

PROTOCOL
on Application of Sanitary, Veterinary-Sanitary and Phytosanitary
Quarantine Measures

I. General Provisions

1. This Protocol has been developed in accordance with Section XI of the Treaty on the Eurasian Economic Union and determines the principles and procedures for applying sanitary, veterinary-sanitary and phytosanitary quarantine measures.

2. The terms used in this Protocol shall have the following meanings:

"audit of a foreign official supervision system" means the procedure for determining the ability of a foreign official supervision system to ensure the safety of goods subject to veterinary control (supervision) at a level not less than equivalent to that of the common veterinary (veterinary-sanitary) requirements;

"veterinary control (supervision)" means activities of authorised authorities in the field of veterinary aimed at preventing the importation and spread of pathogens of contagious animal diseases, including those common to humans and animals, and products that do not meet the common veterinary (veterinary-sanitary) requirements, as well as prevention, detection and suppression of violations of the requirements of international treaties and acts constituting the law of the Union and the legislation of the Member States in the field of veterinary;

"veterinary-sanitary measures" means mandatory requirements and procedures applied in order to prevent animal diseases and protect the population against diseases common to humans and animals in view of the emerging risks, including in the case of their transfer or dissemination by animals, with feed, raw materials and products of animal origin, as well as by transportation vehicles, within the customs territory of the Union;

"veterinary certificate" means a document issued by an authorised authority in the field of veterinary for goods subject to veterinary control (supervision) to be transported, certifying their veterinary-sanitary safety and/or the welfare of the administrative territories of the places of origin of these goods in terms of infectious animal diseases, including diseases common to humans and animals;

"state registration" means an assessment of conformity of products to common sanitary, epidemiological and hygienic requirements or requirements of technical regulations of the Union to be carried out by authorised authorities in the field of sanitary and epidemiological welfare of the population;

"state sanitary and epidemiological supervision (control)" means activities of authorised authorities in the field of sanitary and epidemiological welfare of the population, aimed at the prevention, detection and suppression of violations of mandatory requirements determined by the Commission and the legislation of the Member States in the field of sanitary and epidemiological welfare of the population;

"common veterinary (veterinary-sanitary) requirements" means requirements for goods subject to veterinary control (supervision), circulation thereof and facilities subject to veterinary control (supervision), aimed at

preventing the occurrence, importation and spread on the customs territory of the Union of causative agents of infectious diseases of animals, including those common to humans and animals, and animal products posing veterinary-sanitary threats;

"common phytosanitary quarantine requirements" means requirements for quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) subject to phytosanitary quarantine control (supervision) at the customs border of the Union and on the customs territory of the Union, their circulation and quarantineable items, aimed at preventing the occurrence, importation and spread of quarantine items on the customs territory of the Union;

"united regulations and standards to ensure plant quarantine" means rules, procedures, instructions, and methods of phytosanitary quarantine examinations, screening methods for quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) subject to quarantine phytosanitary control (supervision) at the customs border of the Union and on the customs territory of the Union, identification of quarantine items, laboratory testing and examinations, disinfection and other important activities carried out by authorised authorities for plant quarantine;

"common sanitary, epidemiological and hygienic requirements for products (goods) subject to sanitary and epidemiological supervision (control)" means a document containing mandatory requirements determined by the Commission for products (goods) subject to sanitary and epidemiological supervision (control), aimed to prevent harmful effects of environmental factors on human health and ensure favourable conditions for human life;

"animals" means all kinds of animals, including birds, bees, aquatic animals and wildlife species;

"plant quarantine" means a legal regime including a system of measures for the protection of plants and plant products against quarantine items on the customs territory of the Union;

"quarantine items" means hazardous organisms that are not presented or have limited distribution on the territories of the Member States and are included in the common list of quarantine items of the Union;

"phytosanitary quarantine security" means security of the customs territory of the Union against risks emerging in case of penetration and/or spread of quarantine items;

"phytosanitary quarantine control (supervision)" means activities of authorised authorities for plant quarantine aimed at identifying quarantine items, determining phytosanitary quarantine statuses of quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods), fulfilment of international obligations and compliance with the legislation of the Member States in the field of plant quarantine;

"phytosanitary quarantine measures" means mandatory requirements, rules and procedures used to ensure protection of the customs territory of the Union against importation and spread of quarantine items and reduction of resulting losses, as well as elimination of obstacles in the international trade in quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) ;

"subject of veterinary control (supervision)" means an organisation or person engaged in the manufacture, processing, transportation and/or storage of goods subject to veterinary control (supervision);

"batch of quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods)" means the quantity of quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) to be sent on a single vehicle to a single destination to one recipient;

"batch of goods subject to veterinary control (supervision)" means the quantity of goods subject to veterinary control (supervision) to be sent on a single vehicle to a single destination to one recipient and registered under a single veterinary certificate;

"quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) " means plants, plant products, cargoes, soil, organisms, materials, and packaging, included in the list of quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) subject to phytosanitary quarantine control (supervision) at the customs border of the Union and on the customs territory of the Union and transported across the customs border of the Union and on the customs territory of the Union, which may be carriers of quarantine items and/or facilitate their spread, and in respect of which phytosanitary quarantine measures shall be required;

"quarantineable items" means the land of any purpose, buildings, structures, tanks, storage areas, equipment, vehicles, containers and other facilities that may be sources of penetration of quarantine items into the customs territory of the Union and/or their spread therein;

"products (goods) subject to state sanitary and epidemiological supervision (control)" means goods, chemical, biological and radioactive substances, including sources of ionising radiation, waste and other goods

that are hazardous to life, food products, materials and products included in the common list of products (goods) subject to sanitary and epidemiological supervision (control), transported across the customs border of the Union and on the customs territory of the Union;

"goods subject to veterinary control (supervision)" means goods included in the common list of goods subject to veterinary control (supervision);

"products subject to state registration" means certain types of products that, when handled, may produce adverse effects on human life and health, the safety of which is confirmed by state registration;

"permit to import (export) or transit goods subject to veterinary control (supervision)" means a document determining the procedure and conditions for the use of goods subject to veterinary control (supervision), based on the epizootic status of respective exporting countries, in the import and transit of goods subject to veterinary control (supervision), to be issued by an official of an authorised authority in the field of veterinary duly authorised under the legislation of the Member States;

"sanitary, veterinary-sanitary and phytosanitary quarantine measures" means mandatory sanitary, veterinary and phytosanitary quarantine requirements and procedures aimed at:

the protection of human and animal life and health against risks caused by additives, contaminants, toxins or disease-causing organisms in foods, beverages, animal feed and other products;

the protection of life and health of animals and plants against the risks caused by the penetration, ecesis (fixation) or spread of plant pests, causative

agents of diseases of plants and animals, plants (weeds), disease carrier organisms or pathogens of quarantine importance for the Member States;

the protection of human life and health against risks arising from diseases carried by animals, plants or products thereof;

the prevention or mitigation of other damage caused by the penetration, ecesis (fixation) or spread of plant pests, causative agents of diseases of plants and animals, plants (weeds), and pathogens of quarantine importance for the Member States, including in the case of carrying or dissemination by animals and/or plants, with products, goods, materials, or vehicles;

"sanitary and quarantine control" means a type of state sanitary and epidemiological supervision (control) in respect of persons, vehicles and products (goods) subject to state sanitary-epidemiological supervision (control) exercised at checkpoints across the customs border of the Union, at interstate transmission railway stations or junction stations in order to prevent the importation of products (goods) that are potentially hazardous to human health, importation, emergence and spread of infectious and mass non-infectious diseases (poisoning);

"sanitary and anti-epidemic measures" means organisational, administrative, engineering, technical, medical, sanitary, preventive and other measures aimed at assessing the risks of harmful effects of environmental factors on human health, eliminating or reducing these risks, preventing the occurrence and spread of infectious and mass non-infectious diseases (poisoning) and their elimination;

"sanitary and epidemiological welfare of the population" means the state of health of the population and the environment implying no adverse

effects of environmental factors on human health and ensuring favourable living conditions;

"sanitary measures" means mandatory requirements and procedures, including requirements to final products, processing, manufacturing, transportation, storage and disposal methods, sampling procedures, research (testing) methods, methods of risk assessment and state registration, labelling and packaging requirements, directly aimed at ensuring the safety of products (goods) in order to protect human life and health;

"certificate of state registration" means a document confirming safety of products (goods), certifying conformity of products (goods) to the common sanitary, epidemiological and hygienic requirements and issued by the authorised authority in the field of sanitary and epidemiological welfare of the population in the common form and in the manner approved by the Commission;

"authorised authorities in the field of veterinary" means state authorities and institutions of the Member States operating in the field of veterinary;

"authorised authorities in the field of sanitary and epidemiological welfare of the population" means state authorities and institutions of the Member States operating in the field of sanitary and epidemiological welfare of the population in accordance with the legislation of the Member States and acts of the Commission;

"authorised authorities on plant quarantine" means national organisations for plant quarantine and protection;

"phytosanitary control stations" means plant quarantine stations created at checkpoints across the customs border of the Union and in other places determined in accordance with the legislation of the Member States;

"phytosanitary certificate" means an international standard document supplied with quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) and issued by an authorised authority on plant quarantine of the exporting country (re-exporter) in the form prescribed by the International Plant Protection Convention of December 6, 1951, certifying that the quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) conform to the phytosanitary requirements of the importing country;

"epizootic status" means a veterinary-sanitary situation in a certain area at a specified time, characterised by the presence of animal diseases, their distribution and incidence.

II. Sanitary Measures

3. State sanitary and epidemiological supervision (control) at the customs border of the Union and on the customs territory of the Union shall be exercised in the manner approved by the Commission.

4. The Member States shall arrange sanitary and quarantine stations at checkpoints designed for the transportation of products (goods) subject to state sanitary and epidemiological supervision (control) across the customs border of the Union and take steps to conduct all the required sanitary and anti-epidemic activities.

The Member States shall exercise sanitary and quarantine control at specially designated sanitary and quarantine stations equipped with facilities required for taking sanitary and anti-epidemic measures in accordance with

the legislation of the Member States with regard to the requirements approved by the Commission.

The Commission shall determine a list of products to be transported across the customs border of the Union via specially equipped checkpoints identified in accordance with the legislation of the Member States and the acts constituting the law of the Union.

Products subject to state registration in accordance with acts of the Commission shall be circulated on the territory of the Union only after their state registration.

5. The Member States shall:

1) take agreed measures to prevent the importation, distribution and elimination on the customs territory of the Union of infectious diseases and mass non-infectious diseases (poisoning) hazardous to human health, consequences of emergencies, as well as acts of terrorism involving biological agents, chemical and radioactive substances;

2) conduct sanitary and anti-epidemic activities to prevent the importation into the customs territory of the Union and circulation of products (goods) subject to state sanitary and epidemiological supervision (control) that are hazardous to human life, health and living environment.

6. The Member States shall be entitled to impose temporary sanitary measures and conduct sanitary and anti-epidemic activities in the cases of:

deterioration of the sanitary and epidemiological situation on the territory of a Member State;

receipt of information from relevant international organisations, the Member States or third countries on the application of sanitary measures and/or deterioration of the sanitary and epidemiological situation;

when the scientific rationale for the use of sanitary measures is insufficient or may not be submitted in due time;

identification of products (goods) subject to state sanitary and epidemiological supervision (control) that do not conform to the common sanitary requirements or technical regulations of the Union.

The Member States shall as soon as possible inform each other of the introduction of any sanitary measures, conducting sanitary and anti-epidemic activities and modification thereof.

Upon introduction of temporary sanitary measures by a the Member State, other Member States shall take the necessary measures and conduct sanitary and anti-epidemic activities to ensure an adequate level of protection of the Member State having imposed such measures.

7. Authorised authorities in the field of sanitary and epidemiological welfare of the population shall:

exercise sanitary and epidemiological supervision (control) in respect of persons, vehicles, and products (goods) subject to state sanitary and epidemiological supervision (control) transported across the customs border of the Union at checkpoints of the Member States located at the customs border of the Union and on the customs territory of the Union;

be entitled to request from authorised authorities of other Member States the required reports on laboratory studies (tests);

provide mutual scientific, methodological and technical assistance in the field of sanitary and epidemiological welfare of the population;

inform each other about the possible arrival of goods non-conforming to the common sanitary, epidemiological and hygienic requirements, about each case of detection of especially dangerous infectious diseases listed in the

international health regulations, and products dangerous to human life and health;

if necessary, by mutual agreement, in order to comply with the requirements determined by the acts constituting the law of the Union in the field of sanitary measures and the protection of the customs territory of the Union against importation and spread of infectious and mass non-infectious diseases (poisoning), and products (goods) subject to state sanitary and epidemiological supervision (control) that do not conform to the sanitary, epidemiological and hygienic requirements, and to promptly solve other issues, carry out joint audits (inspections) on the territories of the Member States manufacturing products (goods) subject to state sanitary and epidemiological supervision (control).

In the event of detection of infectious diseases and mass non-infectious diseases (poisoning) and/or distribution on the customs territory of the Union of products dangerous to human life, health and environment, authorised authorities in the field of sanitary and epidemiological welfare of the population shall direct the respective information and information on the sanitary measures taken into the integrated information system of the Union.

8. The costs associated with the conduct of joint audits (inspections) shall be funded from the budgets of the respective Member States, unless another procedure is agreed on a case-by-case basis.

III. Veterinary-Sanitary Measures

9. Veterinary control (supervision) at the customs border of the Union and on the customs territory of the Union shall be exercised in accordance with the regulation on the common procedure for exercising veterinary

control at the customs border of the Union and on the customs territory of the Union, approved by the Commission.

10. At checkpoints designed for transportation of goods subject to veterinary control (supervision) across the customs border of the Union, the Member States shall establish veterinary border control stations and take the required veterinary-sanitary measures.

11. Authorised authorities in the field of veterinary shall:

1) take measures to prevent the importation and spread on the customs territory of the Union of any causative agents of infectious animal diseases, including those common to humans and animals, and goods (products) of animal origin posing a veterinary-sanitary threat;

2) in case of detection and spread on the territory of a Member State of infectious animal diseases, including those common to humans and animals, and/or goods (products) of animal origin posing a veterinary-sanitary threat, immediately after the official diagnosis or confirmation of non-safety of goods (products), send the relevant information to the Commission, as well as information on veterinary-sanitary measures taken to the integrated information system of the Union, as well as for notification of authorised authorities of other Member States;

3) timely notify the Commission of any changes made to the list of hazardous and quarantine diseases of animals of the respective Member State;

4) provide mutual scientific, methodological and technical assistance in the field of veterinary;

5) carry out audits of foreign official supervision systems in the manner approved by the Commission.

12. Joint audit (inspection) of the facilities subject to veterinary control (supervision) shall be carried out in accordance with the regulation on the common procedure for joint inspections of facilities and sampling of goods subject to veterinary control (supervision).

The costs associated with the conduct of audit of foreign official supervision systems and joint audits (inspections) shall be funded from the respective budgets of the Member States, unless another procedure is agreed on a case-by-case basis.

13. The rules and methodology of laboratory studies in the implementation of veterinary control (supervision) shall be determined by the Commission.

14. The rules governing the circulation of veterinary medicines, veterinary diagnostic agents, feed additives, disinfectants, disinfestation and disinfection agents shall be determined by the Commission and the legislation of the Member States.

15. Based on common veterinary (veterinary-sanitary) requirements and international recommendations, standards and guidelines, the Member States may agree with authorised authorities of the country of the sender (third party) model veterinary certificates for goods subject to veterinary control (supervision) imported into the customs territory of the Union and included in common list of goods subject to veterinary control (supervision), other than the common forms, in accordance with the acts of the Commission.

16. Goods subject to veterinary control (supervision) placed under the customs transit procedure shall be transported across the customs territory of the Union in the procedure determined by the Commission.

Permits for import (export) and transit of goods subject to veterinary control (supervision) and respective veterinary certificates shall be issued by the authorised authority in the field of veterinary in accordance with the legislation of that Member State.

17. The common forms of veterinary certificates shall be approved by the Commission.

IV. Phytosanitary Quarantine Measures

18. Phytosanitary quarantine control (supervision) at the customs border of the Union and on the customs territory of the Union shall be exercised in the manner approved by the Commission.

19. Common rules and standards for ensuring plant quarantine shall be approved by the Commission.

20. At checkpoints designed for transportation of quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) across the customs border of the Union and in other places, the Member States shall establish plant quarantine stations (phytosanitary control stations), taking into account the requirements for their facilities and equipment, as approved by the Commission.

21. The Member States shall take the necessary measures to prevent the importation of quarantine items into the customs territory of the Union and their spread therein.

22. Authorised authorities on plant quarantine shall:

1) exercise phytosanitary quarantine control (supervision) over the transportation of quarantineable products across the customs border of the

Union at checkpoints and in other places to be equipped with plant quarantine stations (phytosanitary control stations);

2) exercise phytosanitary quarantine control (supervision) over the transportation of quarantineable products from the territory of one Member State to the territory of another Member State;

3) in case of detection and spread of quarantine items on the customs territory of the Union, send respective information, as well as information on phytosanitary quarantine measures taken, to the integrated information system of the Union;

4) promptly inform each other of any cases of detection and spread of quarantine items on the territory of their states and of the introduction of temporary phytosanitary quarantine measures;

5) provide mutual scientific, methodological and technical assistance in the field of plant quarantine;

6) ensure annual exchange of statistics for the past year related to the detection and spread of quarantine items on the territory of their states;

7) exchange information relating to the phytosanitary quarantine status of the territories of the Member States and, if necessary, other information, including information on effective methods to eliminate such quarantine items;

8) develop proposals for compiling a list of regulated non-quarantine hazardous organisms and a common list of quarantine items of the Union based on the information on hazardous organisms;

9) cooperate on other issues in the field of phytosanitary quarantine control (supervision);

10) by mutual agreement:

send experts to conduct joint inspections of facilities used for the production (manufacturing), sorting, processing, storage and packaging of quarantineable products imported into the customs territory of the Union from third countries;

participate in the development of united regulations and standards to ensure plant quarantine.

23. Each batch of quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) rated according to the list of quarantineable products in the high phytosanitary risk group of quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) and imported into the customs territory of the Union and/or transported from the territory of one Member State to the territory of another Member State, shall be provided with an export (re-export) phytosanitary certificate.

24. Laboratory support of phytosanitary quarantine measures shall be effected in accordance with the procedure approved by the Commission.

25. Each Member State shall be entitled to develop and implement temporary phytosanitary quarantine measures in the following cases:

1) deterioration of the phytosanitary quarantine situation on its territory;

2) receipt of information on phytosanitary quarantine measures taken from the relevant international organisations, the Member States and/or third countries;

3) when the scientific rationale for the use of phytosanitary quarantine measures is insufficient or may not be submitted in due time;

4) in case of systematic identification of quarantine items in quarantineable products (quarantineable cargoes, quarantineable materials and quarantineable goods) imported from third countries.
