

Approved by the Resolution of the Government of Tajikistan

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ERTIICTATION PROCEDURE
OF FOOD PRODUCTS AND OTHER COMMDITIES IMPORTED IN EXPORTED BEYOND
THE REPUBLIC OF TAJIKISTAN

1. GENERAL PROVISIONS

1. Food and other commodities are subject to be released into the Republic of Tajikistan providing that they are in conformity with the established standards of the Republic of Tajikistan for mandatory certification

2. Product range of goods imported to the customs territory of the Republic of Tajikistan and exported beyond it that are subject to mandatory certification (hereinafter Product range), is determined by the Government of the Republic o Tajikistan

Above product range is taking shape in accordance with the standards of Product range of foreign economic activity.

3. Conformity certifying documents are certificates of conformity issued based on the National Certification system procedure of the Republic of Tajikistan.

Above certificate can be a proof on recognition of a foreign certificate and can supplement it within the Republic of Tajikistan.

4. Certificates issued despite violating established provisions, and with various reservations (“without distribution right”, “temporarily until certification is in effect” etc.), that narrows down the area of use, are not documents certifying conformity with the existing safety regulations. Such goods are not subject to be cleared by customs authorities

5. Contract provisions (agreements) concluded for the supply of goods into the Republic of Tajikistan or beyond it in addition to certificates and conformity mark must include availability of certificate of origin issued by an authorized body, certifying that indicated commodity is produced in a respective country.

2. CHARACHTERISTICS OF IMPORT AND EXPORT OF FOOD AND OTHER PRODUCTS
SUBJECT TO MANDATORY CERTIFICATION AS PER CUSTOMS PROVISIONS

6. Goods subject to mandatory certification and covered by customs treatments below, shall be released providing that conformity certificate and certificate of origin are made available to customs authorities if the Republic of Tajikistan:

- Release for free circulation;
- re-import;
- processing under customs control (in the event of food products released for free circulation);
- processing beyond customs territory (as regards derivatives).

7. Following goods shall not require a conformity or origin certificates for their release regardless of customs treatments, particularly:

- commodities designed for official use by foreign missions of states and international interstate organizations and their stuff members;
- commodities imported by physical persons not for commercial use (except for the cases when import of such goods accedes established cost and quantity related quotas;
- commodities imported in single quantities and designed for consumption of individuals importing them, can be conditionally released without certificates once covered by customs

treatments stated in paragraph 2.1 providing that customs authorities are submitted an encumbrance in a free form.

In the event of assignment of goods, they shall be subject to certification in the manner established by the law.

8. Imported goods are envisaged to be manifested in the relevant customs authority in charge of their customs clearance in a manner established by the Customs agency under the Government of the Republic of Tajikistan.

In addition to customs declaration and other documents needed to exercise customs clearance the declaring party shall submit customs agency a conformity certificate based on the established procedure..

In using cargo customs declaration as a customs declaration the declaring party shall indicate:

- brief title of the certificate issuing authority;
- number of the certificate and date of issue;
- validity term of certificate.

In using other documents as customs declaration above details shall be stated by the declaring party in this document

9. For the purposes of customs clearance and customs control there are used an authorized copy of the conformity certificate that shall be composed in a way capable of reproducing its form and content.

A copy shall be authorized by the notary or certificate issuing agency. Notary shall authorize the certificate by way of introducing an authorized note and a seal.

Certificate issuing authority shall verify it by putting an authenticated signature of the head of the agency (or of a person acting as a head) with the transcript and authentic seal.

10. A copy of the certificate is kept in files of the customs authority and shall not be returned to the declaring party.

11. In the event when declaring party for certain reasons cannot supply custom authorities with copy of certificate in an established template or an authorization of the related authority enabling import in accordance with existing standards, customs agency has the right to involve representatives of certifying authorities or of standardization, metrology, certification and trade inspections under the Government of RT or other assigned authorities allowed to inspect imported goods under supervision of customs control, take samples and tests as per Article 135 of the Customs code of the Republic of Tajikistan and for the purpose of certifying import of food products.

Conditions for the return of test specimen or their loss (destruction) in the result of tests had to be agreed in the agreement on certification entered into between the declarant or other person with the mandate related to the goods and the certification body or the territorial agency on standardization, metrology, certification and trade inspection under the Government of the Republic of Tajikistan.

The cost of test samples and specimen of products used in testing (analysis of measurement) to set its conformity to the requirements of normative documents are applied to the production costs of legal entities and individuals implementing their activities without establishment of a legal entity. In the case of positive test results, the costs are included in the cost of product.

In the case of negative test results, costs are reimbursed at the expense of the income remaining at the disposal of legal entities and individuals.

Act of certification, protocols of tests (analysis, measurements) are the justification for the definition of production costs.

12. For the testing and certification of goods, both foreign producers or sellers of goods imported to the Republic of Tajikistan, and domestic producers or sellers of goods exported outside the country, may approach either one of the accredited test laboratories or the regional

certification body, or directly the Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan and the Ministry of Health of the Republic of Tajikistan.

The information on the current legislative and legal acts in the area of certification, accredited laboratories and certification bodies can be obtained in the Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan or its territorial bodies.

13. Certification of goods and preparation of compliance certificates current in the territory of the Republic of Tajikistan can be performed only:

- given availability of compliance certificates issued in the CIS countries, which joined the Interstate Council on Standardization, Metrology and Certification, Expertise, Registration, Standardization and control of quality of medicinal and pharmaceutical products;

- by the body on certification located in the territory of the Republic of Tajikistan accredited in the National Certification System of the Republic of Tajikistan on the relevant group of product;

- by the Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan and the Ministry of Health of the Republic of Tajikistan, or by its order by the territorial body, certification body accredited in the National Certification System.

Certification of imported and exported goods is implemented based on the test protocols received in supporting laboratories accredited by the Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan and the Ministry of health of the Republic of Tajikistan.

Certificate of compliance of the National Certification System can be also issued to the Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan based on the documents confirming compliance of the goods with the set requirements recognized in the Republic of Tajikistan.

Implementation of works by the subcontractor certification bodies, as well as establishment of various government structures, subdivisions in charge of certification without consent of Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan and the Ministry of Health of the Republic of Tajikistan shall not be allowed.

14. In addition to the customs clearance, officials of the customs bodies of the Republic of Tajikistan perform inspection:

- signatures and stamps on the copies of certificates;
- conformity of the imported goods to the certificate;
- validity term of the certificate;
- other information required for the customs clearance.

When sufficient grounds are available, the customs bodies can require the declarant to confirm the fact of issue of the compliance certificate for the goods imported to the territory of the Republic of Tajikistan and exported outside the country.

When necessary, representatives of territorial branches of the Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan and the Ministry of Health of the Republic of Tajikistan, or bodies certifying these goods, can be involved.

15. Goods are released by the authorized customs body within the terms stipulated by the customs legislation, since the receipt of the customs declaration by the customs body, as well as for the provision of information.

Import and export of goods, in relation of which the Customs Service under the Government of the Republic of Tajikistan defined simplified customs clearance procedure, shall be implemented within the terms set by the customs legislation.

3. RECOGNITION OF FOREIGN CERTIFICATES ON IMPORTED GOODS

16. Recognition of foreign certificate on imported goods (further – foreign certificates) covers:

- application for the recognition of foreign certificates and attached documents;
- analysis of the received documents for identification of goods;
- a decision on the feasibility of a foreign certificate or justification of decline and explanation of the proposed certification procedures;
- conversion of a foreign certificate to a certificate of the Republic of Tajikistan and its registration.

17. For the recognition of the certificate issued under the certification systems, to which the Republic of Tajikistan joined and with which an agreement on mutual recognition of certification results is entered into, the applicant submits an application for the recognition of a certificate with the seal of the body that issued a certificate, territorial certification and metrology center to the body certifying similar products or to the Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan and the Ministry of Health of the Republic of Tajikistan. Also, when necessary, a normative document is presented, compliance with which was certified, the protocol of certification tests, when stipulated by the agreement on recognition – quality certificate of the producer, certificate on the state hygienic registration unless otherwise is stipulated by the legislative acts of the Republic of Tajikistan. All attached documents published in a foreign language must be supplemented by the authentic translation into Tajik or Russian languages. The content and composition of the documents is established through the certification of similar products.

18. Consideration of documents received by the body certifying similar products or by the national certification body in accordance with the p.4.2. and identification of goods (verification of the bar-code of the producer, production date, sale deadline, normative document, volumes supplied, packaging, packing materials, weight, etc.) is performed within 7 days.

Decisions are made based on the document review results, which are communicated to the applicant. In the case of negative decisions, applicants receive written information with a justified decline or explanation of certification procedures.

19. Analysis of provided documents (recognized certificate) envisages determination of the authenticity and sufficiency of information indicated and provided in the documents (recognized certificates), including accuracy and sufficiency of the safety requirements, and other requirements stipulated by the legislative acts of the Republic of Tajikistan and normative documents on the imported goods indicated in the foreign certificates. The condition for the recognition of foreign certificates is accurate and sufficient description of the safety and other requirements envisaged by the legislative acts of the Republic of Tajikistan in the normative documents on the imported goods indicated in the foreign certificates.

For the recognition of a foreign certificate, its conversion into a certificate of the National Certification System of the Republic of Tajikistan with simultaneous registration, or registration of uniform certificates, unless otherwise is envisaged by the terms of agreement on the recognition, shall be performed without additional procedures.

20. Conversion of a foreign certificate into a certificate of the Republic of Tajikistan, or registration of uniform certificates, when stipulated by the terms of the agreements on the recognition of certificates on the serially produced goods shall be performed given the submitted application for the recognition of the producers. A copy of the certificate with the seal of the certification body shall be submitted. Certificates of the National System of Certification of the Republic of Tajikistan in such cases shall be issued to the producer or his official authorized representative. In other cases, certificates are issued for the consignment of goods.

21. During the recognition procedure, a body certifying similar products, or the national certification body can determine the need for additional tests in full, when requirements

indicated in the foreign certificate on the product do not conform, or are not fully registered based on certain indicators.

22. Certificates issued under the certification systems of countries that entered into agreements with this country on mutual recognition of certificates on goods produced in third countries shall not be recognized. In some cases, the national certification body can decide on the recognition of the certificate on the consignment of goods produced in third countries.

23. The procedure of registering uniform certificates, unless otherwise stipulated by the agreement terms, covers the following:

- registration of foreign certificates and information they contain;
- assigning numbers to the certificates in the Register of the National Certification System of the Republic of Tajikistan;
- filling the registration number, date and details of the registration body in the certificate.

24. All the costs on the recognition of certificates, including consideration of the application, translation of necessary documents, inspection of production, tests, inspection of quality control, registration, etc. are paid for by the applicant.