

**Decision No 880 of 9 December 2011**  
**The adoption of the technical regulations of the Customs Union**  
**"On Food Safety"**

In accordance with Article 13 of the Agreement on common principles and rules of technical regulation in the Republic of Belarus , Kazakhstan and the Russian Federation of 18 November 2010, the Commission of the Customs Union ( hereinafter - the Commission ) has decided to :

1. Adopt the technical regulation of the Customs Union " On Food Safety " ( TR TC 021/ 2011) (attached).

2. Approve:

2.1. The list of standards as a result of which voluntary compliance with technical regulations of the Customs Union " On Food Safety " ( TR TC 021/ 2011) ( attached);

2.2. List of standards containing rules and methods of research ( tests) and measurements , including the rules of sampling necessary for the implementation and execution of the technical regulations of the Customs Union " On Food Safety " ( TR TC 021/ 2011) and the implementation of assessment (confirmation ) conformity of products (attached).

3. Establish:

3.1. Technical Regulation of the Customs Union "On the safety of food products" (hereinafter - Technical Regulation) shall come into force on 1 July 2013;

3.2. Assessment documents (confirmation) of compliance with mandatory requirements established by normative legal acts of the Customs Union, or the laws of the State - a member of the Customs Union, issued or adopted in respect of products to which the technical regulations of the Technical Regulation (the product) , prior to the entry into force of the Technical Regulations valid until their expiration, but not later than 15 February 2015 . These documents issued or adopted before the official publication date of this Decision, are valid until their expiration;

From the date of entry into force of the Technical Regulation issuance or acceptance of assessment documents ( confirmation) of conformity of products with mandatory requirements previously established by normative legal acts of the Customs Union, or the law of the State - a member of the Customs Union, is not permitted;

3.3. Until February 15, 2015 there shall be allowed the production and release in the circulation of products in accordance with the mandatory requirements previously established by normative legal acts of the Customs Union, or the laws of the State - a member of the Customs Union , in the presence of assessment documents ( confirmation ) of compliance with mandatory requirements specified products issued or assumed prior to the effective date of the Technical Regulation;

Said products are marked with the national conformity (mark of market ) in accordance with the laws of the state - or a member of the Customs Union Commission Decision of 20 September 2010 № 386;

Labeling of such products with a single sign of products on the market states - members of the Customs Union is not allowed.

3.4. Circulation of products released into circulation during the period of assessment documents ( confirmation ) of compliance specified in paragraph 3.2 of this Decision shall be permitted until the expiration date products identified in accordance with the legislation of the Member State of the Customs Union;

3.5. State registration in the manner prescribed by Article 24 of the Technical Regulation, to February 15, 2015 subject to the following products:

- 1 ) the natural mineral water ;
- 2) bottled water , packaged in capacity ;
- 3) tonics ;
- 4) supplements , nutritional supplements complex , flavorings , vegetable extracts as flavoring materials and raw materials , starter cultures of microorganisms and bacterial yeast, processing aids , including enzyme preparations ;
- 5) foods obtained using genetically modified ( transgenic ) organisms , including genetically modified microorganisms ;

3.6. Information on production facilities previously involved in production (manufacturing) of food products in accordance with the laws of the State - a member of the Customs Union, entered in the state register without state registration procedures production facilities in accordance with the Technical Regulation ;

3.7. The provisions of Article 29 of the Technical Regulation come into force on the introduction of the Integrated Information System of foreign and mutual trade of the Customs Union .

3.8. From the day of entry into force of the technical regulations of the Customs Union on certain types of food the names of types of food products shall be specified in the Technical Regulation in accordance with the definitions set out such technical regulations, and the requirements to safety of the product, which is the subject of such technical regulations, shall be excluded (apart from the content requirements of pathogenic microorganisms and their toxins , mycotoxins , toxic elements , nitrates , pesticides global as well as an acceptable level of radionuclides ) , and microbiological safety standards (opportunistic pathogens).

4. Secretariat of the Commission together with the Parties:

4.1. Until the date of entry into force of the technical regulations of the Customs Union on certain types of food to ensure adoption of amendments to the Technical Regulation in accordance with paragraph 3.8 of this Decision.

4.2. Prepare a draft Action Plan required for the implementation of the Technical Regulation, and within three months from the date of entry into force of this Decision, to provide

representation for approval by the Commission in the prescribed manner , by providing :

4.2.1. Prepare and submit for approval by the Commission in the prescribed manner in the period up to March 15, 2013 draft decision on the modification of the Common sanitary and epidemiological and hygienic requirements for goods subject to sanitary and epidemiological supervision (control ) approved by the Customs Union Commission Decision 299 of 28 May 2010, by excluding them their requirements for products to which the technical regulations of the Technical Regulation;

4.2.2. Prepare and submit for approval by the Commission in the prescribed manner in the period up to March 15, 2013 a draft decision amending the Single list of products subject to mandatory assessment ( attestation) of the Customs Union with the issuance of common documents approved by the Customs Union Commission Decision of 7 April 2011 number 620 , by excluding the requirements for the products to which the specific technical regulations from the Technical Regulation;

4.2.3 . Prepare and submit for approval by the Commission in the prescribed manner in the period up to March 15, 2013 a draft decision amending the single list of goods subject to sanitary and epidemiological supervision (control ) at the customs border and the customs territory of the Customs Union , approved by the Decision of the Commission of the Customs Union of 28 May 2010 number 299, in the part of the exclusion of the products to which the technical regulations of the Technical Regulation;

4.2.4. Prepare and submit for approval by the Commission in the prescribed manner a draft of the renewal procedure of assessment documents ( confirmation) of conformity of products with mandatory requirements previously established by normative legal acts of the Customs Union, or the law of the Member State of the Customs Union, issued or adopted before the entry into force of the Technical Regulation on the appraisal documents ( confirmation) of conformity with mandatory requirements of the Technical Regulation, except that the values of and (or) their allowable levels do not match the performance and (or) their permissible levels specified in the Technical Regulation;

4.2.5. Prepare and submit for approval by the Commission in the prescribed manner in the period up to March 15, 2013 a draft program for the development (modification ,revision ) and the introduction of interstate standards as a result of which , on a voluntary basis, compliance with the Technical Regulations , as well as interstate standards containing rules and methods (tests) and measurements , including the rules of sampling needed for application and enforcement of technical regulations and implementation assessment (confirmation) of compliance products.

4.2.6. Prepare and submit for approval by the Commission in the prescribed manner in the period up to March 15, 2013 a draft decision amending the Uniform list of goods subject to veterinary control (supervision ) , approved by the Customs Union Commission Decision of 18 June 2010 № 317 , concerning the exclusion of its products under the Technical Regulations relating to processed food products of animal origin;

4.2.7 . Prepare and submit for approval by the Commission in the prescribed manner in the period up to March 15, 2013 a draft decision on amending the Regulation on the common procedure of joint inspections of sites and sampling of goods (products) subject to veterinary

control (supervision) , approved by the Decision of the Commission of the Customs Union October 18, 2011 № 834, in respect of the harmonization of the provisions of the Technical Regulation;

4.2.8. Prepare and submit for approval by the Commission in the prescribed manner in the period up to March 15, 2013 draft Regulation "On the establishment of criteria for verification at check- production facilities to the activity for receiving, processing (processing) of unprocessed raw food of animal origin ."

5. Russian Party with Parties on the basis of the monitoring results of the application of standards to ensure the preparation of proposals for updating the list of standards referred to in paragraph 2 of this Decision and submit them at least once a year from the date of entry into force of the Technical Regulations in the Secretariat of the Commission for approval the established order.

6. Parties :

6.1. In the period prior to 1 July 2013, shall adopt the relevant decisions not to apply the national legal acts of their countries to the products which are subject to the Technical Regulation;

6.2 . In the period up to July 1, 2013 to ensure the readiness of certification bodies , testing laboratories (centers ) engaged in work on the assessment ( confirmation) , the registration of declarations of conformity with Technical Regulation;

6.3. Prior to the effective date of the Technical Regulation identify bodies of state control (supervision ) , responsible for the implementation of state control (supervision ) over observance of technical regulations and inform the Commission thereof ;

6.4. From the date of entry into force of the Technical Regulation provide for state control (supervision ) over the implementation of Technical Regulation in view of 3.2 - 3.4 of this Decision .

7. This Decision shall enter into force on the date of its official publication.

Members of the Commission of the Customs Union:

for the Republic of Belarus U.Shukeev

from the Republic of Kazakhstan S. Roumas

for the Russian Federation Shuvalov