beginning of accreditation of individual entrepreneurs and organizations for conducting laboratory research in the field of plant quarantine.

The quarantine phytosanitary monitoring of the territory of the Russian Federation will be conducted on a permanent basis, and the results of monitoring shall be submitted to the Governmnet in a special report on an annual basis.

The Russian text of the Federal Law No. 206-FZ “On Plant Quarantine” is on the site: <http://www.garant.ru/hotlaw/federal/554816/>. The table of contents of the Federal Law No.206 of July 21, 2014 and the unofficial translation of the law is provided below.

**Contents**

**Federal Law of July 21, 2014 No.206-FZ "On Plant Quarantine" ..... 4**

CHAPTER 1. GENERAL PROVISIONS .....	4
<i>Article 1. Objectives and scope of the Federal Law</i> .....	4
<i>Article 2. Key definitions used in the Federal Law</i> .....	4
<i>Article 3. Legal regulation in the sphere of plant quarantine</i> .....	8
<i>Article 4. Authorities of the Russian Federation in the sphere of plant quarantine</i> .....	8
<i>Article 5. Federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine</i> .....	8
<i>Article 6. Access to information in the sphere of plant quarantine</i> .....	9
CHAPTER 2. STATE QUARANTINE AND PHYTOSANITARY CONTROL (SURVEILLANCE) .....	10
<i>Article 7. Contents of the state quarantine and phytosanitary control (surveillance)</i> .....	10
<i>Article 8. Organization of the state quarantine and phytosanitary control (surveillance)</i> ...	10
<i>Article 9. Rights of officials of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine during the implementation of state quarantine and phytosanitary control (surveillance)</i> .....	11
CHAPTER 3. MONITORING OF QUARANTINE AND PHYTOSANITARY STATUS OF THE RUSSIAN FEDERATION TERRITORY .....	13
<i>Article 10. Monitoring of quarantine and phytosanitary status of the Russian Federation territory</i> .....	13
<i>Article 11. Implementation of monitoring of quarantine and phytosanitary status of the Russian Federation territory</i> .....	13
<i>Article 12. National report on quarantine and phytosanitary status of the Russian Federation territory</i> .....	13
CHAPTER 4. QUARANTINE AND PHYTOSANITARY SECURITY ASSURANCE.....	14
<i>Article 13. Phytosanitary risk analysis</i> .....	14
<i>Article 14. Quarantine and phytosanitary requirements</i> .....	14
<i>Article 15. Quarantine and phytosanitary requirements to regulated products and processes of their manufacture (e.g. processing), storage, transportation, sales and destruction related to these products</i> .....	15
<i>Article 16. Quarantine and phytosanitary requirements to the use of regulated facilities during manufacture (e.g. processing), storage, transportation, sales and destruction of regulated products</i> .....	16
<i>Article 17. Emergency quarantine and phytosanitary measures</i> .....	17
<i>Article 18. Quarantine and phytosanitary regimen</i> .....	17
<i>Article 19. Decision making process for the introduction or termination of quarantine and phytosanitary regimen</i> .....	18
<i>Article 20. Program on the containment of hotspot of quarantine organisms and the elimination of its population</i> .....	20
<i>Article 21. Moving out regulated products from the quarantine and phytosanitary zone</i> ....	21
<i>Article 22. Rules for import of regulated products into the Russian Federation</i> .....	22
<i>Article 23. Introduction of temporary restrictions on the import of regulated products into the Russian Federation and enforcement of the quarantine and phytosanitary requirements to regulated products imported into the Russian Federation</i> .....	23
<i>Article 24. Implementation of state phytosanitary control (surveillance) over regulated products imported into the Russian Federation</i> .....	24
<i>Article 25. Export of regulated products from the Russian Federation and special aspects of the</i>	

<i>state quarantine and phytosanitary control (surveillance) over export .....</i>	25
<i>Article 26. Laboratory tests in the sphere of plant quarantine .....</i>	25
<i>Article 27. Quarantine and phytosanitary decontamination .....</i>	27
<i>Article 28. Special aspects of the implementation of state quarantine and phytosanitary control (surveillance) at the checkpoints on the Russian Federation State Border and in cases of imposing quarantine and phytosanitary regimen .....</i>	28
<i>Article 29. Phytosanitary certification, re-export certification, quarantine certification ...</i>	28
CHAPTER 5. INTERNATIONAL COOPERATION OF THE RUSSIAN FEDERATION IN THE SPHERE OF PLANT QUARANTINE AND RESPONSIBILITY FOR VIOLATION OF THE RUSSIAN FEDERATION LEGISLATION IN THE SPHERE OF PLANT QUARANTINE ...	29
<i>Article 30. International Cooperation of the Russian Federation in the Sphere of Plant Quarantine .....</i>	29
<i>Article 31. Responsibility for violation of the Russian Federation legislation in the sphere of plant quarantine .....</i>	30
<i>Article 32. Responsibilities of citizens and legal entities in the sphere of plant quarantine.</i>	30
CHAPTER 6. FINAL PROVISIONS .....	31
<i>Article 33. Concerning the Annulment of Certain Acts of Legislation (provisions of the Acts of Legislation) of the Russian Federation .....</i>	31
<i>Article 34. Procedure of entry into force of this Federal Law .....</i>	32

*Begin unofficial translation*

**Federal Law of July 21, 2014 No.206-FZ**  
**"On Plant Quarantine"**

Adopted by the State Duma on July 02, 2014

Endorsed by the Federation Council on July 09, 2014

**CHAPTER 1. GENERAL PROVISIONS**

***Article 1. Objectives and scope of the Federal Law***

1. Objectives of the present Federal Law include the protection of plants and the territory of the Russian Federation against penetration and spread of quarantine organisms, and the prevention of losses from the spread of quarantine organisms.
2. The present Federal Law stipulates the legal foundation for regulation in the sphere of plant quarantine, defines authorities of the federal bodies of executive power, and the main rights and responsibilities of persons, e.g. individual entrepreneurs (including foreign citizens and persons without citizenship, officials), Russian legal entities, foreign organizations (hereinafter – citizens, legal entities) in the sphere of plant quarantine.

***Article 2. Key definitions used in the Federal Law***

The following key definitions are used for the purposes of the Federal Law:

- 1) Acclimatization of a quarantine organism – formation of population of the quarantine organism

- on a particular territory after its penetration to this territory;
- 2) Act of state quarantine and phytosanitary control (surveillance) – document describing the results of state quarantine and phytosanitary control (surveillance) over regulated products or facility issued by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine;
  - 3) Act of quarantine and phytosanitary decontamination – document proving that phytosanitary quarantine decontamination has been carried out;
  - 4) Phytosanitary risk analysis – a process determining the ability or inability of an agent to be a quarantine organism and the need for regulating distribution of the quarantine organism and/or implementing phytosanitary quarantine measures with regard to this organism through the assessment of biological or other research and economic data; it is conducted by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine pursuant to the procedure established by the Russian Federation government;
  - 5) Control of quarantine organism – the reduction of the number of quarantine organisms, containment of quarantine organism hotspots and/or the elimination of the population of quarantine organism;
  - 6) Harmful organism – viable plant of any species, variety or biological type, animal or pathogen of any species or biological type, able to inflict harm to plants or plant-origin products;
  - 7) State quarantine and phytosanitary control (surveillance) – activity of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine aimed at the detection of quarantine organisms in regulated products/facilities; the enforcement of phytosanitary and quarantine requirements; the prevention and restraint of violations of the Russian Federation legislation in the sphere of plant quarantine; the fulfillment of international commitments; and the compliance with the legislation of importing countries and the Customs Union member-states in the sphere of plant quarantine.
  - 8) Degassing – a stage of quarantine and phytosanitary decontamination which includes operations of removal and withdrawal of gases and pesticide vapors to reduce their concentrations to maximum permissible concentrations (levels) in the air of working areas, production premises, buildings, structures, other decontamination facilities and in regulated products by aeration and ventilation as envisaged by the legislation to ensure the sanitary and epidemiological welfare of the public;
  - 9) Inspection – examination of regulated products/facilities conducted by an official of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine with the aim to determine presence or absence of quarantine organisms in these products and facilities, and/or to verify compliance with the quarantine and phytosanitary requirements, including an opportunity for taking samples and/or specimens;
  - 10) Temporary restrictions – adoption of quarantine and phytosanitary measures banning import of regulated products into the Russian Federation, export of such products from the Russian Federation and their movement within the Russian Federation territory;
  - 11) Contamination – presence of viable harmful organisms in regulated products or facilities, which are specific for this type of regulated products or facilities;

- 12) Infestation – presence of harmful organisms in regulated products or facilities other than a contamination;
- 13) Plant quarantine – legal regimen envisaging a system of measures for the protection of plants and plant-origin products against quarantine organisms on the Russian Federation territory;
- 14) Quarantine agent – harmful organism which is missing or has limited spread on the territory of the Russian Federation and included in the unified list of quarantine agents;
- 15) Quarantine certificate – document proving that most of a regulated product complies with the quarantine and phytosanitary requirements; the document is issued by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine during movement of such products within the Russian Federation territory;
- 16) Quarantine and phytosanitary security - status of protection of the Russian Federation territory against risks arising from entry of quarantine organisms into and/or their spread over the Russian Federation territory;
- 17) Quarantine and phytosanitary zone – territory where quarantine and phytosanitary regimen has been established due to the detection of quarantine agents and where the control of these agents is conducted;
- 18) Quarantine and phytosanitary measures – requirements, rules and procedures in the sphere of plant quarantine mandatory for execution that have been established for the purposes of ensuring quarantine and phytosanitary security;
- 19) Quarantine and phytosanitary regimen – a series of measures aimed at establishing conditions for containment of quarantine organism hotspots and/or elimination of a quarantine organism population in the quarantine and phytosanitary zone in accordance with the Russian Federation legislation in the sphere of plant quarantine and the program on the containment of quarantine organism and the elimination of the quarantine organism population to ensure quarantine of plants and to prevent further distribution of quarantine organisms over the quarantine and phytosanitary zone;
- 20) Quarantine and phytosanitary decontamination – procedure for the extermination, removal and sterilization (reproductive capacity inhibition) of harmful organisms or their de-vitalization;
- 21) Phytosanitary quarantine examination – procedure conducted by an official of the federal body of executive power exercising functions of control and surveillance in the sphere of plant quarantine aimed at determining populations of quarantine organisms and ensuring quarantine and phytosanitary security within the established time period;
- 22) Quarantine and phytosanitary status of a territory, regulated products or facility – presence or absence of quarantine organisms on the territory and in the regulated products or facility.
- 23) Quarantine and phytosanitary requirements – requirements applied to regulated products, their import, production (including processing), storage, transportation, and destruction, and to regulated facilities;
- 24) Elimination of quarantine organism population – adoption of quarantine and phytosanitary measures to destroy the quarantine organism population;
- 25) Containment of quarantine organism hotspots – adoption of quarantine and phytosanitary

measures on the territory where the quarantine organism has been found and around this territory to prevent the distribution of such organism;

26) Visual inspection – visual examination of regulated products or facilities conducted by an official of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine, aimed at detecting quarantine organisms without taking samples and/or specimens;

27) Quarantine organism hotspot – a part of the territory of the Russian Federation or a foreign state, or territories of a group of foreign states, where a population of quarantine organism has been found, or where a dramatic increase in population numbers of quarantine organisms has been found;

28) Batch of regulated products – amount of homogeneous regulated products intended for the transportation by a single transport vehicle to the same destination point for the same recipient;

29) Regulated products – plants, plant-origin products, package, including packaging materials, cargoes, soil, organisms or materials that might be carriers of quarantine organisms and/or facilitate their distribution and that require adoption of quarantine and phytosanitary measures;

30) Regulated facilities – land plots of any designated purpose, buildings, constructions, structures, reservoirs, storage areas (premises), equipment, transport vehicles, containers, and other facilities that might be sources of penetration and/or distribution of quarantine organisms on the territory of the Russian Federation;

31) Planting material – fruits, multiple fruits and syncarp parts, not being a seeding material, as well as plants or their parts used for reproduction by vegetation;

32) Soil – a component of the natural environment, consisting of mineral and organic components supporting vital activity of plants. Term “soil” does not imply peat, sand, deep ground layers, compost, or artificially created plant habitat;

33) Plants – plants and their parts including seeds (seeding material) and genetic material;

34) Re-export phytosanitary certificate – internationally recognized document issued by national plant quarantine and protection organization of the re-exporting country, which accompanies a batch of regulated products imported into the country for their further re-export, if this batch of regulated products was stored, divided into portions, or re-packed, or mixed with other batches of regulated products, as well as certifies that the regulated products comply with the quarantine and phytosanitary requirements of destination country;

35) Seeds (seeding materials) – parts of plants (tubers, bulbs, seeds, multiple fruits, parts of syncarp, etc.) used for the reproduction of crop varieties or the reproduction of species of forest plants;

36) Owner of regulated products – entity/person holding regulated products on the right of ownership;

37) Phytosanitary certificate – internationally recognized document issued by national plant quarantine and protection organization of the exporting country, which accompanies a batch of regulated products and certifies that the regulated products comply with the quarantine and phytosanitary requirements of destination country;

38) Phytosanitary control station – plant quarantine point specifically equipped in accordance with the Russian Federation legislation within the checkpoints at the Russian Federation State Border or

other locations, where plant quarantine points are equipped in accordance with the Russian Federation legislation;

39) Phytosanitary risk – probability of entry and spread of quarantine organisms on the Russian Federation territory, as well as the scope of their potential effects;

40) Emergency quarantine and phytosanitary measures – measures introduced in cases where changes to the phytosanitary situation occur in the territory of the Russian Federation, territory of a foreign state or territories of groups of foreign states.

### ***Article 3. Legal regulation in the sphere of plant quarantine***

1. The legislation of the Russian Federation (RF) in the sphere of plant quarantine is based on the Russian Federation Constitution, international agreements of the RF in the sphere of plant quarantine and composed of the present Federal Law, other federal laws and other laws and legal normative acts of the Russian Federation adopted in accordance with the laws.
2. In the sphere of plant quarantine the following legislation is applied: international agreements of the RF, international standards on phytosanitary measures, regional standards, guidance and/or guidelines in the sphere of plant quarantine.
3. In cases where an international agreement of the Russian Federation establishes rules other than those stipulated in this Federal Law, the rules of the international agreement are applied.

### ***Article 4. Authorities of the Russian Federation in the sphere of plant quarantine***

1. Authorities of the RF Government in the sphere of plant quarantine comprise the following:
  - 1) To develop and implement unified state policy in the sphere of plant quarantine in the Russian Federation;
  - 2) To identify federal bodies of executive power authorized in the sphere of plant quarantine;
  - 3) Other authorities in the sphere of plant quarantine according to this Federal Law.
2. Authorities of the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine include:
  - 1) Legal normative regulation in the sphere of plant quarantine;
  - 2) Other authorities in the sphere of plant quarantine according to this Federal Law.

### ***Article 5. Federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine***

1. Authorities of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine include:
  - 1) To organize and implement state quarantine and phytosanitary control and surveillance in the sphere of plant quarantine;
  - 2) To conduct phytosanitary risk analysis;
  - 3) To perform phytosanitary certification, re-export phytosanitary certification and quarantine certification of regulated products;



- 4) To assess quarantine and phytosanitary status of the RF territory and to conduct quarantine and phytosanitary examination of plants during vegetation period both in the areas of their cultivation (laboratories, nurseries, plantations, fields, gardens, greenhouses, etc.) and in the areas of growth of wild plants, as well as stored or transported plants and plant products;
  - 5) To impose temporary restrictions on import of regulated products into the RF and/or to establish quarantine and phytosanitary requirements to regulated products imported into the RF;
  - 6) To establish and abolish quarantine and phytosanitary zones, introduce and cancel quarantine and phytosanitary regimen, organize the implementation of measures for the containment of quarantine organism hotspots and/or to exterminate quarantine organism population;
  - 7) To organize laboratory testing in the sphere of plant quarantine;
  - 8) To make arrangements for conducting quarantine and phytosanitary decontamination of products/facilities subject to quarantine, including those for export and import shipments;
  - 9) To develop rules and techniques for conducting quarantine and phytosanitary decontamination and laboratory testing in the sphere of plant quarantine;
  - 10) To ensure protection of products and facilities subject to quarantine as regards their composition, substitution or potential re-contamination and/or re-infestation, starting from the date of issuance of phytosanitary certificate or re-export phytosanitary certificate to the date of export commencement;
  - 11) To license activity of legal entities, individual entrepreneurs for providing the right of performing operations on quarantine and phytosanitary decontamination in accordance with the provision approved by the RF government;
  - 12) To develop criteria and conditions required for laboratory testing in the sphere of plant quarantine and to provide them to the national accreditation body;
  - 13) To develop licensing requirements towards license applicants for the right of performing operations on quarantine and phytosanitary decontamination;
  - 14) To maintain federal state information systems for releasing and recording phytosanitary documentation, results of laboratory tests in the sphere of plant quarantine, and licenses for the right of performing operations on quarantine and phytosanitary decontamination;
  - 15) Other authorities in the sphere of plant quarantine established by the RF legislation.
2. The federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall implement its activity directly and through its regional offices with the involvement of authorized and its jurisdictional organizations that are accredited and licensed in the established area of activity.

#### ***Article 6. Access to information in the sphere of plant quarantine***

1. The federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine and the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall ensure open access to data in the sphere of plant quarantine by posting the following kinds of information on formal websites and in the Internet:

- 1) List of quarantine organisms;
  - 2) List of products subject to quarantine (regulated products);
  - 3) Phytosanitary and quarantine requirements;
  - 4) Phytosanitary and quarantine requirements of foreign countries to regulated products exported from the RF;
  - 5) List of phytosanitary and quarantine zones;
  - 6) Register of quarantine organism-free zones and sites of growing of planting materials and seeds (seeding material) for the RF that are located in foreign states, groups of foreign states, where the distribution of quarantine organisms has been found;
  - 7) A part of the yearly updated information concerning phytosanitary and quarantine status of the RF territory which is not attributed to the data, pertaining to the national security information or other secret protected by law, as per the procedure established by the RF legislation;
  - 8) Register of regulated facilities that use technologies ensuring de-vitalization of quarantine organisms;
  - 9) Annual plan of scheduled inspections within the implementation of state quarantine and phytosanitary control (surveillance);
  - 10) Resolution on imposing temporary restrictions for the import of regulated products into the Russian Federation and/or on the establishing of quarantine and phytosanitary requirements to regulated products imported into the Russian Federation. This information should be posted within one day from the introduction of such restrictions and the establishing of additional quarantine and phytosanitary requirements.
2. Procedure of maintaining federal state information systems in the sphere of plant quarantine, envisaged in this Federal Law, is established by the RF Government.
  3. Information specified in Part 1 of this Article is updated by the federal bodies of executive power authorized in the sphere of plant quarantine
  4. Information mentioned in this article shall be available free of charge.

## CHAPTER 2. STATE QUARANTINE AND PHYTOSANITARY CONTROL (SURVEILLANCE)

### ***Article 7. Contents of the state quarantine and phytosanitary control (surveillance)***

The state quarantine and phytosanitary control (surveillance) in the RF is aimed at ensuring protection of plants and the RF territory against the entry and spread of quarantine organisms over the territory; prevention of losses from the distribution of quarantine organisms; compliance with the quarantine and phytosanitary requirements of importing countries; and, is executed by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.

### ***Article 8. Organization of the state quarantine and phytosanitary control (surveillance)***

1. Key tasks of the state quarantine and phytosanitary control (surveillance) include:
  - 1) To ensure quarantine and phytosanitary security of the RF territory;
  - 2) To control compliance of citizens and legal entities with the RF legislation in the sphere of plant quarantine.
2. State quarantine and phytosanitary control (surveillance) is carried out:

- 1) At the checkpoints of the RF state border – over regulated products imported into the RF from foreign states, e.g. transported in postal parcels, carry-on and checked luggage of passengers, crew members of sea and river vessels, airplanes, transport vehicles, train personnel and other transport vehicles used for importing regulated products into the Russian Federation;
  - 2) In other locations – over regulated products during their circulation on the RF territory, where, in accordance with the RF legislation, plant quarantine stations are equipped; their list is approved by the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine;
  - 3) At the sites of storage and processing of products subject to quarantine – over regulated facilities;
  - 4) At the sites specified in p.p. 1-3 of this Part – over the execution of activities of citizens and legal entities associated with regulated products/facilities.
3. The state quarantine and phytosanitary control (surveillance) established by Part 2 of this Article shall be conducted through the implementation of measures, envisaged in the RF legislation, by officials of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine, including but not limited to:
- 1) Perform inspection, visual examination of regulated products with taking samples and/or specimens of such products in order to conduct laboratory tests in the sphere of plant quarantine with the aim of determining whether their condition complies with the quarantine and phytosanitary requirements;
  - 2) Make arrangements for conducting quarantine and phytosanitary decontamination of products and facilities subject to quarantine, as well as transport vehicles arriving in the RF territory from the territories of foreign countries and the quarantine and phytosanitary zones;
  - 3) Perform quarantine and phytosanitary examinations of facilities subject to quarantine.
4. Based on the results of conducted state quarantine and phytosanitary control (surveillance), an act of state quarantine and phytosanitary control (surveillance) shall be issued according to the form established by the federal body of executive power, exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.
5. Instructions on the issues relating to the competence of officials of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine, are mandatory for fulfillment by the federal bodies of executive power, bodies of executive power of the RF constituent entities, local self-government bodies, citizens and legal entities.
6. Officials of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine shall bear responsibility established by the RF legislation for a failure to fulfill or improper fulfillment of tasks and functions assigned to them.
7. Actions or inaction of officials of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine may be appealed according to the procedure established by the RF legislation.

***Article 9. Rights of officials of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine during the implementation of state quarantine and phytosanitary control (surveillance)***

1. Officials of the federal body of executive power, exercising functions on control and surveillance in the sphere of plant quarantine have a right to:

- 1) Based on motivated written requests, to inquire and receive from the bodies of state power, local authorities, citizens and legal entities on a free of charge basis information and documents necessary for conducting state quarantine and phytosanitary control (surveillance), e.g. with the use of information systems created in pursuance of Federal Law of July 27, 2010 #210-FZ “On Making Arrangements for the Provision of State and Municipal Services,” as well as in the form of electronic documents signed by enhanced encrypted and certified digital signature;
- 2) For conducting the state quarantine and phytosanitary control (surveillance), upon submission of official ID , to receive unimpeded access to regulated facilities held in the state, municipal ownership, and regulated facilities located at the checkpoints of the RF state border and at the sites of customs inspection of regulated products, e.g. in accordance with the legislation on customs regulation in the RF; to perform their quarantine and phytosanitary examination, inspection of regulated products, as well as studies, tests, measurements, investigations, expert reviews, in particular, during the state phytosanitary quarantine control (surveillance) over compliance with the quarantine and phytosanitary requirements at the said facilities;
- 3) For conducting the state quarantine and phytosanitary control (surveillance), upon submission of official ID, to receive unimpeded access to regulated facilities held in the ownership of citizens and legal entities, during scheduled and unscheduled inspections; to conduct their quarantine and phytosanitary examination, inspection of regulated products, as well as studies, tests, measurements, investigations, expert reviews, in particular, during the state quarantine and phytosanitary control (surveillance) over compliance with the quarantine and phytosanitary requirements at the said facilities;
- 4) During inspections, to demand phytosanitary certificates and re-export phytosanitary certificates from citizens and legal entities;
- 5) To make decisions concerning temporary restrictions on the import of regulated product batches into the RF and the need to conduct quarantine and phytosanitary decontamination;
- 6) To prepare protocols on administrative violations related to incompliance with the requirements in the sphere of plant quarantine (hereinafter – mandatory requirements), consider cases of such administrative violations and to take steps for their prevention;
- 7) To issue instructions to citizens and legal entities on the elimination of found violations of the mandatory requirements; conduct actions to ensure security of the state and to prevent losses for the environment and its components, e.g. plants, property of citizens, legal entities, state or municipal property, including instructions on conducting quarantine and phytosanitary decontamination of products/facilities subject to quarantine;
- 8) To forward materials to the authorized bodies for solving issues on the initiation of criminal cases on essential elements of offence linked to the violation of the mandatory requirements;
- 9) To make claims according to the procedure established by the RF legislation on the compensation for harm inflicted to the environment and its components, including plants, as a result of violation of the mandatory requirements;

- 10) To exercise control over quarantine and phytosanitary decontamination activities based on the verification of documents related to their execution and/or conformance of the completed work to the mandatory requirements and the results of these activities;
  - 11) To keep, carry and employ service weapons according to the procedure established by the RF legislation.
2. Officials authorized to implement the state phytosanitary quarantine control (surveillance) must:
- 1) Be governed by the RF legislation in the sphere of plant quarantine and the quarantine and phytosanitary requirements in the course of implementation of the state quarantine and phytosanitary control (surveillance);
  - 2) Prevent, disclose and restrain violations of the RF legislation in the sphere of plant quarantine;
  - 3) Provide clarifications to violators of the RF legislation in the sphere of plant quarantine regarding their rights and responsibilities.

### CHAPTER 3. MONITORING OF QUARANTINE AND PHYTOSANITARY STATUS OF THE RUSSIAN FEDERATION TERRITORY

#### ***Article 10. Monitoring of quarantine and phytosanitary status of the Russian Federation territory***

1. Monitoring of quarantine and phytosanitary status of the territory of the Russian Federation is a system of observations, analysis, assessment and projection of the spread of quarantine agents (organisms) on the RF territory;
2. The federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine shall establish a procedure to organize monitoring of quarantine and phytosanitary status of the RF territory. The monitoring is conducted by the body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.

#### ***Article 11. Implementation of monitoring of quarantine and phytosanitary status of the Russian Federation territory***

Monitoring of quarantine and phytosanitary status of the RF territory is carried out for the following purposes:

- 1) To carry out a continuous control of entry of quarantine agents (organisms) into the RF territory, their evolution and spread within the RF territory, including the identification and assessment of impact of those factors which facilitate the evolution of quarantine organisms and their spread within the RF territory;
- 2) To identify pathways of entry of quarantine agents (organisms) into the RF territory and their spread within the territory;
- 3) To detect hotspots of quarantine agents (organisms);
- 4) To draft proposals on taking actions required for the control of quarantine agents (organisms).

#### ***Article 12. National report on quarantine and phytosanitary status of the Russian Federation territory***

1. Based on the data of monitoring of quarantine and phytosanitary status of the RF territory, the federal

body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall, on a yearly basis, by May 15, prepare and publish a national report on quarantine and phytosanitary status of the RF territory (hereinafter – the “national report”).

2. The national report approved by the RF government is forwarded to the RF Federal Assembly and should be published in the mass media. Hearings of information related to the national report and provided by representative of the RF government are held at the meetings of the State Duma of the RF Federal Assembly.

3. The national report includes the following information:

- 1) On the spread of quarantine agents (organisms) within the RF territory;
- 2) On establishing quarantine and phytosanitary zones within the RF territory for each type of the quarantine organisms;
- 3) On the termination of quarantine and phytosanitary zones within the RF territory for each type of the quarantine organisms.

## CHAPTER 4. QUARANTINE AND PHYTOSANITARY SECURITY ASSURANCE

### *Article 13. Phytosanitary risk analysis*

1. Phytosanitary risk analysis is carried out taking into account the standards of objectivity, adequacy and effectiveness of actions implemented to minimize this risk according to the procedure established by the RF government.

2. Phytosanitary risk analysis results are taken into consideration in the following cases:

- 1) When phytosanitary and quarantine requirements are developed;
- 2) When decisions are made on the introduction of phytosanitary and quarantine regimen;
- 3) When temporary restrictions are imposed on the import of regulated products and/or when quarantine and phytosanitary requirements are established to regulated products imported into the RF;
- 4) When state quarantine and phytosanitary control (surveillance) is conducted in the RF territory;
- 5) In other cases established by the RF legislation in the sphere of plant quarantine.

3. Method of phytosanitary risk analysis shall be approved by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.

4. The list of quarantine organisms shall be developed and updated on the basis of phytosanitary risk analysis and approved by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.

### *Article 14. Quarantine and phytosanitary requirements*

1. The federal body of executive power, exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine, approves quarantine and phytosanitary requirements that establish the minimum requirements necessary for ensuring plant quarantine:

- 1) To regulated products and processes and methods of their manufacture (e.g. processing), storage, transportation, sales and destruction related to these products;

- 2) To the use of regulated facilities during the manufacture (e.g. processing), storage, transportation, sales and destruction of regulated products.
2. The quarantine and phytosanitary requirements are applied to regulated products originating from a foreign state or a group of foreign states pursuant to the same procedure as they are applied to similar regulated products of Russian origin.
3. The quarantine and phytosanitary requirements are established taking into account the need to prevent or minimize adverse effects from the entry and/or spread of quarantine organisms on the RF territory and cannot pursue objectives other than those envisaged in Article 1 of this Federal Law.
4. It is prohibited to apply the quarantine and phytosanitary requirements to handling tasks other than those related to plant quarantine.
5. The federal body of executive power, exercising functions on the development of state policy and legal regulation in the sphere of plant quarantine, shall submit information on the RF quarantine and phytosanitary requirements to the Eurasian Economic Commission.

***Article 15. Quarantine and phytosanitary requirements to regulated products and processes of their manufacture (e.g. processing), storage, transportation, sales and destruction related to these products***

1. Processes of manufacture (e.g. processing), storage, transportation, sales and destruction of regulated products should be performed in compliance with the quarantine and phytosanitary requirements.
2. Release of regulated products contaminated and/or infested with quarantine organisms into circulation, their storage, transportation, sales or use as seeds (seeding material) or planting material are not allowed. Storage and transportation of regulated products contaminated and/or infested with quarantine organisms are allowed only with the aim of conducting their quarantine and phytosanitary decontamination and processing by the methods that ensure de-vitalization of quarantine organisms. Storage and transportation of such regulated products should be handled separately from those regulated products that are free from quarantine organisms.
3. It is prohibited to import regulated products into the RF for the purposes of their seeding or planting from foreign states or groups of foreign states, where the spread of quarantine organisms typical for such regulated products has been found, without the control conducted by the federal body of executive power exercising functions on the development of state policy and legal regulation in the sphere of plant quarantine at the sites of manufacture (including processing) and shipment of such regulated products in accordance with international agreements of the RF pursuant to the procedure established by the RF government.
4. In case when signs of contamination and/or infestation of regulated products by quarantine organisms are found, an owner of regulated products, or a person involved in the storage of regulated products, their transportation, processing or sales, must place the regulated products contaminated and/or infested by quarantine organisms separately from regulated products that are free from quarantine organisms and notify promptly the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine on the above;
5. At the discretion of the owner, one of the following quarantine and phytosanitary measures are applied to the regulated products contaminated and/or infested by quarantine organisms:

- 1) Quarantine and phytosanitary decontamination;
  - 2) Processing of regulated products by methods ensuring de-vitalization of quarantine organisms, such as transformation them into articles not related to regulated products;
  - 3) Destruction of regulated products.
6. Quarantine and phytosanitary requirements to regulated products must include:
- 1) A list of quarantine agents (organisms) typical for such products;
  - 2) The minimum requirements to processes and methods to ensure plant quarantine:
    - a) Storage of regulated products;
    - b) Transportation of regulated products, e.g. to the equipment of transport vehicles intended for the transportation of regulated products;
    - c) Processing of regulated products with the aim of de-vitalization of quarantine agents (organisms);
    - d) Quarantine and phytosanitary decontamination of regulated products.

***Article 16. Quarantine and phytosanitary requirements to the use of regulated facilities during manufacture (e.g. processing), storage, transportation, sales and destruction of regulated products***

1. The use of regulated facilities during manufacture (e.g. processing), storage, transportation, sales and destruction of regulated products is allowed, provided that the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine has accomplished the state quarantine and phytosanitary control (surveillance), e.g. has made arrangements for conducting quarantine and phytosanitary decontamination.
2. The requirements for conducting quarantine and phytosanitary control (surveillance) over regulated facilities should establish practices and techniques of quarantine and phytosanitary examination and, depending on biological features of a quarantine organism, periodicity of such examination. In this context, time periods of this examination shall be scheduled, taking into consideration seasonal factors, impacting the spread of quarantine organisms within the RF territory.
3. The requirements to quarantine and phytosanitary decontamination of the regulated facilities used during manufacture (e.g. processing), storage, transportation, sales and destruction of regulated products should identify practices and techniques of quarantine and phytosanitary decontamination aimed at the prevention of spread of quarantine organisms within the RF territory, as well as its frequency.
4. When contamination and/or infestation of regulated products or facilities by quarantine organisms is found, the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall take the following actions:
  - 1) To assess quarantine and phytosanitary condition of the regulated products that were manufactured (e.g. processed), stored or transported with the use of regulated facility;
  - 2) To suspend the use of regulated facility during manufacture (e.g. processing), storage, transportation, sales and destruction of any regulated products or a particular type of regulated products, except those facilities, which apply technologies assuring devitalization of quarantine organisms and which are included by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine in the register of regulated facilities where



technologies assuring de-vitalization of quarantine organisms are used. Procedure of maintaining this register shall be approved by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.

3) Quarantine and phytosanitary decontamination. Regulated products placed and/or stored at the regulated facility shall, at the discretion of their owner, be subject to phytosanitary decontamination, processing by techniques ensuring de-vitalization of quarantine organisms, or destruction.

5. Costs of quarantine and phytosanitary actions shall be paid by the citizens or legal entities, holding regulated facilities in their ownership, possession, or rent (e.g. leasing).

#### ***Article 17. Emergency quarantine and phytosanitary measures***

1. The introduction of emergency quarantine and phytosanitary measures, their revision or cancellation is effected by a resolution of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine. After the introduction of emergency quarantine and phytosanitary measures, the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall, on a regular basis, make analysis of factors impacting the spread of quarantine organisms, taking into account the seasonality in order to determine whether it is necessary to continue the above measures.

2. Emergency quarantine and phytosanitary measures include the following:

- 1) To impose temporary restrictions on import of regulated products or consignments of regulated products into the RF and to establish additional quarantine and phytosanitary requirements to such regulated products, as well as to introduce restrictions linked to the circulation of regulated products imported into the RF, and additional responsibilities of citizens and legal entities;
- 2) To impose restrictions linked to the circulation of regulated products and to regulated facilities, as well as additional responsibilities of citizens and legal entities when the quarantine and phytosanitary regimen is put into effect.

3. Emergency quarantine and phytosanitary measures envisaged in Part 2, p.1 of this Article, shall come into force in compliance with Articles 18 and 23 of this Law for the period up to elimination of the causes which initiated their enforcement.

#### ***Article 18. Quarantine and phytosanitary regimen***

1. The introduction of quarantine and phytosanitary regimen, its revision and cancellation applies to:

- 1) hotspots of quarantine organisms, regulated facilities and adjacent land plots located on the territory of one of the RF constituent entities – by decision of the head of regional office of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine;
- 2) hotspots of quarantine organisms, regulated facilities and adjacent land plots located on the territory of two or more of the RF constituent entities – by decision of the head of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.

2. Quarantine and phytosanitary regimen is introduced in the quarantine and phytosanitary zone

(including buffer zone of the hotspots of quarantine organism, where buildings, constructions, structures and sites of manufacture (e.g. processing), sales or warehousing of regulated products, contaminated and/or infested by quarantine organism) are located, as well as in relation to the equipment, transport vehicles and premises where such regulated products are located.

3. For the period of validity of the quarantine and phytosanitary regimen, the following bans and/or restrictions can be established:

- 1) On using land plots for the production of farm products which may facilitate the development of quarantine organisms and their spread on the RF territory;
- 2) On raising and/or warehousing individual species of plants and conducting businesses with the use of contaminated and/or infested regulated products/facilities;
- 3) On grazing farm animals on the pastures contaminated and/or infested by quarantine organisms;
- 4) On the movement of transport vehicles and equipment contaminated and/or infested by quarantine organisms;
- 5) On taking out from the quarantine and phytosanitary zone, without quarantine certificate, those regulated products that are typically contaminated and/or infested by a quarantine organism due to the detection of which the quarantine and phytosanitary regimen was initiated.

4. When quarantine and phytosanitary regimen is introduced, additional responsibilities may be enforced for citizens and legal entities, holding regulated facilities in their ownership, possession, use or rent, specifically the execution of quarantine and phytosanitary decontamination of the above regulated facilities located in the quarantine and phytosanitary zone, e.g. in the buffer zone around a hotspot of quarantine organism, and the regulated products that are manufactured (e.g. processed), stored, sold, and destroyed with the use of these regulated facilities.

5. For the period of validity of the quarantine and phytosanitary regimen, a program on the containment of hotspot of quarantine organism and the elimination of its population is assumed to be in place as provided by Article 20 of this Federal Law.

#### ***Article 19. Decision making process for the introduction or termination of quarantine and phytosanitary regimen***

1. Quarantine and phytosanitary regimen might be put into effect by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine, or its regional office in case when the contamination and/or infestation of regulated products/ facilities by quarantine organisms is found.

2. In the course of verification of information received from citizens and legal entities on the detection of fauna or flora agents that have morphological signs or disease symptoms similar to those of quarantine organism, the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office shall, when necessary, collect samples and/or specimens of regulated products pursuant to the procedure established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.

3. In case when information on the contamination and/or infestation of regulated products by quarantine

organisms is confirmed, the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine, or its regional office shall, within one day from the date of obtaining laboratory test results in the sphere of plant quarantine, make decision:

- 1) On the introduction of quarantine and phytosanitary regimen and the establishing of quarantine and phytosanitary zone;
  - 2) On inexpediency of the introduction of quarantine and phytosanitary regimen or the establishing of quarantine and phytosanitary zone.
4. The federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office shall issue instructions to citizens and legal entities, holding regulated facilities in their ownership, possession, use or rent, on the implementation of quarantine and phytosanitary actions with the aim to contain hotspot of quarantine organism and to eliminate population of quarantine organism or to reduce its number and to prevent its further distribution.
5. Citizens and legal entities, owning, possessing, using or renting regulated products/facilities for which quarantine and phytosanitary zone has been established and/or quarantine has been imposed, have the right for re-testing the selected samples of regulated products in the laboratories authorized by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine and for appealing the decision on establishing quarantine and phytosanitary zone and/or imposing quarantine which has been made by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.
6. Quarantine and phytosanitary zone is established by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office on land plots within the quarantine organism hotspot, including its buffer zone, and taking into account areas, local landscape, configuration of the land plots, biological properties of the quarantine organism, phytosanitary risk analysis, such as a potential threat of quarantine organism distribution due to such natural causes as weather conditions, floods or other environmental factors.
7. A copy of decision made by regional office of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine on establishing quarantine and phytosanitary zone and/or on imposing quarantine shall, within one day after making this decision, be forwarded to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.
8. The federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall create and maintain an electronic database of open data on quarantine and phytosanitary zones.
9. The federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall, within one working day from the date of making decision on establishing quarantine and phytosanitary zone and/or on imposing quarantine, enter the relevant data into the electronic database of open data on quarantine and phytosanitary zones.
10. Decision on lifting up quarantine and phytosanitary regimen based on the criteria of elimination of quarantine organism population and the criteria for phytosanitary regimen termination defined by the program on the containment of hotspot of quarantine organism and the elimination of its population (see

Article 20 of this Federal Law), that are supported by the data received during quarantine and phytosanitary examination, shall be made after the elimination of quarantine organism population:

- 1) By the head of regional office of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine in case outlined in Article 18, Part 1, p.1 herein;
- 2) By the head of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine in case outlined in Article 18, Part 1, p.2 herein.

11. The federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office shall, within one working day from the date of making decision on establishing quarantine and phytosanitary zone and/or on imposing quarantine, inform citizens and legal entities conducting businesses and/or other activities in the quarantine and phytosanitary zone about its borders, established requirements, temporary restrictions, responsibility for their violations and other conditions related to the enforcement of quarantine and phytosanitary regimen – by posting this information on its official website and in the Internet and publishing it in the mass media.

12. The federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office shall, within one working day from the date of lifting up quarantine and phytosanitary regimen and terminating quarantine, inform citizens and legal entities conducting businesses and/or other activities in the quarantine and phytosanitary zone about lifting up quarantine and phytosanitary regimen and terminating quarantine – by posting this information on its official website and in the Internet and publishing it in the mass media.

13. Concealment of information or its delayed disclosure, or provision of deliberately false information on imposing or lifting up quarantine and phytosanitary regimen, as well as on establishing or termination of quarantine and phytosanitary zone by officials of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office shall involve responsibility in accordance with the RF legislation.

***Article 20. Program on the containment of hotspot of quarantine organisms and the elimination of its population***

1. A program on the containment of hotspot of quarantine organism and the elimination of its population shall be developed by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office based on the results of phytosanitary risk analysis, biological features of quarantine organism and circumstances of its detection, geographical specifics and seasonal patterns.

2. The program on the containment of hotspot of quarantine organism and the elimination of its population must include the following:

- 1) Data on the borders of quarantine and phytosanitary zone;
- 2) Name of the quarantine organism, the detection of which has led to imposing quarantine and phytosanitary regimen;
- 3) List of the established restrictions for conducting activities linked to the production (including processing), storage, transportation, sales and destruction of regulated products and/or additional

responsibilities towards persons using regulated facilities to carry out the above activities;

4) List of measures for the containment of hotspot of quarantine organism and/or the elimination of its population;

5) Schedule of inspections of the regulated facilities located within the borders of quarantine and phytosanitary zone, including a list of these regulated facilities, date and term of each of the inspections;

6) Criteria proving the elimination of population of quarantine organism and criteria for the termination of quarantine and phytosanitary regimen.

3. The establishing of restrictions on conducting activities linked to the production (including processing), storage, transportation, sales and destruction of regulated products and/or the introduction of additional responsibilities towards citizens or legal entities, holding regulated facilities in their ownership, possession, use or rent, which are neither envisaged in Article 18, Part 3 of this Federal Law, nor included in program on the containment of hotspot of quarantine organism and the elimination of its population, are not allowed.

4. Measures on the containment of hotspot of quarantine organism and/or the elimination of its population within the quarantine and phytosanitary zone shall be implemented at the expense of citizens or legal entities, holding regulated facilities in their ownership, possession, use or rent, and owners of regulated products.

#### ***Article 21. Moving out regulated products from the quarantine and phytosanitary zone***

1. In case when the quarantine and phytosanitary regimen is enforced and the temporary restrictions envisaged in Article 18, Part 3, p.5 of this Federal Law are imposed, the regulated products typically contaminated and/or infested by the quarantine organism whose detection has led to the enforcement of the quarantine and phytosanitary regimen, shall be moved away from the quarantine and phytosanitary zone based on a quarantine certificate in the form of electronic document signed by enhanced encrypted and certified digital signature.

2. To receive a quarantine certificate, the following documents shall be submitted by citizens or legal entities to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office:

1) Application for issuing a quarantine certificate;

2) Data on the name and location of recipient or consignee, shipper or consignor of the regulated products for which contamination and/or infestation by the quarantine organism is typical, in accordance with transportation or other documents;

3) Data on the name of the regulated products specified in p.2 of this Part and their amount;

4) Data on transport vehicles;

5) Report on the quarantine and phytosanitary condition of regulated products specified in p.2 of this Part.

3. Quarantine certificate shall be executed by a regional office of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine within three days from the date of submission of the documents and data specified in Part 2 of this Article by a citizen or legal

entity – through the entry of relevant data into the federal state information system in the sphere of plant quarantine, followed by assigning a unique identification number to the quarantine certificate.

4. Reasons for refusal from issuing a quarantine certificate include:

- 1) Failure to submit data specified in Part 2 of this Article by a citizen or legal entity;
- 2) Submission of incorrect data by a citizen or legal entity;
- 3) Contamination and/or infestation of regulated products by quarantine organism mentioned in the report on quarantine and phytosanitary condition of the regulated products, unless the regulated products are moved out for processing by methods ensuring devitalization of the quarantine organisms (e.g. transformation into products not belonging to the regulated products).

5. Resolution on refusal from issuing a quarantine certificate with the justification thereof shall be forwarded to a citizen or legal entity within 3 days from the date of submission of the application for issuing quarantine certificate.

6. The transportation of regulated products specified in Part 1 of this Article is allowed subject to indication of unique identification number of the quarantine certificate in the cargo accompanying documents.

7. In case when the period of time from the date of issuing quarantine certificate to the date of commencement of transportation exceeds the period established by the quarantine and phytosanitary requirements, the issued quarantine and phytosanitary certificate shall become null and void.

8. An owner of regulated products or his/her designee must discharge the quarantine certificate within one day from the date of delivery of the regulated products. Quarantine certificate is recognized discharged from the date when the owner of regulated products or his/her designee has entered data on the completion of transportation of the regulated product consignment into the federal state information system in the sphere of plant quarantine.

#### ***Article 22. Rules for import of regulated products into the Russian Federation***

1. Regulated products with high and low phytosanitary risk are imported into the Russian Federation through checkpoints on the RF State Border that have with phytosanitary control posts.

2. Regulated products with high phytosanitary risk are imported into the Russian Federation through checkpoints on the RF State Border that are identified in accordance with the RF legislation, fitted with special equipment and designed for importing such regulated products into the Russian Federation, and have phytosanitary control posts (hereinafter – the “specialized checkpoints”).

3. Regulated products complying with the quarantine and phytosanitary requirements are allowed for import into the Russian Federation.

4. The quarantine and phytosanitary requirements to import of regulated products with high phytosanitary risk into the RF that are established by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine, may envisage:

- 1) Quarantine and phytosanitary decontamination of such regulated products;
- 2) Special conditions for the transportation of such regulated products or equipment of transportation vehicles;
- 3) Import of such regulated products into the RF through the specialized checkpoints.

5. The requirements in accordance with Article 15 of this Federal Law are established to the high-risk regulated products imported into the RF.
6. Regulated products of high phytosanitary risk can be imported into the RF only subject to availability of the phytosanitary certificate issued by the national plant quarantine and protection organization of the exporting country where a consignment of such regulated products has been shaped.
7. Provisions of Part 6 of this Article do not cover import of the following regulated products into the RF:
- 1) Transported in postal parcels, carry-on and checked luggage of passengers, crew members of sea and river vessels, airplanes, transport vehicles and train personnel provided that the amount of such regulated products does not exceed five kilograms and that they are not being seeds (seeding materials), planting material or potato;
  - 2) Moved as wooden packaging or fastening materials provided that such regulated products are used as a package when imported into the RF, or for fastening other commodities imported into the RF. An official of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine, who performs inspection or visual examination of such regulated products shall verify the availability and correctness of their labeling with a special international mark designating that the products comply with the quarantine and phytosanitary requirements of the importing country;
  - 3) High phytosanitary risk products moved by transport vehicles and intended for food of crew members of the above transport vehicles without giving them a right to carry out these products from the transport vehicles. Food reserves contaminated and/or infested by quarantine organisms and moved by these transport vehicles must, upon instruction of an official of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine, be decontaminated or sealed in special warehouse premises for the period when the transport vehicles are staying within the RF territory, or be destroyed.
8. It is prohibited to import regulated products into the RF with the aim of their use for seeding or planting from foreign states or groups of foreign states, where the distribution of quarantine organisms typical for such regulated products has been found, without the execution of control by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine at the sites of growing and shipment of such regulated products.
9. Seeding or planting of the regulated products mentioned in Part 8 of this Article is performed on the RF territory under oversight of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine pursuant to the procedure established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.
10. Import of soil into the RF is allowed only for research purposes pursuant to the procedure established by the RF government.

***Article 23. Introduction of temporary restrictions on the import of regulated products into the Russian Federation and enforcement of the quarantine and phytosanitary requirements to regulated products***

***imported into the Russian Federation***

1. The introduction of temporary restrictions on the import of regulated products into the RF and the enforcement of the quarantine and phytosanitary requirements to regulated products imported into the RF can apply to regulated products manufactured or batched in given foreign states or groups of foreign states, individual areas of these states or organizations located within their territories, or imported from these states.
2. Import of the batch of regulated products mentioned in Part 1 of this Article is not allowed into the RF, when decision is made on the introduction of temporary restrictions on the import of regulated products into the RF and when phytosanitary certificate for the batch of such products is received within the period of validity of this decision.
3. Resolution on the introduction of temporary restrictions on the import of regulated products into the RF and the enforcement of the quarantine and phytosanitary requirements to regulated products imported into the RF is adopted, when:
  - 1) Information is available on the occurrence of quarantine organism hotspots throughout the overall territory of a foreign state or its part, or territories of a group of foreign states;
  - 2) Quarantine organisms have been found on a regular basis in the batches of regulated products during the implementation of state phytosanitary control (surveillance) over regulated products imported into the RF from some of the foreign states or groups of the foreign states mentioned in p.1 of this Article (including regulated products manufactured in these states, their individual areas or organizations located within their territories).
4. Resolution on the introduction of temporary restrictions on the import of regulated products into the RF or the enforcement of the quarantine and phytosanitary requirements to regulated products imported into the RF should specify the period of validity of such restrictions and the date of entry of such resolution into force. In case envisaged in Part 3, p.1, of this Article the resolution might be adopted for an indefinite term until the causes of introduction of temporary restrictions are eliminated.
5. Procedure for the introduction of temporary restrictions on the import of regulated products into the RF and/or the enforcement of additional quarantine and phytosanitary requirements to regulated products imported into the RF shall be defined by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.

***Article 24. Implementation of state phytosanitary control (surveillance) over regulated products imported into the Russian Federation***

1. For the purposes of establishing conformity to the quarantine and phytosanitary requirements, each batch of regulated products imported into the RF shall be subject to quarantine and phytosanitary control (surveillance).
2. Inspection shall be carried out in respect to regulated products with high phytosanitary risk as well as regulated products with low phytosanitary risk and their package, if organisms with morphological signs, similar to those of quarantine organisms, symptoms of diseases, or manifestations of the damage of regulated products by quarantine organisms have been found during their visual inspection.



3. During inspection, samples and/or specimens of regulated products of high phytosanitary risk, as well as products of low phytosanitary risk, and their packages are taken for laboratory testing with the aim of establishing conformity of the products to the quarantine and phytosanitary requirements if organisms with morphological signs, similar to those of quarantine organisms, symptoms of diseases, or manifestations of the damage of the regulated products by quarantine organisms have been found during their visual inspection.
4. Laboratory tests of samples and/or specimens of regulated products mentioned in Part 3 of this Article are carried out at the expense of funds of the federal budget allocated to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine for the relevant purposes.
5. Practices and techniques of the state quarantine and phytosanitary control (surveillance) are selected taking into account the results of phytosanitary risk analysis, information on quarantine and phytosanitary status of the territory of the exporting country, biological properties of quarantine organisms, and natural climatic factors that are available in the automated information system of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.

***Article 25. Export of regulated products from the Russian Federation and special aspects of the state quarantine and phytosanitary control (surveillance) over export***

1. Export of every batch of regulated products from the RF is allowed subject to availability of a phytosanitary certificate in compliance with the quarantine and phytosanitary requirements of the importing country.
2. Regulated products imported into the RF with the aim of their later export are accompanied by a re-export phytosanitary certificate, if during storage, splitting, or re-packing such batch of regulated products was not exposed to contamination and/or infestation by a quarantine organism and complies with the quarantine and phytosanitary requirements of the importing country.
3. Regulated products moved as wooden packaging or fastening materials provided that such regulated products are used as a package when exported from the RF, or for fastening other commodities exported from the RF shall be labeled with a special international mark designating that the products comply with the quarantine and phytosanitary requirements of the importing country. The procedure of labeling and the requirements to format of this mark and methods of its application are established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.
4. Oversight of compliance with the provisions of Part 1 of this Article is conducted by the customs authorities in the form of documentary verification pursuant to the procedure established by the RF government.

***Article 26. Laboratory tests in the sphere of plant quarantine***

1. Laboratory tests in the sphere of plant quarantine imply the examination of samples and/or specimens of regulated products with the aim of detecting presence or absence of signs of their contamination and/or infestation by quarantine organisms; they are performed by legal entities, and individual

entrepreneurs accredited by the national body on accreditation for the right to conduct laboratory tests in the sphere of plant quarantine according to the RF legislation.

2. For each type of the regulated products, the RF government defines a list of laboratory tests in the sphere of plant quarantine and specifies time periods for their accomplishment that are necessary and sufficient for legal entities and individual entrepreneurs to prepare reports on quarantine and phytosanitary condition of regulated products.

3. Laboratory tests in the sphere of plant quarantine are performed in the following cases:

- 1) To assess compliance of condition of regulated products with the quarantine and phytosanitary requirements;
- 2) To conduct monitoring of quarantine and phytosanitary status of the RF territory;
- 3) To issue phytosanitary certificate;
- 4) To issue quarantine certificate;
- 5) To perform quarantine and phytosanitary examination of regulated facilities;
- 6) To carry out research;
- 7) To move regulated products on the RF territory and to take them out from the zones free from quarantine organisms;
- 8) In other cases for assuring plant quarantine.

4. Laboratory tests in the sphere of plant quarantine envisaged in Part 3, p.p. 1-3, of this Article are performed by the organizations accredited according to the established procedure that are authorized by and report to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.

5. When monitoring of quarantine and phytosanitary status of the RF territory and scheduled or non-scheduled inspections of citizens and legal entities are conducted, the laboratory tests in the sphere of plant quarantine are carried out at the expense of funds of the federal budget allocated to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine for the relevant purposes.

6. Data on the results of laboratory tests in the sphere of plant quarantine must be entered by the accredited legal entities and individual entrepreneurs into the unified federal state information system on recording laboratory tests in the sphere of plant quarantine. Based on the results of these laboratory tests, the accredited legal entities and individual entrepreneurs shall, with the use of software of the unified federal state information system on recording laboratory tests in the sphere of plant quarantine, prepare reports in electronic format on quarantine and phytosanitary condition of the tested batch of regulated products; during the transition period, before the above information system is set up, the reports are forwarded to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine and to the applicants.

7. A hard copy of the report on quarantine and phytosanitary condition of regulated products is prepared with the use of software tools of the unified federal state information system on recording laboratory tests in the sphere of plant quarantine and signed by expert.

8. Laboratory tests in the sphere of plant quarantine shall be performed at the expense of funds of the owner of regulated products, except cases envisaged in Part 5 of this Article.

9. The oversight of compliance with the RF legislation in the sphere of plant quarantine during the process of laboratory testing in the sphere of plant quarantine by the accredited legal entities and individual entrepreneurs is provided by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.
10. The oversight of compliance with the RF legislation on accreditation for the right of conducting laboratory tests is provided by the national accreditation body pursuant to the procedure established by the legislation on accreditation.

#### ***Article 27. Quarantine and phytosanitary decontamination***

1. Quarantine and phytosanitary decontamination is carried out by the accredited legal entities and individual entrepreneurs holding licenses for the right to perform such decontamination in cases:
  - 1) When regulated products or facilities are imported into or exported from the RF;
  - 2) When quarantine certificate is issued;
  - 3) When phytosanitary certificate is issued;
  - 4) When an official of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine issues instructions for accomplishing quarantine and phytosanitary decontamination of regulated products;
  - 5) When the owner of regulated products has selected quarantine and phytosanitary decontamination of regulated products as a quarantine and phytosanitary measure, if the regulated products have been contaminated and/or infested by quarantine organisms.
2. The RF government shall establish types of work on quarantine and phytosanitary decontamination.
3. Quarantine and phytosanitary decontamination is allowed only when at the site of decontamination the conditions are set up for accomplishing decontamination by such methods that do not create a threat of harm to human life or health, or damage to the environment from the use of regulated products and facilities after the completion of such decontamination.
4. The requirements to methods and practices of quarantine and phytosanitary decontamination assuring a proper quality of work carried out for accomplishing such decontamination and the procedure of presentation of their results shall be established by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine in accordance with the RF legislation in the sphere of plant quarantine.
5. Quarantine and phytosanitary decontamination activities and degassing operations are carried out by the license holders on a reimbursable basis unless stipulated otherwise in a relevant contract.
6. In case when transport vehicles had arrived from a foreign state or groups of foreign states, where the distribution of quarantine organisms was found, and had been used for the transportation of regulated products, such transport vehicles shall be subject to quarantine and phytosanitary decontamination.
7. Quarantine and phytosanitary decontamination is performed in accordance with requirements of the RF legislation in the sphere of safe handling of pesticides and agrochemicals; the legislation in the sphere of assuring sanitary and epidemiological well-being of the population; and, the quarantine and phytosanitary requirements.
8. Based on the results of completed quarantine and phytosanitary decontamination, an act of quarantine

and phytosanitary decontamination is executed according to the form established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.

9. The oversight of compliance with the RF legislation in the sphere of plant quarantine during the process of quarantine and phytosanitary decontamination carried out by the license holders shall be provided by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine pursuant to the procedure established by the RF legislation.

***Article 28. Special aspects of the implementation of state quarantine and phytosanitary control (surveillance) at the checkpoints on the Russian Federation State Border and in cases of imposing quarantine and phytosanitary regimen***

1. State quarantine and phytosanitary control (surveillance) at the checkpoints on the RF State Border shall be conducted in accordance with Articles 8, 9 and 22 – 25 of this Federal Law and other federal laws pursuant to the procedure established by the RF government.

2. State quarantine and phytosanitary control (surveillance) at the checkpoints on the RF State Border shall be conducted by the authorized federal bodies of executive power in accordance with their functions established by the RF government.

3. State quarantine and phytosanitary control (surveillance) at the checkpoints on the RF State Border shall be conducted in the form of:

- 1) Documentary verification;
- 2) Inspection and/or visual examination of regulated products;
- 3) Visual inspection of transport vehicles and other regulated facilities;
- 4) Taking samples and/or specimens of regulated products to perform laboratory tests in the sphere of plant quarantine in order to establish their compliance with the quarantine and phytosanitary requirements and to carry out expert examination and other actions envisaged in Part 3 of Article 8 of this Federal Law.

4. The federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall provide oversight of the implementation of measures envisaged by Part 3 of Article 18 of this Federal Law.

***Article 29. Phytosanitary certification, re-export certification, quarantine certification***

1. Phytosanitary certificate for a batch of regulated products exported from the RF is issued on the basis of application of a participant of foreign economic activity and report on quarantine and phytosanitary condition of such regulated products issued by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.

2. For issuing a report on quarantine and phytosanitary condition of regulated products, some samples and or specimens of such regulated products are taken by an official of the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine.

3. Phytosanitary certificate, re-export phytosanitary certificate, and quarantine certificate are issued free of charge.

4. Forms of phytosanitary certificate, re-export phytosanitary certificate, and quarantine certificate are approved by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.
5. The procedure of issuance of phytosanitary certificate, re-export phytosanitary certificate, and quarantine certificate is established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine. This procedure should provide an opportunity to re-issue phytosanitary certificate, e.g. during the transportation of a batch of regulated products.
6. Decision on issuing a phytosanitary certificate or refusal from its issuance is made within three working days from the date of submission of the application envisaged in Part 1 of this Article and documents attached thereto to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine or its regional office.
7. Quarantine certificate is issued for regulated products included in the list which has been approved by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.
8. Data on issued phytosanitary certificates, re-export phytosanitary certificates, and quarantine certificates are subject to mandatory entry into the unified federal state information system for recording issued phytosanitary documents in the sphere of plant quarantine.

## CHAPTER 5. INTERNATIONAL COOPERATION OF THE RUSSIAN FEDERATION IN THE SPHERE OF PLANT QUARANTINE AND RESPONSIBILITY FOR VIOLATION OF THE RUSSIAN FEDERATION LEGISLATION IN THE SPHERE OF PLANT QUARANTINE

### ***Article 30. International Cooperation of the Russian Federation in the Sphere of Plant Quarantine***

1. International cooperation of the Russian Federation (RF) in the sphere of plant quarantine is implemented in accordance with international agreements of the RF and the RF legislation.
2. Within the framework of international cooperation, the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine:
  - 1) Conducts exchange of the necessary information on quarantine and phytosanitary security with the national plant quarantine and protection organizations of foreign states;
  - 2) Informs the national plant quarantine and protection organizations of foreign states about the requirements to regulated products and the restrictions imposed with respect to regulated products;
  - 3) Notifies the national plant quarantine and protection organizations of foreign states on non-compliance of the regulated products imported into the RF with the RF quarantine and phytosanitary requirements; conducts investigation of cases, where the regulated products exported from the RF have failed to comply with the quarantine and phytosanitary requirements of foreign states.
3. In accordance with the International Plant Quarantine and Protection Convention, the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine shall be a national plant quarantine and protection organization.

***Article 31. Responsibility for violation of the Russian Federation legislation in the sphere of plant quarantine***

1. Violation of the RF legislation in the sphere of plant quarantine will involve responsibility in accordance with the RF legislation.
2. Losses inflicted to property of a citizen or legal entity due to the violation of the RF legislation in the sphere of plant quarantine shall be subject to full compensation in accordance with the RF legislation.
3. Compensation of damage inflicted to the environment due to the violation of the RF legislation in the sphere of plant quarantine shall be provided in accordance with the RF legislation.

***Article 32. Responsibilities of citizens and legal entities in the sphere of plant quarantine***

1. Citizens and legal entities holding regulated facilities in their ownership, possession, use or rent, or conducting manufacture (e.g. processing), import into or export from the RF, storage, transportation and sales of regulated products, must:

- 1) Comply with the quarantine and phytosanitary requirements;
- 2) Notify promptly the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine about the delivery of regulated products and facilities, e.g. in electronic format, pursuant to the procedure established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine;
- 3) Provide conditions necessary for the prompt implementation of state quarantine and phytosanitary control and surveillance;
- 4) Assign premises to the storage of regulated products and facilities that comply with the quarantine and phytosanitary requirements;
- 5) Avoid cleaning of transportation vehicles and containers with regulated products and other regulated facilities during the travel and at the sites not designed for such purposes;
- 6) Ensure an appropriate storage of regulated products and facilities prior to commencement of the state quarantine and phytosanitary control (surveillance) pursuant to the procedure established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine.
- 7) Assign transport vehicles, specifically equipped piers, sites and premises for conducting quarantine and phytosanitary decontamination, cleaning, and degassing of regulated products and facilities;
- 8) Notify promptly, e.g. in electronic format, the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine on the detection of signs of contamination and/or infestation of regulated products or facilities with quarantine organisms pursuant to the procedure established by the federal body of executive power exercising functions on the development of state policy and legal normative regulation in the sphere of plant quarantine;
- 9) Transport regulated products with the application of measures excluding their potential losses and potential contamination and/or infestation of the RF territory by quarantine organisms;
- 10) Discharge other responsibilities in accordance with the RF legislation in the sphere of plant quarantine, and the rules and norms for plant quarantine assurance.

2. Laboratory tests with the aim of detecting quarantine organisms and their control are conducted at the expense of citizens or legal entities, holding regulated facilities in their ownership, possession, use or rent, except the cases envisaged in this Federal Law.
3. Quarantine and phytosanitary decontamination, detention, return and destruction of regulated products are carried out at the expense of funds of their owners, possessors, users, consignees or shipping companies, except the cases envisaged in this Federal Law.

## CHAPTER 6. FINAL PROVISIONS

### ***Article 33. Concerning the Annulment of Certain Acts of Legislation (provisions of the Acts of Legislation) of the Russian Federation***

1. To declare to be no longer in force, beginning January 01, 2015:
  - 1) Articles 1-3; paragraphs 2-9,11 of Article 4; Articles 6, 7; Part 2 of Article 8; Article 9; Parts 1-3 and 5 of Article 10; Part 1 of Article 11; Articles 12 - 19 of Federal Law dated July 15, 2000 #99-FZ "On Plant Quarantine" (Legislation Bulletin of the Russian Federation, 2000, # 29, Art. 3008);
  - 2) Article 30 of Federal Law dated July 25, 2002 #116-FZ "On Making Amendments and Additions to Certain Acts of Legislation of the Russian Federation in Context of the Improvement of State Governance in the Sphere of Fire Safety" (Legislation Bulletin of the Russian Federation, 2002, # 30, Art.3033);
  - 3) p.2 (with respect to amendments in Articles 6, 7, 9, 11 and 13) and p.3 of Article 129 of Federal Law dated August 22, 2004 #122-FZ "On Making Amendments of Certain Acts of Legislation of the Russian Federation and the Annulment of Certain Acts of Legislation of the Russian Federation in connection with the adoption of Federal Laws "On Making Amendments and Additions to Federal Law "On General Concepts of the Organization of Legislative (Representative) and Executive Bodies of State Power of the RF Constituent Entities" and "On General Concepts of the Organization of Local Self-Government in the RF" (Legislation Bulletin of the Russian Federation, 2004, #35, Art. 3607);
  - 4) Article 8 of Federal Law dated December 30, 2006, #266-FZ "On Making Amendments of Certain Acts of Legislation of the Russian Federation in Context of the Improvement of State Control at the Checkpoints of the RF State Border (Legislation Bulletin of the Russian Federation, 2007, # 1, Art. 29);
  - 5) Article 76 of Federal Law dated July 23, 2008 #160-FZ "On Making Amendments of Certain Acts of Legislation of the Russian Federation in Context of the Improvement of Exercising Authorities of the RF Government (Legislation Bulletin of the Russian Federation, 2008, # 30, Art. 3616);
  - 6) Article 6 of Federal Law dated December 28, 2010, #394-ФЗ "On Making Amendments of Certain Acts of Legislation of the Russian Federation in Context of the Delegation of Authorities for Conducting Certain Types of State Control to the RF Customs Bodies" (Legislation Bulletin of the Russian Federation, 2011, #1, Art. 6);
  - 7) p.p. 1, 2, 4, 5; paragraph 4 of p. 6, p.p. 1, 9 - 12 of Article 38 of Federal Law dated July 18, 2011, #242-FZ "On Making Amendments of Certain Acts of Legislation of the Russian Federation Concerning the Issues of the Execution of State Control (Surveillance) and Municipal Control (Legislation Bulletin of the Russian Federation, 2011, #30, Art. 4590).

2. To declare to be no longer in force, beginning January 01, 2018:

1) Federal Law dated July 15, 2000, #99-FZ "On Plant Quarantine" (Legislation Bulletin of the Russian Federation, 2000, # 29, Art. 3008);

2) Article 129 of Federal Law dated August 22, 2004 #122-FZ "On Making Amendments of Certain Acts of Legislation of the Russian Federation and the Annulment of Certain Acts of Legislation of the Russian Federation in connection with the adoption of Federal Laws "On Making Amendments and Additions to Federal Law "On General Concepts of the Organization of Legislative (Representative) and Executive Bodies of State Power of the RF Constituent Entities" and "On General Concepts of the Organization of Local Self-Government in the RF" (Legislation Bulletin of the Russian Federation, 2004, #35, Art. 3607);

3) Article 38 of Federal Law dated July 18, 2011, #242-FZ "On Making Amendments of Certain Acts of Legislation of the Russian Federation Concerning the Issues of the Execution of State Control (Surveillance) and Municipal Control (Legislation Bulletin of the Russian Federation, 2011, # 30, Art. 4590).

***Article 34. Procedure of entry into force of this Federal Law***

1. This Federal Law shall enter into force from January 01, 2015, except the provisions for which this Article has established a different date for their entry into force.

2. P. 3 of Part 1 and Part 2 of Article 6; Article 21; Parts 1, 9 and 10 of Article 26; Part 9 of Article 27 of this Federal Law shall enter into force from January 01, 2018.

3. Provisions of this Federal Law concerning the creation and functioning of federal state information systems in the sphere of plant quarantine shall be applied from January 01, 2018.

4. Laboratory tests in the sphere of plant quarantine envisaged by p.p 4 – 8, Part 3, of Article 26 of this Federal Law shall be performed by organizations authorized by and reporting to the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine through January 01, 2018. From January 01, 2018, laboratory tests in the sphere of plant quarantine envisaged by p.p 4 – 8, Part 3, of Article 26 of this Federal Law shall be performed by accredited legal entities, individual entrepreneurs.

5. Laboratory tests in the sphere of plant quarantine envisaged by Part 4, Article 24, of this Federal Law through January 01, 2018 shall be performed at the expense of owners of regulated products.

6. Operations on quarantine and phytosanitary decontamination in accordance with Part 1, Article 27, of this Federal Law shall be carried out by the federal body of executive power exercising functions on control and surveillance in the sphere of plant quarantine through January 01, 2018. From January 01, 2018, Operations on quarantine and phytosanitary decontamination in accordance with Part 1, Article 27, of this Federal Law shall be carried out by legal entities, individual entrepreneurs holding licenses for the right to conduct certain types of work.

President of the  
Russian Federation  
Moscow, Kremlin  
July 21, 2014

V. Putin



No. 206-FZ

*End unofficial translation*