

DECISION OF THE COMMISSION OF THE CUSTOMS UNION
No. 318 of 18 June 2010

On Assurance of Plant Quarantine in the Customs Union

The commission of Customs Union decided:

1. To approve:

- The List of regulated products (goods, materials and commodities under quarantine), subject to quarantine phytosanitary control (supervision) on the customs border of the Customs Union and in the customs territory of the Customs Union (further - the List of regulated products, Annex No. 1);

- Regulation on the procedure of quarantine phytosanitary control (supervision) on the customs border of the Customs Union (Annex No. 2);

- Regulation on the procedure of quarantine phytosanitary control (supervision) on the customs territory of the Customs Union (Annex No. 3).

2. To the governments of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation since July 1, 2010 to apply the List of regulated products.

3. To authorized bodies of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation since July 1, 2010 to conduct:

- quarantine phytosanitary control (supervision) on the customs border of the Customs Union in accordance with Annex No. 2 to this Decision;

- quarantine phytosanitary control (supervision) in the customs territory of the Customs Union in accordance with Annex No. 3 to this Decision.

4. This Decision becomes effective since July 1, 2010.

Members of the commission of the Customs Union:

From the Republic of Belarus

A. Kobayakov

From the Republic of Kazakhstan

U. Shukeev

From the Russian Federation

I. Shuvalov

Approved by the Decision of
the Commission of the
Customs Union No. 318
of 18 June 2010

The List of regulated products (goods, materials and commodities under quarantine), subject to quarantine phytosanitary control (supervision) on the customs border of the Customs Union and in the customs territory of the Customs Union

Product description	HS Code
I. Regulated products (goods, materials and commodities under quarantine) of high phytosanitary risk	
Live ticks, nematode worms and insects for scientific research purposes	from 0106 41 000, from 0106 49 000
Bulbs, tubers, tuberous roots, corms, rhizomes, including branched, dormant, in growth or in flower; chicory plants and roots other than roots of heading 1212	0601
Other live plants (including their roots), cuttings and slips	0602 (except 0602 90 100 0)
Cut flowers and flower buds of a kind suitable for bouquets and for ornamental purposes, fresh	0603 11 000 0 – 0603 19 800 0
Cut flowers and flower buds of a kind suitable for bouquets and for ornamental purposes, dried	from 0603 90 000 0
Christmas trees	0604 20 200 0
Conifer branches	0604 20 400 0
Foliage, branches or other parts of plants, without flowers or flower buds, and grasses suitable for bouquets and for ornamental purposes, fresh, dried, without further preparation	from 0604 20 900 0, from 0604 90 910 0
Potatoes fresh or chilled	0701
Tomatoes fresh or chilled	0702 00 000
Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled	0703
Cabbages, cauliflowers, kohlrabi, colewort and similar edible Brassicas, fresh or chilled	0704
Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium</i> spp.), fresh or chilled	0705
Carrots, turnips, salad beetroots, salsify, celeriac, radishes and similar edible roots, fresh or chilled	0706
Cucumbers, gherkins, fresh or chilled	0707 00
Leguminous vegetables, shelled or unshelled, fresh or chilled	0708
Other vegetables, fresh or chilled	0709
Cross-bred (sweet corn) (<i>Zea mays</i> var. <i>saccharata</i>) for sowing	0712 90 90 110 0
Dried leguminous vegetables, shelled, whether or not skinned or split	0713
Manioc, arrowroot, salep, earth apple, or topinambur, sweet potatoes, or yam, and similar roots and tubers with high starch or inulin content, fresh, chilled or dried, whole or sliced; sago palm pith.	from 0714

Coconuts, Brazil nut and cashew nuts, fresh or dried, whether or not shelled or peeled	0801
Other nuts, fresh or dried, whether or not shelled or peeled	0802
Bananas, including plantains, fresh or dried	0803
Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, or mangostin, fresh or dried	0804
Citrus fruits, fresh or dried	0805
Grapes, fresh or dried	0806
Melons (including watermelons) and papaya, fresh	0807
Apples, pears and quinces, fresh	0808
Apricots, cherries, peaches (including nectarines), plums and sloes, fresh	0809
Other fruit, fresh	0810
Fruit, dried, other than that of heading 0801-0806; mixtures of nuts or dried fruits of this chapter	0813
Coffee, not roasted, whether or not decaffeinated	from 0901 11 000, from 0901 12 000
Wheat and meslin	1001
Rye	1002
Barley	1003
Oats	1004
Maize (corn)	1005
Rice	1006
Grain sorghum	1007
Buckwheat, millet and canary seeds; other cereals	1008
Wheat and meslin flour	1101 00
Cereal flours other than of wheat and meslin	1102
Cereal groats, meal and pellets	1103
Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading 1006; germs of cereals, whole, rolled, flaked or ground.	1104
Flour, meal and powder of the dried leguminous vegetables of heading 0713	1106 10 000 0
Malt, whether or not roasted	1107
Soya beans, whether or not broken	1201
Ground-nuts, not roasted or otherwise cooked, whether or not shelled or broken	1202
Copra	1203 00 000 0
Linseeds, whether or not broken	1204 00
Rape or colza seeds, whether or not crushed	1205
Sunflower seeds, whether or not broken	1206 00
Other oil seeds and oleaginous fruits, whether or not broken	1207
Flour and meals of oil seeds and oleaginous fruits, other than those of mustard	1208
Seeds, fruit and spores, used for sowing	1209
Plants and parts thereof (including fruits and seeds) mainly used in perfumery, pharmacy or used for insecticide, fungicide or similar purposes, fresh or dried, whether or not cut, crushed or powdered	1211 (except 1211 30 000 0, 1211 40 40 000 0)
Beet sugar	1212 91
Locust beans, including seeds	1212 92 000 0, 1212 99 410 0,

	1212 99 490 0
Kernels of apricots, peaches (including nectarines) or plums and their kernels; chicory roots of a kind <i>Cichorium intybus sativum</i>	1212 94 94 000 0, or from 1212 99 950 0
Cereal straw and husks, unprepared, whether or not chopped, ground, pressed, except for those in the form of pellets	from 1213 00 000 0, from 1401 90 000 0
Swedes, leaf beet (mangold), fodder roots, hey, lucerne, clover, sainfoin, forage kale, lupines, vetches and similar forage products, not in form of pellets	from 1214
Cocoa beans, whole or broken, raw or roasted	1801 00 000 0
Cocoa shells, husks or skins, and other cocoa waste	1802 00 000 0
Bran, sharps and other residues derived from sifting, milling or other working of cereals or of oleaginous plants, not in form of pellets	from 2302
Oil-cake and other solid residues, resulting from the extraction of soybean oil, whether or not ground, not in the form of pellets.	from 2304 00 000
Oil-cake and other solid residues, resulting from the extraction of groundnut oil, whether or not ground, not in the form of pellets.	from 2305 00 000 0
Oil-cake and other solid residues, resulting from the extraction of vegetable fats and oils, other than those of heading 2304 or 2305, whether or not ground, not in the form of pellets	from 2306
Earth and soils	from 2530 90 000 9
Peat (including peat litter), whether or not agglomerated	2703 00 000 0
Live phytopathogenic bacteria, viruses, only for science research purposes	from 3002 90 500 0, from 3002 90 900 0
Animal or vegetable fertilizers, whether or not mixed or chemically treated; fertilizers produced by the mixing or treatment with chemicals of plant or animal products	3101 00 00 000 0
Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms Wood in chips or particles, coniferous Wood in chips or particles, non-coniferous Sawdust and wood waste and scrap, non agglomerated	4401 10 10 000 4401 21 000 0 4401 22 000 0 from 4401 39
Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, except that treated by heat, with paint, stains or other preservatives	from 4403 (except 4403 10 000)
Hoopwood; split poles; piles, pickets and stakes of wood pointed but not sawn lengthwise; wood roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking-sticks, umbrellas, tool handles or the like; wood hulled or similar	4404
The wood bark	from 1404 90 000 9, from 4401 39 900 0
Railway or tramway sleepers (crossties) of wood, not impregnated	4406 10 000 0
Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm	4407
Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges, ends or faces, whether or not planed, sanded or end-jointed, except that painted, treated by protectant, antiseptic and other preservatives	from 4409
Packing cases, boxes, crates, drums and similar packing of wood being, cable-drums of wood being, pallets, box pallets and other load	from 4415

boards, of wood being, pallet collars of wood, which is a standalone commodity or are declared separately	
Formwork for concrete construction work, except treated with paint, disinfectants, antiseptics and other preservatives	from 4418 40 000 0
Collections or collectors' pieces of zoological and botanic interest	from 9705 00 000 0
II. Regulated products (goods, materials and commodities under quarantine) of low phytosanitary risk	
Powder and waste of feathers and their parts	from 0505 90 000 0
Powder and wastes of bones and corn-horns	from 0506 90 000 0
Onion, dried, whole, cut, sliced, broken or in powder, but not further prepared	0712 20 20 000 0
Mushrooms, dried, whole, cut, sliced, broken or in powder, but not further prepared	0712 31 000 0, 0712 32 000 0, 0712 33 000 0, 0712 39 000 0
Other vegetables, mixtures of vegetables, dried, whole, cut, sliced, broken or in powder, but not further prepared	0712 90 90 (except 0712 90 110 0)
Coffee roasted, not decaffeinated, except in packages for retail trade**	from 0901 21 000
Coffee roasted, decaffeinated, except in packages for retail trade **	from 0901 22 000
Coffee husks and skins	0901 90 100 0
Green tea (not fermented), except packed for retail trade **	0902 10 000, 0902 20 000 0
Black tea (fermented) and partly fermented tea, except packed for retail trade **	from 0902 30 000, 0902 40 000 0
Mate, or Paraguayan tea, except packed for retail trade **	0903 00 000 0
Spices, except packed for retail trade **	from 0904-0910
Vegetable materials of a kind used primarily for plaiting (for example, bamboos, rattans, reeds, rashes, rosier, raffia), excluding cleaned, bleached or dyed	from 1401
Cotton linters	1404 20 000 0
Vegetable materials of a kind primarily used in brooms or brushes (for example, broomcorn, piassava, quack grass and istle), in batches, bunches or in bulk Vegetable materials of a kind primarily used for dyeing and tanning	from 1404 90 000
Tapioca, except in form of pellets	from 1903 00 000 0
Mixed spices	from 2103 90 900 9
Acorns and horse chestnuts	from 2308 00 400 0
Products used for animal feeding, containing choline chloride, organic-based	from 2309 90 950 0
Other products used for animal feeding, not in the form of pellets	from 2309 90 990 0
Unmanufactured tobacco; tobacco refuse	2401
Henna and black hair dye (not packed in a consumer package)	from 3203 00
Raw hides or skins of bovines (including buffalo) or equine animals, sheep, lamb and other animals (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not with hair or wool, whether or not split, except for those exempted by notes 1b and 1c to group 41 of the Customs Code of the Customs Union	from 4101, from 4102, from 4103
Sheets for veneering (including those obtained by slicing laminated wood), for plywood or other similar laminated wood and other wood,	from 4408

sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed of a thickness not exceeding 6 mm, except treated with paint, disinfectants, antiseptics and other preservatives	
Barrels, casks, tabs, vats and other copper's commodities, and their parts, made of wood, including stave, except treated with paint, disinfectants, antiseptics and other preservatives	from 4416 00 000 0
Windows, frenchwindows and their frames, except treated with paint, disinfectants, antiseptics and other preservatives	from 4418 10
Doors and their frames and thresholds, except treated with paint, disinfectants, antiseptics and other preservatives	from 4418 20
Shingles and shakes, except treated with paint, disinfectants, antiseptics and other preservatives	from 4418 50 000 0
Plaits or similar products of plaiting materials, whether or not assembled into strips, except those painted, treated by protectant, antiseptic and other preservatives; mats, matting and screens of vegetable materials, except treated with paint, disinfectants, antiseptics and other preservatives	from 4601
Basketwork, wickerwork and other articles, made directly to shape from plaiting materials, except those painted, treated by protectant, antiseptic and other preservatives; articles of loofah, except treated with paint, disinfectants, antiseptics and other preservatives	from 4602
Corrugated paper and papeiboard, whether or not perforated	4808 10 000 0
Boxes and cases, of corrugated paper or paperboard	from 4819 10 000 0
Silkworm cocoons suitable for reeling	5001 00 000 0
Silk waste (including cocoons not suitable for reeling, yarn waste and garneted stock)	5003 00 000 0
Shorn wool, greasy, including wool washed in fleece, not carded or combed	5101 11 000 0
Fine or coarse animal hair, not carded or combed	5102
Noils of wool or of fine animal hair, not carbonated	5103 10 10 100 0
Cotton, not carded or combed	5201 00
Cotton waste (including yarn waste and garneted stock)	5202
Flax, raw or processed but not spun; flax tow and waste (including yarn waste and garneted stock)	5301
True hemp (<i>Cannabis sativa</i> L.), raw or processed but not spun; tow and waste of true hemp (including yarn waste and garneted stock)	5302
Jute and other textile bast fibers (excluding flax, true hemp and ramie), raw or processed but not spun; tow and waste of these fibers (including yarn waste and garneted stock)	5303
Coconut, abaca (Manila hemp or <i>Musa textiles</i> Nee), ramie or other vegetable textile fibers, not elsewhere specified or included, raw or processed but not spun; tow, noils and waste of these fibers (including yarn waste and garneted stock)	5305 00 00 000 0

*) Using of this List should be guided by the Harmonization System Code of the Customs Union as well as the name of the product.

**) Consumer package means a pack, that gets products directly to consumer and is an integral part of the product, is not intended for independent transportation and has limited mass, capacity and size (metal, glass and plastics cans, packages of

laminated heat sealable materials based on aluminum foil and metalized film, vacuum bags, sealed packages from thick paper).

Note. Only regulated products (goods, materials and commodities under quarantine) of high phytosanitary risk imported into the customs territory of the Customs Union and transferred between the members states of the Customs Union must be accompanied by a phytosanitary certificate.

Approved by the Decision of
the Commission of the
Customs Union No. 318
of 18 June 2010

Regulation on the procedure of quarantine phytosanitary control (supervision) on the customs border of the Customs Union

I. Scope

1.1. This Regulation on the procedure of quarantine phytosanitary control (supervision) on the customs border of the Customs Union (further - the Regulation) is developed for the purpose of implementation of provisions of the Customs Union Agreement On plant quarantine of 11 December 2009 (further - the Agreement), based on the Decision of the Interstate Council of the Eurasian economic community (the supreme body of the Customs Union) at level of heads of governments No. 30 of 11 December 2009.

1.2. This Regulation determines the procedure of quarantine phytosanitary control (supervision):

1) in case of importation to the customs territory of the Customs Union of the regulated products included in the List of regulated products (goods, materials and commodities under quarantine), subject to quarantine phytosanitary control (supervision) on the customs border of the Customs Union and in the customs territory of the Customs Union, approved by the Commission of the Customs Union according to Article 5 of the Agreement (further - the List of regulated products);

2) in case of exportation from the customs territory of the Customs Union of regulated products.

1.3. This Regulation is obligatory for execution by executive bodies of the Customs Union member States (further – the Parties), their authorized bodies, local government bodies, legal entities of any form of business, citizens, including the individual entrepreneurs which activities are connected with production, procurement, conversion, transportation, storage, sale and use of regulated products.

Quarantine phytosanitary control (supervision) concerning the regulated products imported for being on customs territory of the Customs Union of diplomatic representations, consular establishments, other official representations of foreign states, the international organizations, the personnel of these representations, organizations and the organizations, and also concerning the regulated products intended for personal use of separate categories of foreign persons, enjoying advantages, privileges and (or) immunities according to the international legislation, including for carrying out the international exhibitions, is performed according to this Regulation if other is not provided by international treaties of the Parties.

1.4. When implementing quarantine phytosanitary control (supervision) on the customs border of the Customs Union authorized bodies of the Parties are guided by the legislation of the state if the relations arising in case of implementation of quarantine phytosanitary control (supervision) on the customs border of the Customs Union, directly are not settled by this Regulation.

II. Terms and determinations

2.1. In this Regulation the following terms and determinations are used:

"import" - import of regulated products on customs territory of the Customs Union;

"export" - export of regulated products from customs territory of the Customs Union;

"infection" (contamination)" - presence at regulated products of quarantine objects (quarantine harmful organisms);

"return" - export according to the instruction of the official of authorized body from the customs territory of the Customs Union of the regulated products imported to the customs territory of the Customs Union;

"quarantine phytosanitary control (supervision) in case of import" - the activities of authorized bodies directed on identification of quarantine objects (quarantine harmful organisms), establishment of the quarantine phytosanitary condition of the regulated products imported to the customs territory of the Customs Union, and accomplishment of the international obligations of the Parties and the legislation of the Party in the field of plant quarantine;

"quarantine objects (quarantine harmful organisms)" - the harmful organisms absent or restrictedly widespread on the territories of the Parties and brought in national Lists of quarantine objects;

"place of arrival" - determined according to the Customs code of the Customs Union the place of arrival of regulated products to the customs territory of the Customs Union;

"delivery place" - determined according to the Customs code of the Customs Union the place to which the batch of regulated products placed under the customs procedure of customs transit;

"place of completion of the customs clearance" - the place of release of regulated products customs offices according to the declared customs procedure, except for the customs procedure of customs transit;

"place of departure" - determined according to the Customs code of the Customs Union the place of departure of regulated products from customs territory of the Customs Union;

"disinfecting" - set of actions concerning the regulated products, the quarantine objects directed on destruction (quarantine harmful organisms);

"batch of regulated products" - quantity of the regulated products intended for sending by one vehicle in one destination to one receiver;

"moving of the batch of regulated products through the customs border of the Customs Union" - import of the batch of regulated products on customs territory of the Customs Union or export of the batch of regulated products from customs territory of the Customs Union;

"regulated products" - plants, products of the phytogenesis, container, packaging, cargoes, the soil, organisms or the materials moved through the customs border of the Customs Union and on customs territory of the Customs Union which can be carriers of quarantine objects (quarantine harmful organisms) and (or) to promote their distribution and concerning which acceptance of quarantine phytosanitary measures is necessary;

"regulated products of high phytosanitary risk" - regulated products which according to the List of regulated products are carried to regulated products with high phytosanitary risk;

"regulated products of low phytosanitary risk" - regulated products which according to the List of regulated products are carried to regulated products with low phytosanitary risk;

"the owner of products" - the owner of regulated products or other person authorized on implementation of transactions and (or) other actions on behalf of the owner of regulated products in connection with its moving through the customs border of the Customs Union;

"vehicles" - determined according to the Customs code of the Customs Union the vehicles used for moving of the batch of regulated products through the customs border of the Customs Union;

"authorized bodies" - the bodies of the Parties performing functions of quarantine phytosanitary control (supervision) allocated with powers;

"phytosanitary control post" – plat quarantine post, created at check points through the customs border of the Customs Union and in other places which is equipped according to the legislation of the Customs Union;

"quarantine phytosanitary requirements" - established for the purpose of ensuring quarantine of plants according to the international obligations of the Parties and their legislation of the requirement to the phytosanitary condition of regulated products imported to the territory of the respective state, to packaging of regulated products and marking of such packaging, methods of transportation of regulated products, about the possible place of arrival on customs territory of the Customs Union and the delivery location, and also to implementation of actions for preventive disinfecting of regulated products before its import;

"the phytosanitary certificate" - the document of the international sample accompanying regulated products and issued by authorized body of the state of the exporting country in the form established by the International convention on quarantine and protection of plants (Rome, 1951, in edition of 1997) and certifying the phytosanitary condition of regulated products. The term "the phytosanitary certificate", used in this Regulation, includes also the reexport phytosanitary certificate.

"the expert organization" – the organization entering into structure of authorized body, having skilled specialists and equipped with the means necessary for carrying out research of the quarantine phytosanitary condition of samples (tests) of regulated products with use of methods of laboratory control out of the place of sampling (tests) of regulated products.

2.2. Term "procedure of customs transit", "business and transport (transportation) documents" are used in the value determined by the Customs code of the Customs Union.

Other terms are used in the values established by international treaties, concluded within the Customs Union and the Eurasian economic community, and in the part, it not contradicting, - the Convention and international standards on phytosanitary measures.

III. General provisions about implementation of quarantine phytosanitary control in case of import

3.1. Every batch of the regulated products, included in the List of regulated products, imported to the customs territory of the Customs Union is subject to quarantine phytosanitary control (supervision).

Regulated products of high phytosanitary risk are imported to the customs territory of the Customs Union accompanied by the phytosanitary certificate on the imported batch of specified products.

The phytosanitary certificate on imported to the customs territory of the Customs Union the batch of regulated products of high phytosanitary risk is filled on one of state languages of the Parties and (or) English if other is not established by international treaties of the Parties.

3.2. Quarantine phytosanitary control (supervision) in case of import is performed in places of completion of the customs clearance, if other not stipulated in paragraph 3.9 of the Regulation. Concerning regulated products, completion of which customs clearance will occur in the delivery location, quarantine phytosanitary control (supervision) in the place of arrival (primary quarantine phytosanitary control (supervision)), and also quarantine phytosanitary control (supervision) in places of completion of the customs clearance (secondary quarantine phytosanitary control (supervision)) is exercised.

Quarantine phytosanitary control (supervision) in case of import is performed by officials of authorized bodies of the Parties in which territory the place of arrival or the delivery location of regulated products is located.

In the delivery location of regulated products the original of the phytosanitary certificate of the exporting country is subject to withdrawal when implementing quarantine phytosanitary control (supervision).

3.3. Quarantine phytosanitary control (supervision) in case of import is performed for the purpose of check of compliance of imported regulated products to quarantine phytosanitary requirements of the Party, of which territories the place of completion of the customs clearance is located.

Authorized bodies of the Parties place information on quarantine phytosanitary requirements on the official sites (Internet resources). Information on quarantine phytosanitary requirements also takes place in the Information system of the Eurasian economic community in the field of technical regulation, sanitary and phytosanitary measures and in the Integrated information system of foreign and mutual trade of the Customs Union.

3.4. For the purpose of concentration of attention on areas of the increased risk and ensuring more effective use of available resources, accelerations of implementation of quarantine phytosanitary control (supervision) when preserving the reached level of phytosanitary safety authorized bodies in the cases provided by this Regulation, for determination of the control actions which are carried out in case of import of specific batches of regulated products, apply the management system phytosanitary risk if it is stipulated by the legislation the Parties which authorized body exercises control (supervision).

Strategy and tactics of application of the management system of phytosanitary risk when implementing quarantine phytosanitary control (supervision) in case of import is determined by the legislation of the Parties.

3.5. Primary quarantine phytosanitary control (supervision) in case of import provides carrying out the following control actions:

- 1) documentary check;
- 2) survey of vehicles;

3) survey or examination of regulated products - concerning regulated products of high phytosanitary risk, selectively, taking into account the management system of phytosanitary risk;

4) examination of regulated products - after carrying out disinfecting of regulated products if the decision on disinfecting of regulated products was accepted the official of authorized body as a result of its survey or examination.

3.6. In case of the direction for carrying out examination of the samples (tests) which have been selected in case of carrying out examination within implementation of primary quarantine phytosanitary control (supervision) in case of import, regulated products are not late before obtaining by the official of authorized body of experimental testimony provided that in case of visual inspection and (or) the analysis of samples (tests) of regulated products the organisms similar on morphological signs to quarantine objects (quarantine harmful organisms), symptoms of diseases of plants, signs of damage of regulated products are not found by quarantine objects (quarantine harmful organisms).

In this case experimental testimony goes the expert organization to authorized body of the Party which have performed sampling (tests) of regulated products. The specified authorized body notifies authorized body of the Party in the place of completion of the customs clearance if experimental testimony confirms infection (contamination) of regulated products.

If in case of visual inspection and (or) the analysis of samples (tests) of regulated products the organisms similar on morphological signs to quarantine objects (quarantine harmful organisms) are found, the decision on further moving of regulated products is accepted by the official of authorized body after receipt of experimental testimony, but not later than after 72 hours from the moment of sampling (tests) of regulated products.

3.7. In case of importation in the place of completion of the customs clearance, quarantine phytosanitary control (supervision) provides of conduction of the following control actions:

1) documentary check;

2) survey of vehicles - if the place of completion of the customs clearance is the place of arrival of regulated products;

3) survey of regulated products - concerning regulated products of low phytosanitary risk;

4) survey or examination of regulated products - concerning regulated products of high phytosanitary risk, selectively, taking into account the management system phytosanitary risk;

5) examination of regulated products - after carrying out disinfecting of regulated products if the decision on disinfecting of regulated products was accepted the official of authorized body by results of its survey or examination;

3.8. In case of sending selected of samples (tests) of regulated products for carrying out examination during carrying out examination within quarantine phytosanitary control (supervision) in the place of the customs clearance, regulated products are stayed before obtaining by the official of authorized body of experimental testimony.

Legislation of the Parties may provide a time limit, which may be delayed regulated products, as well as the effects of the expiration of such period to obtain an expert opinion.

Legislation of the Party may provide for cases in which before an expert opinion was obtained officer authorized authority of the Party decides to permit the release of regulated products subject to the conditions (conditions at the place of storage, limited in circulation and the like).

3.9. Quarantine phytosanitary control (supervision) in case of import of the regulated products which is going as transit goods through customs territory of the Customs Union in the third countries, followed in the hermetic, operational and sealed-up cars, motor vans, containers, refrigerator trucks, is carried out in the place of arrival of regulated products by means of documentary check and survey of vehicles on availability of the quarantine objects included in national Lists of quarantine objects.

3.10. Results of implementation of quarantine phytosanitary control (supervision) on the place of arrival and in delivery locations are drawn up by the way:

1) the putting down by the official of authorized body of the Party which has performed actions for quarantine phytosanitary control (supervision), the corresponding stamp on the phytosanitary certificate (in case of its availability) and the transport (transportation) document according to appendix No. 1;

2) creation of the act of quarantine phytosanitary control (supervision) according to appendix No. 2.

Adding to the act of quarantine phytosanitary control (supervision) of additional regulations and additional restrictions on the circulation of products is not allowed.

3.11. If the legislation of the Party provides charging for the implementation of individual control measures, and (or) research samples (tests) of regulated products, the amount of such fees is determined by the tariffs approved in the order established by the legislation of the Party.

3.12. Officials of authorized bodies responsible for quarantine phytosanitary control (supervision), provided with uniform in accordance with the laws of the Parties.

IV. Actions for quarantine phytosanitary control (supervision) in case of import

4.1. Documentary check

4.1.1. For the purpose of carrying out documentary check to the official of authorized body shall be provided:

1) business and transport (transportation) documents on the imported batch of regulated products;

2) phytosanitary certificate for imported batch of regulated products (with translation if necessary, to the state language of the Party, an official of the authorized body which he represented) - in the case of the importation batch of regulated products of high phytosanitary risk, unless otherwise provided for in paragraph 7.1 of this Regulation;

3) the import permit of quarantine objects (quarantine harmful organisms) in the research purposes.

4.1.2. The official of authorized body based on the provided business and transport (transportation) documents establishes:

1) name of regulated products;

2) place of origin (production, formation) batch of regulated products for the application of the prohibitions on the import of parties regulated products originating from a particular state, a particular locality or produced (formed) at a particular establishment, introduced in accordance with the legislation of the Party, quarantine phytosanitary requirements which must be met.

4.1.3. The official of authorized body based on the analysis of the provided business and transport (transportation) documents makes the decision on the prohibition of import of the batch of regulated products or place of the batch of regulated products under the customs procedure of customs transit if:

1) on the batch of regulated products of high phytosanitary risk the phytosanitary certificate, except as specified, the stipulated in paragraph 7.1 of the Regulation is not provided;

2) quarantine objects (quarantine harmful organisms) are imported, and permission to their import in the research purposes is not provided, or import of such objects in the research purposes is not authorized according to the legislation of the Party, to which quarantine phytosanitary requirements there shall correspond the batch;

3) the established place of the origin (production, forming) of the batch of regulated products corresponds to the entered import ban of batches of the regulated products occurring from the certain state, the certain district or made (created) at the certain establishment, and the specified batch was shipped after the moment from which such ban was imposed.

4.1.4. The official of authorized body checks the provided phytosanitary certificate and makes the decision on the prohibition of import of the batch of regulated products of high phytosanitary risk or its place under the customs procedure of customs transit in the following cases:

1) the data containing in the phytosanitary certificate do not correspond to information in business and transport (transportation) documents;

2) availability of reliable information that the actual quantity of regulated products in the batch of regulated products for ten and more percent exceeds the quantity specified in the phytosanitary certificate;

3) the phytosanitary certificate is counterfeit or void;

4) the phytosanitary certificate does not confirm compliance of the batch of regulated products to shown quarantine phytosanitary requirements.

4.1.5. The phytosanitary certificate is recognized counterfeit in the following cases:

1) the phytosanitary certificate is issued by unauthorized body;

2) the phytosanitary certificate does not conform to the established requirements of the form on which the phytosanitary certificate is issued.

4.1.6. The phytosanitary certificate is nullified in the following cases:

1) the phytosanitary certificate is not drawn up completely;

2) the phytosanitary certificate was issued on the batch of regulated products after its actual departure from the territory of the Party by which authorized body it is issued, except for the phytosanitary certificates issued on replacement provided that authorized body of the exporting country will provide and will confirm:

phytosanitary safety of regulated products;

sampling, examination and processing of the regulated products, quarantine phytosanitary requirements necessary for accomplishment before sending of regulated products;

integrity of regulated products from the moment of shipment till import of regulated products on customs territory of the Customs Union;

3) effective period of the phytosanitary certificate (from the moment of issue of the phytosanitary certificate) expired term, if such term is stipulated by the legislation of the Parties, to which quarantine phytosanitary requirements products shall be corresponded;

4) the phytosanitary certificate does not contain pointing on the name and (or) number of the vehicle if the requirement about obligatory specifying in the phytosanitary certificate of number of the vehicle is stipulated by the legislation of the Parties, to which quarantine phytosanitary requirements products shall be corresponded;

5) the phytosanitary certificate contains changes or amendments not assured by authorized body, it issued;

6) the phytosanitary certificate on the batch of regulated products which is prohibited to import, is drawn up after introduction of such prohibition by the Party, to which quarantine phytosanitary requirements products shall be

corresponded, or after date (the expiration of the certain period), provided by the decision on introduction of such prohibition.

4.1.7. The phytosanitary certificate is recognized not confirming the necessary phytosanitary condition of the imported batch of regulated products if in it there are no data on observance of the quarantine phytosanitary requirements existing at the moment of issue of the phytosanitary certificate and not of voided by the time of carrying out documentary check.

4.1.8. The official of authorized body checks the import permit of quarantine objects (quarantine harmful organisms) in the research purposes and makes the decision on the prohibition of import of the batch of quarantine objects (quarantine harmful organisms) or its place under the customs procedure of customs transit if the specified permission is issued by the unauthorized person, or does not correspond to the batch of quarantine objects (quarantine harmful organisms), provided to quarantine phytosanitary control (supervision).

4.1.9. In cases when by results of documentary check the official of authorized body makes the decision on the prohibition of import of the batch of regulated products, or place of the batch of regulated products under the customs procedure of customs transit, regulated products are subject to return or destruction at the expense of the owner of regulated products.

4.2. Survey of vehicles

4.2.1. In case of survey of vehicles by the official of authorized body visual inspection of vehicles and appliances for transportation (including cabins, salons, luggage and cargo compartments of vehicles, containers) without opening of container and packaging and sampling (tests) of products is performed.

4.2.2. Survey of vehicles is carried out for the purpose of:

1) establishment of compliance of vehicles to the information specified in the phytosanitary certificate;

2) determination of availability or absence of quarantine objects or signs of infection (contamination) them on the surface of vehicles and appliances for transportation.

4.2.3. In case of detection during survey of the vehicle on its surface and (or) surfaces of appliance for transportation of the organisms similar on morphological signs to quarantine objects (quarantine harmful organisms), sampling (tests) of the material containing specified insects, seeds of weed plants is made for carrying out their research according to the Section V of this Regulation.

4.2.4. By results of survey of vehicles the official of authorized body makes the decision on the prohibition of import of the batch of regulated products or will ban its place under the customs procedure of customs transit in the following cases:

1) data on number of the vehicle do not correspond to the data specified in the phytosanitary certificate if the requirement about obligatory specifying in the phytosanitary certificate of number of the vehicle is stipulated by the legislation of

the Parties, to which quarantine phytosanitary requirements products shall be corresponded. In this case regulated products are subject to return or destruction at the expense of the owner of regulated products;

2) found on the surface of the vehicle organisms are quarantine objects (quarantine harmful organisms). In this case the vehicle is subject to cleaning and (or) to disinfecting, and in case of impossibility of their carrying out, or refusal of the owner of products of their carrying out, to return together with the transported batch of regulated products. After carrying out cleaning and (or) disinfecting of the vehicle, it is subject to repeated survey, and regulated products - to other control actions if they be carried out according to subparagraphs 3.5, 3.8 and 3.10 of this Regulation.

4.3. Survey of regulated products

4.3.1. In case of survey of regulated products by the official of authorized body visual inspection of regulated products without opening of container and packaging is performed.

4.3.2. Survey of regulated products is carried out for the purpose of:

1) establishments of compliance of products to the information specified in the phytosanitary certificate, the import permit of quarantine objects (quarantine harmful organisms) in the research purposes;

2) determinations of availability or absence of quarantine objects or signs of infection (contamination) them on the surface of container and packaging.

4.3.3. In case of detection in case of survey of regulated products on its surface, in container and (or) packaging of the organisms similar on morphological signs to quarantine objects (quarantine harmful organisms), symptoms of diseases of plants, signs of damage of regulated products quarantine objects (quarantine harmful organisms) make examination of regulated products according to paragraph 4.4 of this Regulation.

4.3.4. By results of survey of regulated products the official of authorized body makes the decision on the prohibition of import of the batch of regulated products or will ban its place under the customs procedure of customs transit in cases when during survey it is determined that:

1) regulated products are regulated products of high phytosanitary risk, and in commercial and (or) transport (transportation) documents the product name with low phytosanitary risk is specified, and the phytosanitary certificate on this batch of regulated products is not provided;

2) data on the product name, do not correspond to the data specified in the phytosanitary certificate;

3) on the surface of regulated products, in packaging are found (taking into account results of research) quarantine objects (quarantine harmful organisms), except as specified, the stipulated in paragraph 7.2 of the Regulation.

In the cases provided by subparagraphs 1-2 of this paragraph, regulated products are subject to return or destruction at the expense of the owner of products.

In case provided by subparagraph 3 of this paragraph, regulated products are subject to return, disinfecting or destruction at the expense of the owner of products according to paragraph 6.2 of this Regulation.

4.4. Examination of regulated products

4.4.1. Examination of regulated products provides:

1) visual inspection of the batch of the regulated products completely unloaded from the vehicle or placed in the vehicle in such a way that is available for the official of authorized body access for inspection of any part of the batch of regulated products and possibility to perform sampling (tests) from various parts of the batch of regulated products;

2) sampling (tests) from various parts of the batch of regulated products;

3) research of the selected samples (tests).

4.4.2. Sampling (tests) is performed by the official of authorized body after establishment of compliance of regulated products to the data specified in business, transport (transportation) documents, the phytosanitary certificate, the import permit of quarantine objects (quarantine harmful organisms) in scientifically research purposes, and also factual determinations of absence on the surface of regulated products of quarantine objects. The quantity and the method of sampling (tests) is determined by the legislation of the Party.

4.4.3. By results of examination of regulated products the official of authorized body makes the decision on the prohibition of import of the batch of regulated products or will ban its place under the customs procedure of customs transit in cases when during examination it is determined that:

1) regulated products are regulated products of high phytosanitary risk, and in commercial and (or) transport (transportation) documents the product name with low phytosanitary risk is specified and the phytosanitary certificate on this batch of regulated products is not provided;

2) data on the product name do not correspond to the data specified in the phytosanitary certificate;

3) established fact of infection (contamination) of regulated products quarantine objects (quarantine harmful organisms), except as specified, stipulated in paragraph 7.2 of the Regulation.

In the cases provided by subparagraphs 1-2 of this paragraph, regulated products are subject to return or destruction at the expense of the owner of products.

In the case provided by subparagraph 3 of Paragraph, regulated products are subject to return, disinfecting or destruction at the expense of the owner of products according to paragraph 6.2 of this Regulation.

V. Research of samples (tests) of regulated products

5.1. The selected samples (tests) of regulated products are subject to research by officials of authorized body in the place of their selection (further - the analysis of samples of regulated products), and (or) the expert organization (further - examination of samples of regulated products).

The selected samples (tests) directed for carrying out their examination, shall be packed and sealed by the method providing safety of samples (tests) before carrying out their examination and impossibility of hidden substitution of samples (tests).

5.2. Analysis results of samples of regulated products are reflected in the act of quarantine phytosanitary control (supervision). By results of examination of samples of regulated products the conclusion about results of the quarantine phytosanitary examination, signed by the specialist (specialists) of the expert organization is constituted.

5.3. The samples of regulated products used in carrying out analyses and examination, do not return to the owner, their cost is not compensated to the owner.

5.4. In case of decision making about availability or absence of infection (contamination) of regulated products quarantine objects (quarantine harmful organisms) the official of authorized body are guided by the conclusions stated in experimental testimony.

VI. The measures applied in case of detection of infection (contamination) of imported regulated products with quarantine objects (quarantine harmful organisms)

6.1. In case of detection during survey of regulated products or examination of regulated products of its infection (contamination) by quarantine objects (quarantine harmful organisms), the authorized body makes the decision on the prohibition of import of the batch of regulated products or will ban its place under the customs procedure of customs transit if other is not provided by subparagraph 6.3 of this Regulation.

In case of detection in the seed (sowing) material of seeds of quarantine weeds regulated products are subject to return or destruction.

6.2. After decision making about the prohibition of import of the batch of regulated products or the prohibition of its room under the customs procedure of customs transit owing to detection of infection (contamination) by quarantine objects (quarantine harmful organisms) the official of authorized body shall suggest to the owner of products to carry out its disinfecting or destruction if carrying out disinfecting or destruction of products is allowed according to paragraphs 6.3 and 6.4 of this Regulation at the choice of the owner of products.

In case of refusal of the owner of products of carrying out its disinfecting or destruction, or in case of impossibility of their carrying out, the official of authorized body issues the instruction about return of products at the expense of the owner of products.

6.3. Regulated products according to the statement of the owner of products are subject to disinfecting at the expense of the owner of products in case of availability in the venue of quarantine phytosanitary control (supervision) of conditions for carrying out disinfecting. Conditions of transportation to the place of disinfecting of regulated products shall exclude possibility of distribution of quarantine objects (quarantine harmful organisms) along the line to the place of disinfecting.

By results of disinfecting the statement is drawn up, and regulated products are subject to examination.

6.4. Regulated products according to the statement of the owner of products are liable to destruction at the expense of the owner of products in case of availability in the venue of quarantine phytosanitary control (supervision) of conditions for destruction of regulated products by the methods excluding distribution of quarantine objects (quarantine harmful organisms) by which it is infected regulated products, and also not creating threat of injury of life and health of the person, environmental misconduct.

By results of destruction the statement is drawn up.

6.5. Admissible methods of disinfecting or destruction of regulated products taking into account the type of regulated products and quarantine objects (quarantine harmful organisms) by which it can be infected (is littered), are determined by the legislation of the Parties.

Disinfecting or destruction of regulated products is carried out by the persons authorized on provision of specified services according to the legislation of the Party.

VII. Features of implementation of quarantine phytosanitary control (supervision) in case of import of separate types of regulated products

7.1. When implementing quarantine phytosanitary control (supervision) submission of phytosanitary certificates is not required in case of import of the following regulated products of high phytosanitary risk:

1) moved through the customs border of the Customs Union in mailings, hand luggage of passengers of courts, planes, carriages, vehicles, members of crews of vessel, planes and in dining-cars provided that specified products are not the planting or seed material or potatoes;

2) wood packaging and fixing materials. The official of authorized body when implementing survey or examination of specified regulated products checks availability on them the special marking sign of the international sample;

3) the regulated products being in vehicles and intended for the food purposes of teams and crews of these vehicles, without the right of their carrying out of limits of vehicles. Food inventories on the vehicles, infected with quarantine objects (quarantine harmful organisms), according to the instruction of the official of authorized body shall be disinfected, destroyed or sealed up in special storage facilities for finding of the vehicle on customs territory of the Customs Union.

7.2. It is not the basis for acceptance by authorized body of the decision on the prohibition of import of the batch of regulated products or its room under the customs procedure of customs transit detection during survey or examination of imported regulated products:

1) fruits with presence of quarantine types of parlatoria;

2) oil cakes and other firm waste received in case of extraction of vegetative fats and oils, with presence of quarantine weeds (except for quarantine object of *Striga spp*) with the condition of their further direction on the companies on which deprivation of seeds of viability is made;

3) other regulated products infected (littered) by quarantine objects (quarantine harmful organisms) if import of such products is allowed according to the legislation of the Party in which territory the place of arrival of imported regulated products is located, and in cases when imported regulated products are located under the customs procedure of customs transit - the delivery location of such products.

7.3. Import on customs territory of the Customs Union of quarantine objects (quarantine harmful organisms), except as specified import in the research purposes in the presence of permission of authorized body is forbidden.

VIII. Registration of batches of regulated products in case of export from customs territory of the Customs Union

8.1. If according to phytosanitary requirements of the importing country regulated products shall be accompanied by the phytosanitary certificate, the specified phytosanitary certificates are issued by authorized body of the Party in the place of sending according to the legislation such Parties.

The activities of authorized bodies directed on issue of the phytosanitary certificate, including establishment of the phytosanitary condition of regulated products for the purpose of issue of the phytosanitary certificate, are not quarantine phytosanitary control (supervision).

8.2. If determined according to requirements of the importing country effective period of the phytosanitary certificate on the batch of the regulated products, issued in one of the Parties, at the moment of crossing of the customs border of the Customs Union expired, the authorized body of the Party in which territory the place of departure of the batch of regulated products is located, according to the statement of the owner of products draws up the new phytosanitary certificate on

the exported batch of regulated products with attachment of the original of the phytosanitary certificate with the expired effective period, without carrying out the actions directed on establishment of the quarantine phytosanitary condition of this batch of regulated products.

Thus responsibility for compliance of this batch of regulated products to requirements of the importing country is assigned to the authorized body of the country which has issued the phytosanitary certificate which effective period expired.

8.3. If phytosanitary requirements of the importing country authorize and (or) import of the regulated products littered with weed plants, having quarantine value for the Parties is not regulated, export of specified products from customs territory of the Customs Union is not forbidden.

IX. Transitional provisions

9.1. Before forming of the management system by phytosanitary risks authorized bodies of member States of the Customs Union in case of the choice of the control actions applied in case of implementation of quarantine phytosanitary control (supervision) in case of import of specific batches of regulated products, are guided by the legislation and the developed managerial practice.

Annex No. 1 to Regulations on the procedure of quarantine phytosanitary control (supervision) on the customs border of the Customs Union

1.

KZ	Quarantine phytosanitary control (surveillance)	01-001
<p>IMPORT PERMITTED, subject to quarantine phytosanitary control (surveillance) at destination</p> <p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

2.

KZ	Quarantine phytosanitary control (surveillance)	01-001
IMPORT PROHIBITED,		
<p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

3.

KZ	Quarantine phytosanitary control (surveillance)	01-001
TRANZIT PERMITTED,		
<p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

4.

KZ	Quarantine phytosanitary control (surveillance)	01-001
TRANZIT PROHIBITED,		
<p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

5.

KZ	Quarantine phytosanitary control (surveillance)	01-001
<p>CLEARANCE ALLOWED WITHOUT RIGHT OF SELLING,</p> <p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

6.

KZ	Quarantine phytosanitary control (surveillance)	01-001
<p>CLEARANCE ALLOWED</p> <p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

7.

KZ	Quarantine phytosanitary control (surveillance)	01-001
<p>CLEARANCE PROHIBETED</p> <p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

8.

KZ	Quarantine phytosanitary control (surveillance)	01-001
<p>SUBJECT TO QUARANTINE PHYTOSANITARY CONTROL (SURVEILLANCE) AT DESTINATION</p> <p>Act of quarantine phytosanitary control (surveillance) of _____ No. _____</p> <p>An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____</p> <p>Signature _____</p>		

Instructions for application of stamps

Size of stamps: 60 mm x 35 mm.

The symbols used in case of production of stamps of quarantine phytosanitary control (supervision):

In the right upper corner it is designated - the code of the region and the three-value code of the border check-point by quarantine of plants (the phytosanitary control post) which is located under the code of the region.

In the left upper corner: one of symbols of member States of the Customs Union - BY, KZ, RU.

The stamp 1 "Import permitted, subject to quarantine phytosanitary control (supervision) at destination" - is put down in check points through the customs border of the Customs Union on the phytosanitary certificate and the transport (transportation) document if by results of implementation of quarantine phytosanitary control (supervision) the decision on permission of import of the batch of regulated products is made.

The stamp 2 "Import is prohibited" - is put down in check points through the customs border of the Customs Union on the phytosanitary certificate and the transport (transportation) document if by results of implementation of quarantine phytosanitary control (supervision) the decision on the prohibition of import of the batch of regulated products is made.

The stamp 3 "Transit is permitted" - is put down in check points through the customs border of the Customs union on the phytosanitary certificate and the transport (transportation) document if by results of implementation of quarantine phytosanitary control (supervision) of regulated products the decision on permission of its moving is made.

The stamp 4 "Transit is prohibited" - is put down in check points through the customs border of the Customs Union on the phytosanitary certificate and the

transport (transportation) document if by results of implementation of quarantine phytosanitary control (supervision) of regulated products the decision on the prohibition of its omission through customs territory of the Customs Union is made.

The stamp 5 "Release is permitted without the right of selling" - is put down in places of completion of the customs clearance of regulated products, in cases of need of carrying out quarantine phytosanitary actions for the place of consignment.

The stamp 6 "Release is permitted" - is put down in places of completion of the customs clearance (delivery locations) of regulated products, in cases of its compliance to quarantine phytosanitary requirements.

The stamp 7 "Release is prohibited" - is put down in places of completion of the customs clearance (delivery locations) of regulated products, in cases of discrepancy to quarantine phytosanitary requirements.

The stamp 8 "Is subject to quarantine phytosanitary control (supervision) at destination" - is put down on board of ocean and river crafts on the phytosanitary certificate and the transport (transportation) document before unloading in river and sea check points through the customs border of the Customs Union, for the purpose of carrying out quarantine phytosanitary actions for the emptying point.

Members of Coordination Committee on Technical Regulation, Application of Sanitary, Veterinary and Phytosanitary Measures and representatives of the Parties		
From the Republic Of Belarus	From the Republic of Kazakhstan	From the Russian Federation
V. Koreshkov	G. Dugalov	V. Salamatov
O. Arnautov	N. Sadvakasov	A. Safonov
N. Kotkovetc	S. Khasenov	O. Aldoshin
Executive secretary Of Coordination Committee		M. Chuiko
Experts of Parties		
From the Republic Of Belarus	From the Republic of Kazakhstan	From the Russian Federation

Annex No. 2
to Regulations on the procedure of quarantine phytosanitary control (supervision) on the customs border of the Customs Union (in edition of the Decision of Council of the Eurasian economic commission from _____ 2013 of No. _____)

(the name of the authorized body which has issued the document)

ACT OF QUARANTINE PHYTOSANITARY CONTROL (SUPERVISION)

of _____
(date of issue)

No. _____

Me, authorized officer, _____
(position, First name, middle initial, last name)

conducted quarantine phytosanitary control (supervision) of regulated products: _____

(name and quantity of regulated products)

and vehicles: _____
(number of the vehicle)

arrived from: _____
(name of the country)

origin: _____
(name of the country)

phytosanitary certificate: _____
(number of the phytosanitary certificate, date of issue)

issued: _____
(name of the country)

exporter (sender): _____
(name of the organization, address)

importer (receiver): _____
(name of the organization, address)

As a result _____ it is established: _____
(name of action)

For the analysis or examination of regulated products samples (tests) in quantity
are selected _____
(in the corresponding units of measure)

Action with the sample: _____

The following quarantine phytosanitary actions are ordered: _____

The act is constituted in the presence of the owner (representative) of cargo:

(signature)

(First name, middle initial, last name)

The official of the authorized body
performing functions of
quarantine phytosanitary
control (supervision)

(signature)

(First name, middle initial, last name)

L.S.

Annex
to the act of quarantine phytosanitary control (supervision)
of _____ No. _____

No.	Name of regulated products	No. of the phytosanitary certificate	Quantity of regulated products (in the corresponding units of measure)	The selected average samples (tests)		
				quantity	unit of measure	action with the sample

The official of the authorized body
performing functions of
quarantine phytosanitary
control (supervision)

(signature)

(First name, middle initial, last name)

L.S.

Approved by the Decision of
the Commission of the
Customs Union No. 318
of 18 June 2010

**Regulation on the procedure of quarantine phytosanitary control
(supervision) on customs territory of the Customs Union**

I. Scope

1.1. This Regulation on the procedure of quarantine phytosanitary control (supervision) on customs territory of the Customs Union (further - the Regulation) are developed for the purpose of implementing of provisions of the Agreement of the Customs Union on quarantine of plants of 11 December 2009 (further - the Agreement), based on the Decision of Interstate Council of the Eurasian economic community (the supreme body of the Customs Union) at level of heads of governments No. 30 of 11 December 2009.

1.2. This Regulation determines the procedure of quarantine phytosanitary control (supervision) concerning moved on customs territory of the Customs Union of regulated products in cases when the place of departure and the destination of the batch of regulated products are located in the territory of different member states of the Customs Union (further - the Parties) and the moved batch of regulated products is not placed under the customs procedure of customs transit or under the customs procedure providing commodity exportation from customs territory of the Customs Union (further - quarantine phytosanitary control (supervision) on customs territory of the Customs Union).

Procedure of quarantine phytosanitary control (supervision) concerning moved on customs territory of the Customs Union of regulated products in cases when the place of departure and the destination of the batch of regulated products are located in the territory of one of the Parties and the moved batch of regulated products is not placed under the customs procedure of customs transit or under the customs procedure providing commodity exportation from customs territory of the Customs Union, is determined by the legislation of indicated Party.

1.3. This Regulation is obligatory for execution by executive bodies of the Parties, their authorized bodies, local government bodies, legal entities of any form of business, citizens, including the individual entrepreneurs which activities are connected with production, procurement, conversion, transportation, storage, sale and use of regulated products.

1.4. In the implementation of quarantine phytosanitary control (supervision) on the customs territory of the Customs Union the competent authorities of the Parties regulated by the legislation of the Parties if the relations arising in the implementation of quarantine phytosanitary control (supervision) on the customs territory of the Customs Union, are not directly regulated by this Regulation.

II. Terms and definitions

2.1. In this Regulation the following terms and definitions are used:

"the state of the destination" - the Party in which territory the destination is located;

"the state of the place of departure" - the Party in which territory the place of departure is located;

"examination of regulated products" - visual inspection by the official of authorized body of the Party of the batch of the regulated products completely unloaded from the vehicle or placed in the vehicle in such a way that is available for the official of authorized body access for inspection of any part of the batch of regulated products and possibility to perform sampling (tests) from various parts of the batch of regulated products, carrying out sampling (tests) from various parts of the batch of regulated products and research of the selected samples (tests);

"infection (contamination)" - presence at regulated products of quarantine objects (quarantine harmful organisms);

"quarantine phytosanitary zone" - the territory declared in established by the legislation of the Parties the procedure under quarantine in connection with identification of quarantine object (the quarantine harmful organism);

"quarantine objects (quarantine harmful organisms)" - the harmful organisms absent or restrictedly widespread on the territories of the Parties and brought in national Lists of quarantine objects;

"quarantine phytosanitary control (supervision)" - the activity of the competent authorities, aimed at identifying quarantine objects (quarantine pests), the establishment of quarantine phytosanitary condition of regulated products and the fulfillment of international obligations of the Parties and the legislation of the Parties in the field of plant quarantine;

"destination" - the place in which the batch of regulated products is unloaded from the vehicle on which it moved, or is overloaded in other vehicle;

"place of departure" - the place in which the batch of regulated products is shipped in the vehicle;

"disinfecting" - set of actions concerning the regulated products, the quarantine objects directed on destruction (quarantine harmful organisms);

"survey of regulated products and vehicles" visual inspection by the official of authorized body of regulated products (without opening of container and packaging) and vehicles and appliances for transportation (including cabins, salons, luggage and cargo compartments of vehicles, containers);

"batch of regulated products" - quantity of the regulated products intended for sending by one vehicle in one destination to one receiver;

"The list of regulated products" - the List of regulated products (regulated cargoes, regulated materials, the regulated goods), subject to quarantine

phytosanitary control (supervision) on the customs border of the Customs Union and on customs territory of the Customs Union, approved by the Commission of the Customs Union according to Article 5 of the Agreement;

"regulated products" - plants, products of the phytogenesis, container, packaging, cargoes, the soil, organisms or materials which can be carriers of quarantine objects (quarantine harmful organisms) and (or) to promote their distribution and concerning which acceptance of quarantine phytosanitary measures is necessary;

"regulated products of high phytosanitary risk" - regulated products which according to the List of regulated products are carried to regulated products with high phytosanitary risk;

"regulated products of low phytosanitary risk" - regulated products which according to the List of regulated products are carried to regulated products with low phytosanitary risk;

"the owner of products" - the owner of regulated products or other person authorized on implementation of transactions and (or) other actions on behalf of the owner of regulated products in connection with its moving from the place of departure in the destination;

"vehicles" - the vehicles used for moving of the batch of regulated products;

"transport (transportation) documents" - the bill of lading, the delivery note or other documents by which according to the legislation of the Parties cargo in transit shall be accompanied;

"authorized bodies" - the authorities of the Parties allocated with powers, performing functions of quarantine phytosanitary control (supervision);

"quarantine phytosanitary requirements" - established for the purpose of ensuring quarantine of plants according to the international obligations of the Parties and legislative of the Parties the requirement to the phytosanitary condition moved on customs territory of the Customs Union of regulated products, packaging of regulated products, methods of its transportation, about the possible destination, and also to implementation of actions for preventive disinfecting of regulated products;

"the phytosanitary certificate" - the document of the international sample accompanying regulated products and issued by authorized body of the state of the place of departure in the form, the established International convention on quarantine and protection of plants of 6 December 1951 (hereinafter - Convention) and certifying the phytosanitary condition of regulated products.

2.2. Other concepts are used in the values established by international treaties, concluded within the Customs Union, the Convention and international standards on phytosanitary measures.

III. The procedure of quarantine phytosanitary control (supervision) on customs territory of the Customs Union

3.1. Quarantine phytosanitary control (supervision) on customs territory of the Customs Union is performed in order to prevent the introduction and spread of quarantine objects (quarantine pests) for movement of regulated products on the customs territory of the Customs Union.

Authorized bodies post information about quarantine phytosanitary requirements on their official websites on the Internet. Information about quarantine phytosanitary requirements also placed in the integrated information system of foreign and mutual trade of the Customs Union.

3.2. The activities of authorized bodies, aimed at issuing phytosanitary certificates, is not quarantine phytosanitary control (supervision).

Each batch of regulated products, moved from the territory of one Party to the territory of other Party shall be subject to quarantine phytosanitary control (supervision). The activities of authorized bodies directed on issue of phytosanitary certificates, including establishment of the phytosanitary condition of regulated products for the purpose of issue of the phytosanitary certificate, are not quarantine phytosanitary control (supervision).

Each batch of regulated products of high phytosanitary risk, move from the territory of one Party to the other Party, accompanied by a phytosanitary certificate issued by the authorized body of the state of departure for a period of up to 30 calendar days from the date of issuance of phytosanitary certificate.

At the destination of regulated products of high phytosanitary risk the original phytosanitary certificate State of departure shall be seized by an official of the authorized body in the implementation of quarantine phytosanitary control (supervision).

Authorized bodies of the state of departure shall notify the competent authorities of the State of destination on issue phytosanitary certificates, including the use of an integrated information system of foreign and mutual trade of the Customs Union.

Repeated (2 times or more), or failure to notify failure to regulated products official of the authorized body of the State of destination is the authorized body for the State of departure grounds for refusal to issue a product owner phytosanitary certificate within 30 calendar days after receipt of the relevant information from the competent authority of the State of destination except in cases change the destination.

When the destination has been changed product owner must obtain a phytosanitary certificate issued by the replacement under the conditions specified in subparagraph 2 of paragraph 3.9 of this Regulation.

The owner of the product must inform the authority of the State of destination of the arrival of regulated products in any way possible and present regulated

products for quarantine phytosanitary control (supervision) at the destination no later than the business day following the day of arrival.

If the fact of failure to regulated products official of the authorized body of the state of destination product owner is responsible in accordance with the laws of the State of destination.

Authorized body must be checked when the competent authority of the State of destination in the implementation of quarantine phytosanitary control (supervision) on the customs territory of the Customs Union revealed the facts of inconsistency quarantine phytosanitary requirements of parties regulated products, accompanied by phytosanitary certificates are not recognized counterfeit or invalid.

3.3. Procedure of implementation of quarantine phytosanitary control (supervision) on customs territory of the Customs Union according to the legislation of the Parties can provide carrying out the following control actions:

- 1) documentary check;
- 2) survey of regulated products;
- 3) examination of regulated products.

3.4. When fixing in the legislation of powers of officials on carrying out control actions, and also determination of the procedure and periodicity of their carrying out, Parties shall use the legal means which application essentially will not limit free moving of regulated products on the territory of The Customs Union. This Regulation does not limit the right of one Party to use the legal means similar to applied concerning batches of regulated products, moved from the territory of indicated Party to the territory of other Party.

3.5. Documentary check is carried out in destinations by officials of authorized body of the state of the destination.

3.6. For the purpose of carrying out documentary check transport (transportation) documents on the batch of regulated products and the phytosanitary certificate on the batch of regulated products of high phytosanitary risk shall be provided to the official.

3.7. The official checks the provided documents and issues the instruction about return of the batch of regulated products or its destruction in the following cases:

- 1) on the batch of regulated products of high phytosanitary risk the phytosanitary certificate is not provided;
- 2) the data containing in the phytosanitary certificate, do not correspond to information in transport (transportation) documents;
- 3) the phytosanitary certificate is counterfeit or void;
- 4) the phytosanitary certificate does not confirm compliance of the batch of regulated products to shown quarantine phytosanitary requirements.

3.8. The phytosanitary certificate is recognized counterfeit the following cases:

- 1) the phytosanitary certificate is issued by the unauthorized body;
- 2) the phytosanitary certificate does not conform to the established requirements about the form on which the phytosanitary certificate is issued.

3.9. The phytosanitary certificate is nullified in the following cases:

- 1) the phytosanitary certificate is not drawn completely up;
- 2) the phytosanitary certificate was issued on the batch of regulated products after its actual departure from the territory of the Party by which authorized body it is issued, except for phytosanitary certificates issued for the replacement, provided that the competent authority of the State of departure provides and confirms:

phytosanitary safety of regulated products;

sampling of regulated products, inspection and handling of regulated products that are needed to perform quarantine phytosanitary requirements prior to shipment of regulated products;

integrity of regulated products from date of shipment to the time of arrival at destination;

- 3) effective period of the phytosanitary certificate (from the moment of issue of the phytosanitary certificate) expired term;

- 4) the phytosanitary certificate contains not assured by the official of authorized body, it issued, changes or amendments.

3.10. *Was recognized as revoked.*

3.11. Survey of regulated products is carried out for the purpose of:

- 1) establishments of compliance of products to the data specified in the phytosanitary certificate;

- 2) determinations of availability or absence of quarantine objects or signs of infection (contamination) them on the surface of regulated products and on packaging.

3.12. Survey of regulated products is carried out by officials of authorized body in destinations in cases, stipulated by the legislation the states of the destination.

3.13. By results of survey of regulated products the official of authorized body makes the decision:

- 1) about return of the batch of regulated products or its destruction if during survey it is determined that:

on the batch of regulated products of high phytosanitary risk the phytosanitary certificate is not provided;

data on the product name do not correspond to the data specified in the phytosanitary certificate;

- 2) about carrying out examination of the batch of regulated products if during survey of regulated products on its surface, in packaging the organisms similar on

morphological signs to quarantine objects (quarantine harmful organisms), symptoms of diseases of plants, signs of damage of regulated products are found by quarantine objects (quarantine harmful organisms);

3) about completion of quarantine phytosanitary control (supervision) in the absence of the bases for the decision making, provided by subparagraphs 1-2 of this Paragraph.

3.14. Examination of regulated products is carried out by the official of authorized body at the destination in case of detection in case of survey of regulated products on its surface, in packaging of the organisms similar on morphological signs to quarantine objects (quarantine harmful organisms), symptoms of diseases of plants, signs of damage of regulated products quarantine objects (quarantine harmful organisms).

In case of decision making about carrying out examination of the regulated products placed in the vehicle in such a way that at the official of authorized body are absent access for inspection of any part of the batch of regulated products and possibility to perform sampling (tests) from various parts of the batch of regulated products, such products according to its requirement shall be unloaded from the vehicle.

The quantity and method of sampling (tests) of regulated products and procedure for carrying out their research are determined by the legislation of the state of the destination.

3.15. If as a result of research of samples (tests) of regulated products its infection (contamination) with quarantine objects (quarantine harmful organisms) is established, the official of authorized body according to the legislation of the state of the destination shall offer the owner of products at the choice of the owner of products:

1) to carry out its disinfecting in case of availability in the destination of conditions for carrying out disinfecting of regulated products. The official of authorized body has the right to demand representation of regulated products for carrying out examination after its disinfecting;

2) to destroy it in case of availability in the venue of quarantine phytosanitary control (supervision) of conditions for destruction of regulated products by the methods excluding distribution of quarantine objects (quarantine harmful organisms) by which it is infected regulated products, and also not creating threat of injury of life and health of the person, environmental misconduct.

Admissible methods of disinfecting or destruction of regulated products taking into account the type of regulated products and quarantine objects (quarantine harmful organisms) by which it can be infected it (is littered), are determined by the legislation of the state of the destination.

By results of disinfecting or destruction the statement is drawn up.

3.16. In case of refusal of the owner of products of carrying out its disinfecting or destruction, or in case of impossibility of their carrying out, the official of authorized body issues the instruction about return of regulated products at the expense of the owner of products.

Disinfecting or destruction of regulated products is carried out by the persons authorized on provision of specified services according to the legislation of the state of the destination.

3.17. Rules, stipulated in paragraph 3.15, are not applied in cases of detection:

1) quarantine types of parlatoria on fruits;

2) quarantine weeds (except quarantine object of *Striga* spp) in oil cakes and other firm waste received in case of extraction of vegetative fats and oils if the destination of such regulated products are the companies on which deprivation of seeds of viability is made.

In the specified cases the decision on completion of quarantine phytosanitary control (supervision) is made.

3.18. The payment for carrying out control actions within quarantine phytosanitary control (supervision) on customs territory of the Customs Union is not levied.

3.19. Results of implementation of quarantine phytosanitary control (supervision) are drawn up in the way:

1) making the act of quarantine phytosanitary control (supervision) in compliance with Annex 1;

2) affixing by the official of the authorized body that conducted arrangements for quarantine phytosanitary control (supervision) on phytosanitary certificate (if any) and transport (shipping) document corresponding stamp number in accordance with Annex 2.

3.20. By the legislation of the state of the destination requirements about representation to the official exercising quarantine phytosanitary control (supervision), the documents which obligation of representation is not established by this Regulation cannot be provided.

3.21. Officials of authorized bodies in case of detection when implementing quarantine phytosanitary control (supervision) of the sufficient data specifying availability of the event of the offense or the crime, connected with agreement breach, this Regulation or the legislation of the corresponding Party on quarantine of plants, undertake the measures necessary for involvement of guilty physical persons or legal entities to administrative or criminal liability within the competence.

3.22. *Was recognized as revoked.*

Annex 1

**to the Regulation on the procedure of quarantine phytosanitary control
(supervision) on customs territory of the Customs Union**

(the name of the authorized body which has issued the document)

ACT OF QUARANTINE PHYTOSANITARY CONTROL (SUPERVISION)

of _____
(date of issue)

No. _____

Me, authorized officer, _____
(position, First name, middle initial, last name)

conducted quarantine phytosanitary control (supervision) of regulated products: ____

(name and quantity of regulated products)

and vehicles: _____
(number of the vehicle)

arrived from: _____
(name of the country)

origin: _____
(name of the country)

phytosanitary certificate: _____
(number of the phytosanitary certificate, date of issue)

issued: _____
(name of the country)

exporter (sender): _____
(name of the organization, address)

importer (receiver): _____
(name of the organization, address)

As a result _____ it is established: _____
(name of action)

For the analysis or examination of regulated products samples (tests) in quantity
are selected _____
(in the corresponding units of measure)

Action with the sample: _____

The following quarantine phytosanitary actions are ordered: _____

The act is constituted in the presence of the owner (representative) of cargo:

(signature)

(First name, middle initial, last name)

The official of the authorized body
performing functions of
quarantine phytosanitary
control (supervision)

(signature)

(First name, middle initial, last name)

L.S.

Annex
to the act of quarantine phytosanitary control (supervision)
of _____ No. _____

No.	Name of regulated products	No. of the phytosanitary certificate	Quantity of regulated products (in the corresponding units of measure)	The selected average samples (tests)		
				quantity	unit of measure	action with the sample

The official of the authorized body
performing functions of
quarantine phytosanitary
control (supervision)

(signature)

(First name, middle initial, last name)

L.S.

Annex No. 2
to Regulation on the procedure of quarantine phytosanitary control
(supervision) on customs territory of the Customs Union

Samples and stamp of officials of the authorized bodies conducting functions of
quarantine phytosanitary control (supervision)

1.

KZ	Quarantine phytosanitary control (surveillance)	01-001
CLEARANCE ALLOWED		
Act of quarantine phytosanitary control (surveillance) of _____ No. _____		
An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____		
Signature _____		

2.

KZ	Quarantine phytosanitary control (surveillance)	01-001
CLEARANCE PROHIBITED		
Act of quarantine phytosanitary control (surveillance) of _____ No. _____		
An official of the authorized body, conducting the function of quarantine phytosanitary control (surveillance) _____		
Signature _____		

Instructions for application of stamps

Size of stamps: 60 mm x 35 mm.

The symbols used in case of production of stamps of quarantine phytosanitary control (supervision):

In the right upper corner it is designated - the code of the region and the three-value code of the administrative region which is located under the code of the region.

In the left upper corner: one of symbols of member States of the Customs Union - BY, KZ, RU.

The stamp 1 "Release is permitted" - is put down in places of destinations of regulated products in the case of compliance of regulated products such quarantine phytosanitary requirements;

The stamp 2 "Release is prohibited" - is put down in places of destinations of regulated products in the case of discrepancy of regulated products such quarantine phytosanitary requirements.