

## DECISION

September 18, 2012

No.161

Moscow

### **On the Consultative Committee on Technical Regulation, Application of Sanitary, Veterinary and Phytosanitary Measures.**

In accordance with Article 19 of the Treaty on the Eurasian Economic Commission of 18 November 2011 the Council of the Eurasian Economic Commission have decided to:

1. Approve:

The Regulation on the Consultative Committee on Technical Regulation, Application of Sanitary, Veterinary and Phytosanitary Measures (attached);

Membership for the Consultative Committee on Technical Regulation, Application of Sanitary, Veterinary and Phytosanitary Measures (attached);

2. Recognize as repealed paragraph 2 of the Decision of the Eurasian Economic Commission No.11 of 7 March 2012
3. Parties shall submit offers on nominees of independent experts to the Eurasian Economic Commission for participation on a regular basis in the meetings of the Consultative Committee on Technical Regulation, Application of Sanitary, Veterinary and Phytosanitary Measures.
4. The Decision shall enter into force after 30 days from the date of its official publication.

Temporary acting Chairman of Committee

T.D. Valovaya

## **APPROVED BY**

**Decision of the Council of the  
Eurasian Economic Commission  
September 18, 2012 No. 161**

## **REGULATION**

### **On the Consultative Committee for Technical Regulation Application of Sanitary, Veterinary and Phytosanitary measure.**

1. The Consultative Committee for Technical Regulation Application of Sanitary, Veterinary and Phytosanitary measure (hereafter - the Committee) created by the Council of Eurasian Economic Commission (hereafter - the Commission). The Committee is a consultative body providing consultations among representative of the Member states of the Custom Union and the Single Economic Space (hereafter - Parties) and development of proposals in the field of technical regulation, application of sanitary, veterinary and phytosanitary measures to the draft decisions of the Supreme Eurasian Economic Council and the Commission.

2. The Committee in their activity relies upon the Treaty on the Eurasian Economic Commission of 18 November 2011, the Rules of Procedure of the Eurasian Economic Commission of 18 November 2011, international treaties of the Parties, decisions of the Supreme Eurasian Economic Council, the Commission, and this Regulation.

3. Main goals of the Committee are:

1) preparation of proposals on technical regulation issues, uniformity measurement assurance, application of sanitary, veterinary and phytosanitary measures in the Customs Union and the Single Economic Space;

2) preparation of proposals for improving the legislative framework of the Customs Union and the Single Economic Space in the field of technical regulation, ensuring uniform measurement, application of sanitary, veterinary and phytosanitary measures;

3) preparation of proposals for ensuring coordinated actions of the authorized bodies of the Parties, inter alia for implementation of the decisions of the Supreme Eurasian Economic Council, the Council of the Commission in the field of technical regulation, ensuring uniform measurement, application of sanitary, veterinary and phytosanitary measures;

4) preparation of proposals on issues related to the assessment of the status and ways to improve technical regulation, the application of sanitary, veterinary and phytosanitary measures in the framework of the Customs Union and the Single Economic Space;

5) preparations of proposals on drafts of appropriate acts (documents) concerning introduction, use, modification or termination of the requirements in the field of technical regulation, application of sanitary, veterinary and phytosanitary measures in the framework of the Customs Union and the Single Economic Space, including preparation of draft recommendations of the Commission on these issues;

6) preparation of proposals on draft technical regulations of the Customs Union and draft acts (documents) in the field of technical regulation, application of sanitary, veterinary and phytosanitary measures in the framework of the Customs Union and the Single Economic Space, including consideration of the disputes between authorized bodies on the acts (documents);

7) carrying out expert examination of legal acts (documents) of the Customs Union and the Single Economic Space in the field of application of sanitary, veterinary and phytosanitary measures;

8) consideration of other issues in the field of technical regulation, application of sanitary, veterinary and phytosanitary measures in the framework of the Customs Union and the Single Economic Space, including under the instructions of the Council of the Commission, and development of proposals on these issues.

4. Subcommittees of the Committee are created in the following areas:

- Technical regulations and conformity assessment;
- Ensuring uniformity of measurements;
- Standardization;
- Sanitary measures;
- Veterinary-sanitary measures;
- Phytosanitary measures;
- Circulation of drugs and medical products.

The Committee has a right to create other subcommittees to decide issues along the lines of activity of the Committee and if necessary, expert and working groups, as well as temporary working groups for addressing specific tasks.

Composition of subcommittees, expert and temporary working groups are formed from the representatives of the authorized bodies of the Parties, international officers of the Commission and experts of the Parties, who has competences in the area of technical regulation, application of sanitary, veterinary and phytosanitary measures.

The regulations on subcommittees, expert and temporary working groups and their membership shall be approved by a member of the Council responsible for technical regulation, the application of sanitary, veterinary and phytosanitary measures.

Executive secretaries of subcommittees shall be appointed from among the international officers of the Commission, whose competence covers issues in accordance with the activities of the subcommittees.

5. The Committee consists of heads (deputies) of the authorized bodies of the Parties, whose competence covers issues on the technical regulation, the application of sanitary, veterinary and phytosanitary measures.

Member of the Collegium that oversees issues of technical regulation, application of sanitary, veterinary and phytosanitary measures (hereinafter – the chairman of the Committee) shall chair the meetings of the Committee and carry out general management of the Committee.

The composition of the Committee shall be approved by the Council of the Commission.

Executive Secretary of the Committee shall be appointed by the Chairman of the Committee from among the directors of departments or other international officers of the Commission whose competence covers issues in accordance with the areas of activity of the Committee.

Upon proposals by the Parties, the Committee members, independent experts of the Parties, whose competence covers issues on technical regulation, application of sanitary, veterinary and phytosanitary measures, could participate in the Committee meetings on a regular basis.

International officers of the Commission, whose competence covers issues considered within the Committee could participate in the Committee meetings at the invitation by the Chairman of the Committee.

The Chairman of the Committee shall:

1) manage the activities of the Committee and organize the work on implementing the tasks of the Committee;

2) coordinate and approve the date, time, venue and the draft agenda of the Committee meetings;

3) holds meetings of the Committee;

4) approve minutes of the Committee meetings;

5) inform the Collegium and the Council of the Commission on the recommendations and draft acts (documents) developed by the Committee;

6) approve regulations on subcommittees, expert and working groups, temporary working groups and their composition;

7) represent the Committee at meetings of the Council of the Commission and in the relations with other bodies of the Customs Union and the Single Economic Space.

Executive secretary of the Committee shall:

- 1) prepare and submit to the members of the Committee a draft agenda for the meeting of the Committee and materials for it;
- 2) keep the minutes of meetings of the Committee and submit it to the Chairman of the Committee for approval;
- 3) to supervise the execution of the decisions of the Committee;
- 4) inform the members of the Committee on the date, time and next venue of the meeting of the Committee;
- 5) to draft plans of the Committee and send it to the members of the Committee;
- 6) to supervise the preparation and submission of working papers for the meetings of the Committee;
- 7) organize the preparation and submission of final documents of the Committee to the members of the Committee.

6. The Committee operates in accordance with the work plan. Draft work plans and agendas of meetings of the Committee shall be formed by the executive secretary under the proposals of the Chairman of the Committee, as well as proposals from the members of the Committee.

Proposals for the formation of plans of work of the Committee shall include:

- 1) the name of the issue and a brief statement of need of its consideration by the meeting of Committee;
- 2) description of the issue;
- 3) draft of the proposed decision;
- 4) a list of coauthors;
- 5) approximate date of consideration of issue by the meeting of the Committee.

The decision on the change of the approved plan of work of the Committee in part of the content of the issue and the time for its consideration shall be accepted by the Chairman of the Committee, including a reasoned proposal of a member of the Committee.

Consideration of additional (unplanned) issues on the meetings of the Committee shall be carried out at the proposals of the Commission departments, whose competence covers issues on technical regulation, application of sanitary, veterinary and phytosanitary measures, by the decision of the chairman of the Committee.

The Chairman of the Committee shall define the procedure of the Committee on specific issues.

7. Chairman of the Committee has the right to request in a prescribed manner materials and information on issues related to the competence of the Committee from the authorized bodies of the Parties and from the members of the Committee.

8. The decision on holding the meeting of the Committee shall be accepted by the Chairman of the Committee.

9. The Meeting of the Committee shall be hold as needed, but not less than 1 time per quarter.

The Executive Secretary shall inform the members of the Committee on the date, time and venue of the meeting of the Committee.

10. Draft agenda for the meeting of the Committee shall be formed by the Executive Secretary of the Committee at the proposal of the Chairman of the Committee and members of the Committee.

Proposals on the formation of the draft agenda of the meeting of the Committee shall be forwarded by the Chairman of the Committee.

Draft agenda for the meeting of the Committee shall be approved by the Chairman of the Committee and forwarded by the executive secretary to the Committee members.

Members of the Committee that made proposals for inclusion in the draft agenda shall provide the information and materials to the proposals to the Executive Secretary of the Committee.

Executive Secretary shall prepare materials to draft agenda of the meeting of the Committee. Materials to draft agenda of the meeting of the Committee shall include:

- 1) issue reference;
- 2) materials on issue and draft document that is planned to be considered, if available;
- 3) draft minute decision;
- 4) a draft decision of the Collegium of the Commission (where required);
- 5) required references, analysis and prognoses.

Executive Secretary of the Committee shall forward the draft agenda of the meeting of the Committee and the materials for it, including the electronic form to the members of the Committee, not later than 20 days prior to the date of the meeting of the Committee.

The agenda of the next meeting shall be formed based on the issue-related parts and shall be approved by the Chairman of the Committee directly on the Committee meeting.

11. Meetings of the Committee as a general rule shall be held in the premises of the Commission.

Meetings can be held in any cities of the Parties at the decision of the Chairman of the Committee based on the proposals of the authorized bodies of the Parties. In this case, the receiving authorized body of the Party shall provide all necessary conditions for the organization and holding the meetings of the Committee.

The meeting can be held via video and (or) Internet conference by the decision of the chairman of the Committee.

12. The meeting of the Committee shall be deemed valid if attended by at least two-thirds of its members.

The members of the Committee shall participate in the meetings in person without replacement. In case of present failure of the members of the Committee at the meeting, the member has a right to submit in advance their opinion on the coordinated issues in writing form.

13. The members of the Committee may recommend to remove the issue from the consideration by the Committee if, in their opinion, this issue requires further study.

14. The Committee's decisions shall be made by consensus and in the form of minutes.

Draft documents and decisions of the Collegium, approved at the meeting of the Committee, shall be signed by all members participating in the meeting.

The members of the Committee shall have equal rights in discussions.

Stances of members of the Committee shall be recorded in the minutes, which shall be signed by all the members of the Committee participated in the meeting, the executive secretary of the Committee and the Chairman of the Committee.

Individual opinion of the Committee shall be attached to the minute in a written form. The minutes may also be accompanied by proposals for draft decisions of the Collegium, the draft acts (documents) of the Customs Union and the Single Economic Space, reference materials and respective justification.

Executive Secretary of the Committee shall forward the minutes of the meeting to all members of the Committee within 7 days from the date of signing of the minutes of meeting of the Committee. Minute or its extract can be sent to the invitees by the decision of the Chairman of the Committee.

Minutes of the meeting of the Committee shall be kept by the executive secretary of the Committee.

15. The Committee shall recommend removing the issue from consideration by the Collegium if in the opinion of the Committee this issue requires further study.

16. Draft decisions of the Commission in the field of application of sanitary, veterinary and phytosanitary measures, approved at a meeting of the Committee shall be published on the official website of the Commission not later than 60 days prior to the date of the review of the drafts by the Collegium of the Commission, in order to allow interested parties, including foreign governments, to provide the Commission with proposals and comments to draft these documents.

17. The Chairman of the Committee shall direct the proposals and comments specified in the paragraph 15 of the Regulation for consideration by the Committee members within 5 working days from the date of their receipt.

18. The costs associated with the participation of representatives of the authorized bodies of the Parties in the meetings of the Committee shall be borne by the authorized body of the Party.

The costs associated with the participation of experts of the Parties in the meetings of the Committee shall be borne by the experts themselves.

19. Information, legal and organizational support of the Committee shall be conducted by the departments of the Commission, in accordance with their competence, except the cases provided in the second paragraph of section 11 of the Regulation.