



Annex to the Decision No. 29

AGREEMENT

of the Customs Union on Veterinary Hygiene Measures

Governments of states-members of the Customs Union within the Eurasian Economic Community (hereinafter - the Customs Union), hereinafter referred to as the Parties,

for the purpose of formation of the Customs Union,

based on the Agreement on coordinated policy in technical regulation, sanitary and phytosanitary measures of January 25, 2008,

in recognizing the need for common veterinary policy,

and taking into account rules and principles of the Terrestrial Animal Health Code and the Aquatic Animal Health Code of the Office International of Epizootics, and the Agreement of Veterinary Collaboration of CIS Members of March 12, 1993; the Agreement on Technical Trade Barriers and Agreement on the Application of Sanitary and Phytosanitary Measures of the World Trade Organization adopted based on results of the Uruguay Round of the multilateral trade negotiations of April 15, 1994, in Marrakech,

to protect security of the customs territory of the Customs Union from import and dissemination of agents of contagious animal diseases, including those common to man and animals, and of animals and products (goods) not meeting the veterinary (veterinary hygiene) requirements,

have agreed as follows:

Clause 1

The following terms as used in this Agreement shall have the following meaning:

“veterinary control (supervision)” means activities of authorized bodies aimed at prevention of import and dissemination of agents of contagious including those common to man and animals, and of goods (products) not meeting the veterinary (veterinary hygiene) requirements, as well as prevention, detection and suppression of violation of the Customs Union's and Parties' veterinary laws;

“veterinary hygiene measures” mean obligatory requirements and procedures applied to prevent animal diseases and protect the population from diseases common man and animals resulted from associated risks including transmission and dissemination with animals, food and animal products, and with means to transport them, within the customs territory of the Customs Union;

“authorized bodies” means state bodies and agencies of Parties in charge of activities in the field of veterinary.

Terms which was not specifically defined in this Agreement shall have meanings as defined by other international agreements concluded within the Customs Union.

Clause 2

This Agreement shall cover goods (products) subject to veterinary control (supervision), including private goods (hereinafter Controlled Goods) transported across the customs border of the Customs Union and within the customs territory of the Customs Union included in the Standard List of Goods subject to veterinary control (supervision) (hereinafter referred to as Single List).

Controlled goods shall meet Standard veterinary (veterinary hygiene) requirements imposed upon goods subject to veterinary control (supervision) (hereinafter referred to as Standard Veterinary Requirements) and shall be

subject to obligatory veterinary control (supervision) according to the Regulations for the standard procedure of implementation of veterinary control at the customs borders and within the customs territory of the Customs Union (hereinafter referred to as Regulations for standard control procedure).

Clause 3

The authorized bodies shall implement veterinary control (supervision) over movement of controlled goods across the customs border of the Customs Union at checkpoints at the state borders of the Parties or at other places specified by laws of Parties (hereinafter referred to as Checkpoints), which are equipped with means of veterinary control according to laws of the Parties.

Clause 4

1. Each consignment of controlled goods shall be imported to the customs territory of the Customs Union according to the Standard Veterinary Requirements and subject to availability of: a permit issued by the authorized body whose competence includes the territory of the state where the mentioned goods are imported to, according to the Regulations for the standard procedure of control, and veterinary certificate issued by the authorized body of the departure country.

Based on the Standard Veterinary Requirements the Authorized Bodies may mutually agree samples of veterinary certificates for controlled goods imported to the customs territory of the Customs Union as included in the Standard List, with relevant authorities of the departure country (third party). The samples of the veterinary certificates mentioned above shall be sent to the Customs Union Commission (hereinafter referred to as Commission) to be given to checkpoints.

Controlled goods put under the customs transit procedure shall be moved over the customs territory of the Customs Union according to the Regulations of the standard control procedure.

2. Controlled goods shall be moved from the territory of either Party to the territory of another Party according to the Standard requirements and accompanied with a veterinary certificate.

The Parties shall mutually recognize veterinary certificates issued by the authorized bodies according to standard forms as approved by the Commission.

Clause 5

1. Based on the Standard Veterinary Requirements the authorized bodies shall implement measures to prevent import and dissemination within the territory of the Customs Union of agents of contagious animal diseases including those common to man and animals, and animal goods (products) dangerous in veterinary hygiene terms.

2. Authorized bodies shall:

send information of them and of the veterinary hygiene measures applied to the Information System of the Eurasian Economic Community in the field of technical regulation, sanitary and phytosanitary measures and the Integrated Information System of External and Internal Trade of the Customs Union in cases of detection and dissemination of contagious animal diseases, including those common to man and animals, and animal goods (products) dangerous in veterinary hygiene terms, immediately after the issue of an official diagnosis or confirmation of dangerous nature of the goods (products);

timely notify the Commission of all modifications of the list of dangerous and quarantine animal diseases in the territory of the Party;

give mutual scientific, method and technical veterinary assistance.

Clause 6

1. If necessary and by mutual agreement the authorized bodies shall carry out joint inspections of objects subject to veterinary control (supervision) to ensure compliance with the Customs Union's laws on protection of the customs territory of the Customs Union from import and dissemination of agents of contagious animal diseases including those common to man and animals, and goods (products) not meeting veterinary (veterinary hygiene) requirements.

Joint inspections (checks) of objects subjects to veterinary control (supervision) shall be carried out according to the Regulations on the standard procedure for joint field inspections and selection of samples of goods (products) subject to veterinary control (supervision) (hereinafter referred to as Standard Inspection Procedure).

Expenses related for joint checks (inspections) shall be covered from the appropriate budgets of Parties unless otherwise agreed.

Clause 7

1. The standard list of goods subject to veterinary control (supervision); The standard veterinary (veterinary hygiene) requirements imposed upon goods subject to veterinary control (supervision); the Regulations for the standard procedure of implementation of veterinary control at the customs border of the Customs Union, and Regulations for the standard procedure of joint field inspections and selection of samples of goods (products) subject to veterinary control (supervision) shall be approved by the Commission.

2. Maintenance of documents as mentioned in Item 1 of this Article, Summary List of Dangerous and Quarantine Animal Diseases of the Parties, as well as approval of standard forms of veterinary certificates issued the authorized bodies shall be carried out by the Commission since the date of delegation of the appropriate authorities by the Parties to them.

For the purpose of this Article, maintenance of documents by the Commission means duly made modifications and alterations of the documents

of the Customs Union as mentioned in items 1 and 2 of this Article, and following approval and notification to the Parties.

Proposals of alterations and modifications of the documents as mentioned in items 1 and 2 of this Article shall be submitted for consideration by the Commission according to the appropriate procedure as proposed by the authorized bodies of either Party.

Clause 8

Each of the Parties may develop and introduce temporary veterinary requirements and measures provided they have been notified by appropriate international organizations, Parties or third States of deterioration of epizootic conditions in the territory of third states or Parties.

If such notifications are not given sufficient scientific credence or if given untimely, Parties may assume emergent veterinary hygiene measures.

Clause 9

Disputes between the Parties concerning the interpretation and (or) the application of this Agreement shall be settled through consultations and negotiations.

If the dispute is not settled by the Parties within six months from the date of receipt of a formal written request for consultations and negotiations sent by a Party to the other Parties, either Party shall refer the dispute to the Court of the Eurasian Economic Community.

Clause 10

As the Parties agree, amendments which are executed by separate protocols may be made in this Agreement.

Clause 11

Procedure for the entry into force of this Agreement, accession to and withdrawal from it shall be defined by the Protocol on the procedure of entry into force of international agreements which are intended to form a contractual legal framework for the Customs Union and for withdrawal from and accession to them of October 6, 2007.

Done at St. Petersburg on December 11, 2009 in one original copy in Russian.

The original copy of this Agreement shall be stored in the Commission of the Customs Union which as the depositary of this Agreement shall send a certified copy to each Party.

On behalf of	On behalf of	On behalf of
the Government	the Government	the Government
of the Republic of	of the Republic of	of the Russian
Belarus	Kazakhstan	Federation