

PROTOCOL
on the Application Of Sanitary, Veterinary And Sanitary And Phytosanitary Quarantine
Measures

I. General Provisions

1. This Protocol is developed in accordance with Section XI of the Treaty on the Eurasian Economic Union and defines the application of sanitary, veterinary and sanitary and phytosanitary quarantine measures.

2. Definitions used in this Protocol are as follows:

"Audit of the foreign official supervision system" - a procedure for determining the ability of a foreign official supervision system to ensure level of safety of goods subject to veterinary control (supervision), minimum equivalent to common veterinary (veterinary-sanitary) requirements;

"Veterinary Control (Supervision)" – activity of authorized bodies in the veterinary field aimed at preventing the importation and distribution of pathogens of contagious animal diseases, including those common to humans and animals, and goods not compliant with veterinary (veterinary-sanitary) requirements, as well as prevention, detection and suppression of violations of the requirements of international agreements and acts constituting the law of the EAEU and legislation of the member States in the veterinary field;

"Veterinary-Sanitary Measures" - binding requirements and procedures used for the prevention of animal diseases and to protect people from diseases common to humans and animals, in connection to emerging risks, including in the case of transfer or spreading of

them by animals with feed, raw materials and products of animal origin as well as vehicles transporting them, within the customs territory of the EAEU;

"Veterinary certificate" - a document issued by the competent authority in the veterinary field on goods subject to veterinary control (supervision), subject to movement (transportation), and certifying their safety in veterinary-sanitary relation and (or) the welfare of the administrative territories of places of production of these goods in relation to contagious diseases of animals, including diseases common for human and animals;

"State registration" - the procedure of assessment of conformity of products to common sanitary-epidemiological and hygienic requirements or the requirements of the technical regulations of the EAEU, performed by the authorized body in the field of sanitary-epidemiological welfare of the population;

"State sanitary-epidemiological supervision (control)" - activity of authorized bodies in the field of sanitary-epidemiological welfare of the population, aimed at the prevention, detection and suppression of violations of mandatory requirements established by the Commission and the legislation of the member States in the field of sanitary-epidemiological welfare of the population;

"Common veterinary (veterinary-sanitary) requirements" - requirements for goods controlled by the veterinary control (supervision), their circulation and objects subject to veterinary control (supervision), aimed at preventing the emergence, import and distribution in the customs territory of the EAEU pathogens contagious animal diseases, including those common to humans and animals, and animal products, dangerous in veterinary-sanitary relation;

"Common quarantine phytosanitary requirements" - requirements to quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) subject to quarantine phytosanitary control (supervision) on customs border of the EAEU and in the customs territory of the EAEU, its circulation and to quarantine objects, aimed at preventing the emergence, importation and distribution in the customs territory of the EAEU of quarantine objects;

"Common rules and standards for ensuring plant quarantine" - rules, procedures, instructions, methods of quarantine phytosanitary inspections, screening methods of

quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) subject to quarantine phytosanitary control (supervision) on customs border of the EAEU and in the customs territory of the EAEU, the identification of quarantine objects, laboratory testing and examination, disinfection and other important activities carried out by the competent authorities on plant quarantine;

"Common sanitary-epidemiological and hygienic requirements for products (goods) subject to sanitary and epidemiological supervision (control)" - a document containing mandatory requirements established by the Commission to the products (goods) subject to sanitary-epidemiological supervision (control) for preventing harmful effects of environmental factors to human and for providing favorable conditions for human life ;

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

"Quarantine of plants" - the legal regime providing for a system of measures for the protection of plants and plant products from quarantine objects in the customs territory of the EAEU;

"Quarantine Objects" - pests, absent or limitedly present in the territories of the member States and included into the Common list of quarantine objects of the EAEU;

"Quarantine Phytosanitary Security" - ensuring state of security of the customs territory of the EAEU from the risks arising from the entering and (or) distribution of quarantine objects;

"Quarantine Phytosanitary Control (Supervision)" - activity of authorized bodies on quarantine of plants, aimed at identifying quarantine objects, determination of quarantine phytosanitary state of quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods), fulfillment of international obligations and compliance with the legislation of the member States in the field of plant quarantine;

"Quarantine Phytosanitary Measures" - the binding requirements, rules and procedures used to ensure protection of the customs territory of the EAEU from the introduction and spread of quarantine objects and to reduce the losses caused by them, as

well as the elimination of barriers to international trade caused by the quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods);

"Object subject to veterinary control (supervision)" - an organization or person involved in the manufacturing (production), processing, transportation and (or) storage of goods subject to veterinary control (supervision);

"Batch of quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods)" - the quantity of quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods), intended for sending by one vehicle to one destination to one recipient;

"Batch of goods subject to veterinary control (supervision) " - the quantity of goods subject to veterinary control (supervision) intended for sending by one vehicle to one destination to one recipient and formalized in one veterinary certificate;

"Quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods)" - the plants, products of plant origin, loads, soil, organisms, materials, containers, packaging, included in the List of quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) subject to quarantine phytosanitary control (supervision) at the customs border of the EAEU and in the customs territory of the EAEU, and moved across the customs border of the EAEU and through the customs territory of the EAEU that may be carriers of quarantine objects and (or) contribute to their distribution and in relation to which it is necessary to adopt quarantine phytosanitary measures;

"Quarantineable objects" - land of any purpose, buildings, plants, reservoirs, storage areas, equipment, vehicles, containers and other objects that can be sources of entering into the customs territory of the EAEU and (or) distribution on it of quarantine objects;

"Products (goods) subject to state sanitary-epidemiological supervision (control)" - goods, chemical, biological and radioactive substances, including sources of ionizing radiation, waste and other loads presenting a danger to human, food products, materials and products included in the Common list of products (goods) subject to sanitary-epidemiological supervision (control), moved across the customs border of the EAEU and through the customs territory of the EAEU;

"Goods subject to veterinary control (supervision)" - goods included in the Common list of goods subject to veterinary control (supervision);

"Products subject to state registration" - certain types of products that can have adverse effects on human life and health in their circulation and the safety of which is confirmed by the fact of having state registration;

"Permit to import (export) or transit goods subject to veterinary control (supervision)" - a document that defines the procedure and conditions for use of goods subject to veterinary control based on epizootic state of exporting countries in the import and transit of goods subject to veterinary control issued by the official of authorized official body in the veterinary field authorized under the legislation of the member States;

"Sanitary, veterinary-sanitary and quarantine phytosanitary measures" - binding sanitary, veterinary-sanitary and quarantine phytosanitary requirements and procedures applicable for purposes of:

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

protection of life and health of animals and plants from the risks arising from the entry, establishment (fixation) or spread of pests of plants and pathogens of plant and animals, plants (weeds), organisms - disease vectors or pathogens of quarantine significance for the member States;

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

prevention or limitation of other damage from the entry, establishment (fixation) or spread of pests of plants and pathogens of plants and animals, plants (weeds), pathogens of quarantine significance for the member States, including in the case of transfer or spreading of them by animals and (or) plants, with products, loads, materials, vehicles;

"Sanitary-quarantine control" - kind of state sanitary-epidemiological supervision (control) in relation to persons, vehicles and products (goods) subject to sanitary epidemiological supervision (control) at checkpoints across the customs border of the EAEU, on the interstate transfer railway stations or butt stations in order to prevent the

entry of potentially hazardous to human health products (goods), importation, emergence and spread of infectious and mass non-infectious diseases (poisoning);

"Sanitary-antiepideiological measures" - the organizational, administrative, engineering, medical-sanitary, preventive and other measures directed on the risk assessment of adverse impact on human of environmental factors, elimination or reduction of such risk, prevention of the occurrence and spread of infectious diseases and mass non-infectious diseases (poisoning) and their elimination;

"Sanitary-epidemiological welfare of population" - the state of health of population, environment in which there is no adverse impact of environmental factors on human and favorable conditions of human life are provided;

"Sanitary measures" - the binding requirements and procedures, including the requirements to the final product, processing methods, manufacturing, transportation, storage and disposal, sampling procedures, methods of researches (tests), risk assessment, state registration, requirements for labeling and packaging, directly directed at ensuring the safety of products (goods) for purpose of protection of human life and health;

"Certificate of state registration" - a document confirming safety of products (goods), certifying the conformity of products (goods) to common sanitary-epidemiological and hygienic requirements and issued by the authorized body in the field of sanitary-epidemiological welfare of the population in a single form and in the manner, approved by the Commission;

"Authorized body in the veterinary field" - public authorities and institutions of the member States operating in the veterinary field;

"Authorized body in the field of sanitary-epidemiological welfare of the population" - public authorities and institutions of the member States operating in the field of sanitary-epidemiological welfare of the population in accordance with the legislation of the member States and the acts of the Commission;

"Authorized bodies on quarantine of plants" - the national organization of quarantine and protection of plants;

"Phytosanitary control post" - point on quarantine of plants made at checkpoints across the customs border of the EAEU and in other places determined in accordance with the legislation of the member States;

"Phytosanitary Certificate" - the document of the international standard accompanying the quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) and issued by the authorized body on plant quarantine of the exporting (re-exporting) country in the form prescribed by the International Convention on Quarantine and Protection of Plants of December 6, 1951, and certifying that the quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) comply with the phytosanitary requirements of the importing country;

"Epizootic State" - veterinary-sanitary situation in a certain area at the specified time, characterized by the presence of animal diseases, their distribution and incidence.

II. Sanitary Measures

3. State sanitary-epidemiological supervision (control) at the customs border of the EAEU and in the customs territory of the EAEU shall be conducted in the order approved by the Commission.

4. The member States shall create at checkpoints designed for transportation of products (goods) subject to state sanitary-epidemiological supervision (control) through the customs border of the EAEU, sanitary-quarantine stations and take measures necessary for the sanitary-antiepидemiological measures.

The member States shall implement sanitary-quarantine control in specially equipped and provided with means for carrying out sanitary-epidemiological measures sanitary-quarantine stations in accordance with the legislation of the member States taking into account the requirements approved by the Commission.

The Commission shall determine the list of products, transportation of which across the customs border of the EAEU is carried out in specially equipped checkpoints defined

in accordance with the legislation of the member States and the acts constituting the laws of the EAEU.

Circulation of products subject to state registration in accordance with the Commission acts shall be carried out in the territory of the EAEU in the presence of state registration.

5. The member States shall:

1) adopt coordinated measures directed at preventing the importation, distribution and elimination in the customs territory of the EAEU of the infectious and mass non-infectious diseases (poisonings), hazardous to human health, consequences of emergencies, as well as acts of terrorism involving biological agents, chemical and radioactive substances;

2) carry out sanitary-antiepideiological measures to prevent the import into the customs territory of the EAEU and circulation of products (goods) subject to state sanitary-epidemiological supervision (control) dangerous to human life, health and habitat

6. The member States have the right to impose temporary sanitary measures and carry out sanitary-antiepideiological measures in the case of:

deterioration of sanitary-epidemiological situation in the territory of the member State;

receiving information from relevant international organizations, the member States or third countries on applied sanitary measures and (or) deterioration of sanitary-epidemiological situation;

if appropriate scientific justification for the use of sanitary measures is insufficient or can not be presented within the required timeframe;

identifying of products (goods) subject to state sanitary-epidemiological supervision (control) that do not comply with common sanitary requirements or technical regulations of the EAEU.

The member States as soon as possible shall notify each other on the introduction of sanitary measures, conducting sanitary-antiepideiological measures and their changes.

In case of introduction of temporary sanitary measures by the member State, other member States shall take necessary measures and conduct sanitary-antiepidemiological measures providing an adequate level of protection of the member State that took the decision to introduce such measures.

7. Authorized bodies in the field of sanitary and epidemiological welfare of the population:

carry out the sanitary-epidemiological supervision (control) in relation to persons, vehicles, subject to state sanitary-epidemiological supervision (control) during transportation across the customs border of the EAEU in checkpoints of the member States, located on the customs border of the EAEU and in the customs territory of the EAEU;

have the right to request from the authorized bodies of other member States the necessary protocols of laboratory researches (tests);

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

inform each other about possible arrival of goods not conforming to the common sanitary-epidemiological and hygienic requirements, of each case of finding especially dangerous infectious diseases specified in the international medical-sanitary regulations, and dangerous to human life and health products;

if necessary and by mutual agreement in order to comply with the requirements established by the acts, constituting the laws of the EAEU, in the field of sanitary measures and the protection of the customs territory of the EAEU from importation and spread of infectious and mass non-infectious diseases (poisonings), subject to the state sanitary-epidemiological supervision (control) of products (goods) that do not comply with sanitary-epidemiological and hygienic requirements and to promptly solve other issues carry out joint audits (inspections) in the territories of the member States producing products (goods) subject to state sanitary-epidemiological supervision (control).

Authorized bodies in the field of sanitary-epidemiological welfare of the population in the event of detection of infectious and non-infectious mass diseases (poisonings) and (or) distribution in the customs territory of the EAEU of products dangerous to human life,

health and habitat, send information about them, as well as sanitary measures taken to the integrated information system of the EAEU.

8. Financing of costs associated with conducting joint audits (inspections) is carried out by the corresponding budgets of the member States, if in a particular case it is not agreed otherwise.

III. Veterinary-Sanitary Measures

9. Veterinary control (supervision) on the customs border of the EAEU and in the custom territory of the EAEU shall be carried out in accordance with the provision of a common order of implementation of veterinary control at the customs border of the EAEU and in the customs territory of the EAEU, approved by the Commission.

10. The member States shall create at checkpoints designated for transportation of goods subject to veterinary control across the customs border of the EAEU, veterinary border control stations and take the necessary veterinary-sanitary measures.

11. Authorized bodies in the veterinary field shall:

1) take measures to prevent the import and distribution in the customs territory of the EAEU of agents of contagious animal diseases, including common to humans and animals, and goods (products) of animal origin, dangerous in veterinary-sanitary relation;

2) in case of detection and distribution in the territory of the member State of contagious animal diseases, including common to humans and animals, and (or) goods (products) of animal origin, dangerous in veterinary-sanitary relation, immediately, after the official diagnosis or confirmation of unsafety of goods (products), send information to the Commission about them, as well as about the taken veterinary-sanitary measures to the integrated information system of the EAEU, as well as for notifying the authorized bodies of other member States;

3) promptly notify the Commission of any changes made to the list of dangerous and quarantine animal diseases of the member State;

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

5) carry out audit of foreign official supervision system in order approved by the Commission.

12. Joint audit (inspection) of objects subject to veterinary control (supervision) shall be carried out in accordance with the provision of a common procedure of conducting joint inspections of objects and sampling of goods subject to veterinary control (supervision).

Financing of costs associated with the auditing of foreign official supervision system and joint audits (inspections) are carried out by the corresponding budgets of the member States, if in a particular case it is not agreed otherwise.

13. The Commission shall establish the Rules and methodology of laboratory researches in the implementation of the veterinary control (supervision).

14. The Commission and legislation of the member States shall establish Rules governing circulation of veterinary medicines, veterinary diagnostic means, feed additives, disinfectants, desinsection and acarid elimination means.

15. Based on common veterinary (veterinary-sanitary) requirements and international recommendations, standards, guidelines the member States may negotiate with the competent authorities of the exporting country (the third party) the samples of veterinary certificates for imported into the customs territory of the EAEU goods subject to veterinary control included in the Common list of goods subject to veterinary control (supervision) different from uniform forms, in accordance with the acts of the Commission.

16. Goods subject to veterinary control placed under the customs transit procedure, are moved through the customs territory of the EAEU in the order prescribed by the Commission.

Issuance of permit for import (export) and transit of goods subject to veterinary control and issuance of veterinary certificates are carried out by the authorized body in the veterinary field in accordance with the legislation of that member State.

17. The Commission shall approve Uniform forms of veterinary certificates.

IV. Quarantine Phytosanitary Measures

18. Quarantine phytosanitary control (supervision) on the customs border of the EAEU and in the territory of the EAEU shall be conducted in the order approved by the Commission.

19. The Commission shall approve the common rules and regulations for ensuring the quarantine of plants.

20. The member States shall create at checkpoints designated to move quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) through the customs border of the EAEU, and in other places points on quarantine of plants (phytosanitary control posts) with taking into account the requirements for their material and technical equipping, approved by the Commission.

21. The member States shall take the necessary measures to prevent the importation into the customs territory of the EAEU and the spread on it of quarantine objects.

22. Authorized bodies on plant quarantine shall:

1) carry out quarantine phytosanitary control (supervision) in importation of quarantineable products through the customs border of the EAEU at checkpoints and in other places where there are equipped and fitted points on quarantine of plants (phytosanitary control posts);

2) implement quarantine phytosanitary control (supervision) in importation 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 objects in the customs territory of the EAEU send information about them, as well as on quarantine phytosanitary measures taken to the integrated information system of the EAEU;

4) promptly inform each other of cases of detection and spread of quarantine objects in the territory of their countries and the introduction of temporary quarantine phytosanitary measures;

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

6) annually exchange statistical information on the previous year concerning the detection and spread of quarantine objects in the territory of their countries;

7) exchange information relating to quarantine phytosanitary condition of the territories in the member States, and, if necessary, other information, including information about effective methods of combating quarantine objects;

8) develop proposals for the formation of the list of regulated non-quarantine pests, common list of quarantine objects of the EAEU on the basis of pest information;

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

10) by mutual agreement:

send experts to conduct a joint inspection of places of production (manufacturing), sorting, processing, storage and packaging of quarantineable products imported into the customs territory of the EAEU from third countries;

participate in the development of common rules and standards for ensuring plant quarantine.

23. Each batch of quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods), classified according to the list of quarantineable products to the group of quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) with high phytosanitary risk, are imported into the customs territory of the EAEU and (or) moved from the territory of one member State to the territory of another member State with export (re-export) phytosanitary certificate.

24. The Commission shall approve order of laboratory provision of quarantine phytosanitary measures.

25. Each member State has the right to develop and implement temporary quarantine phytosanitary measures in the case of:

1) deterioration of quarantine phytosanitary situation in its territory;

2) receiving from the relevant international organizations, member States and (or) third countries of information about taking quarantine phytosanitary measures;

3) if appropriate scientific justification for the use of quarantine phytosanitary measures is insufficient or can not be provided within the required timeframe;

4) systematic finding of quarantine objects in quarantineable products (quarantineable loads, quarantineable materials, quarantineable goods) imported from third countries.