

MEMORANDUM

on the safety of plant products for human consumption exported from the European Community (EC) to the Russian Federation concerning pesticide residues, nitrates and nitrites

In order to assure the safety of plant products for human consumption (hereinafter referred to as plant products) exported from the EC to the Russian Federation with respect to criteria on pesticide residues, nitrates and nitrites as laid down in the Russian legislation, the following rules are applied:

1. The Directorate General for Health and Consumer protection of the European Commission (hereinafter referred to as the Community side) informs the Federal Service for Veterinary and Phytosanitary Surveillance of the Russian Federation (hereinafter referred to as the Russian side) of the results of monitoring of pesticide residues, nitrates and nitrites in plant products in the EC Member States.
2. The Russian side informs the Community side of the results of monitoring of the safety of plant products of EC origin as regards pesticide residues, nitrates and nitrites entering the Russian Federation and makes information available on testing methods and samples available for counter expertise on request.
3. Both sides inform each other of their respective legislation concerning pesticide residues, nitrates and nitrites in plant products and any amendments thereof as soon as possible after adoption. This information is made available to exporters of plant products, including the Russian requirement that for plant products exported to the Russian Federation information should be made available on pesticides used during the production and storage and data of the last treatment.
4. The Russian side confirms that if there is no Maximum Residue Level (MRL) for pesticide residues, nitrates and nitrites specified for a certain type of product in the Russian legislation, the MRL for the most similar product included in the same commodity group (as defined in the Codex Alimentarius) applies, and that if there is no MRL for the commodity group, the MRL of the Codex Alimentarius applies. If there is no MRL of the Codex Alimentarius, the MRL of the country of origin applies.
5. The Russian side may carry out visits in the territory of EC Member States to study on the spot the controls of pesticide residues, nitrates and nitrites in plant products. These visits are subject to prior notification by the Russian side and agreement of the EC Member State receiving the visit and may be carried out primarily in the EC Member States which repeatedly exported plant products not conforming to the safety criteria on pesticide residues, nitrates and nitrites as laid down in the Russian legislation and in paragraph 4. The Community side and the relevant EC Member State will assist in organizing the said visits.
6. In the case the Russian side discovers repeated occasions where consignments of a plant product of EC origin of a certain type and of certain origin do not meet the safety criteria laid down in Russian legislation and in paragraph 4 for pesticide residues, nitrates and nitrites, the Russian side may take appropriate measures, including a requirement that each shipment of the relevant plant products exported to the Russian

Federation from the relevant EC Member State should be accompanied by a safety certificate and a test report concerning the relevant safety criteria on pesticide residues, nitrates and nitrites for the relevant plant products as laid down in the Russian legislation.

The safety certificate will be issued by approved government or private laboratories which may be audited by the Russian side. The list of approved laboratories will be agreed by both sides. The format of such certificate will be agreed by both sides before 15 April 2008.

In the case where the approval of the said activities of the laboratory is no longer valid, where the Russian side finds significant defects in procedures or the Russian side discovers facts indicating that the safety certificate does not accurately reflect the actual condition of the products, the Russian side may no longer accept safety certificates issued by the concerned laboratory. The Russian side informs the Community side as soon as possible in this regard.

7. Upon the request of the Community side, both sides, together with the representatives of the relevant EC Member State, will evaluate the situation in relation to the effectiveness of the measures taken in accordance with paragraph 6 in order to define the steps necessary for the possibility for lifting the measures as soon as possible.
8. The Russian side will lift the measures taken in accordance with paragraph 6 when the steps defined in accordance of paragraph 7 have been completed and there are no further non-compliances.
9. Both sides consider necessary to hold consultations on issues within the scope of this Memorandum and within the competences of both sides.
10. The preparatory period required for the organisation of the said measures should be completed before 1 July, 2008.

Brussels, 26 March 2008

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