

## DECISION

December 25, 2012 .

№ 294

Moscow

### ON REGULATION

#### **ON IMPORTATION INTO THE CUSTOMS UNION TERRITORY OF PRODUCTS (GOODS) FOR WHICH MANDATORY REQUIREMENTS ARE ESTABLISHED WITHIN THE CUSTOMS UNION**

In accordance with Article 3 of the Treaty on Eurasian Economic Commission of 18 November 2011 and Article 13 of the Treaty on Common Principles and Rules of Technical Regulation in the Republic of Belarus, Republic of Kazakhstan and Russian Federation of 18 November 2010 the Council of Eurasian Economic Commission has **decided to**:

1. Approve the attached Regulation on importation into the Customs Union Territory of Products (Goods) for which Mandatory Requirements are Established within the Customs Union.

2. Establish that the importation into the customs territory of the Customs Union of products (goods) for which technical regulations of the Customs Union require conformity assessment in the form of state registration, shall be conducted in accordance with Decision of the Customs Union Commission of 28 May 2010 № 299 "On Application of Sanitary Measures in the Customs Union".

3. Recognize as repealed:

Fifth sub-paragraph of paragraph 1 and paragraph 6 of Decision of the Customs Union Commission of 18 June 2010 № 319 "On Technical Regulation in the Customs Union";

Second sub-paragraph of Decision of the Customs Union Commission of December 8 2010 № 491 "On Amendments to Regulatory Legal Acts of the Customs Union Commission in the Field of Technical Regulation".

4. This Decision shall enter into force after 30 days from the date of its official publication.

**Chairman**

**V.B. Khristenko**

## REGULATION

### **ON IMPORTATION INTO THE CUSTOMS UNION TERRITORY OF PRODUCTS (GOODS) FOR WHICH MANDATORY REQUIREMENTS ARE ESTABLISHED WITHIN THE CUSTOMS UNION**

1. This Regulation is developed pursuant to the Agreement on the Eurasian Economic Commission of 18 November 2011, the Agreement on Common Principles and Rules of Technical Regulation in the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation of 18 November 2010 and the Agreement on Products Subject to Mandatory Conformity Assessment (Confirmation) on the Customs Territory of the Customs Union of 11 December 2009.

2. The following are products (goods) imported into the customs territory of the Customs Union, in respect of which during customs clearance together with the customs declaration documents proving the compliance of such products (goods) with mandatory requirements, or information about such documents shall be provided to customs authorities:

a) included into the Unified List of Products for which Mandatory Requirements are Established within the Customs Union, approved by the Decision of the Customs Union Commission of 28 January 2011 № 526 “On Unified List of Products for which Mandatory Requirements are Established Within the Customs Union”, and in respect of which the national legislation of the Customs Union member states (hereinafter the member states) establish compulsory requirements;

b) included in the Unified List of Products subject to Mandatory Conformity Assessment (Confirmation) within the Customs Union with the Issuance of Common Forms of Documents, approved by the Decision of the Customs Union Commission of 7 April 2011 № 620 “On the New Edition of the Unified List of Products Subject to Mandatory Conformity Assessment (Confirmation) within the Customs Union with the Issuance of Common Forms of Documents, approved by the Decision of the Customs Union Commission of 18 June 2010 № 319 “(hereinafter – the Unified List);

c) included in the lists of products for which together with the customs declaration a document on conformity assessment (confirmation) with the technical regulations of the Customs Union shall be provided.

3. The documents certifying the conformity of products (goods) to mandatory requirements include:

a) document on conformity assessment (confirmation), provided by the technical regulations of the Customs Union;

b) certificate of conformity or a declaration of conformity of the Customs Union of a common form on the products (goods) included in the Unified List;

c) certificate of conformity, declaration of conformity provided by the legislation of the Member State in whose territory the products (goods) are placed under the customs procedure;

d) any other documents provided by the legislation of the Member State in whose territory the products (goods) are placed under the customs procedure.

4. The documents certifying the conformity of products (goods) with mandatory requirements, or information about such documents shall be presented to customs authorities at the moment of placement of products (goods) under the customs procedures of:

a) release for domestic consumption, including the customs procedure of release for domestic consumption, declared upon the completion of other customs procedures, with the exception of imported products (goods), except for goods imported:

as samples for research and testing, provided a copy of the contract with an accredited certification body (an accredited testing laboratory (center)), or a letter of the accredited certification body (an accredited testing laboratory (center)), confirming the quantity (weight and volume) of imported (imported) products (goods) required for these goals is submitted to the customs authorities;

by the manufacturer or the authorized representative of the manufacturer as spare parts for the maintenance and repair of finished goods previously imported into the customs territory of the Customs Union in respect of which compliance with compulsory requirements has been confirmed, provided copies of the conformity assessment (confirmation) of finished products are submitted to the customs authorities;

as components of goods or raw materials (materials) for products released for circulation in the territory of a Member State in whose territory they are being placed under the customs procedure of release for domestic consumption;

for the diplomatic missions, consular and other official representatives of foreign governments, inter-governmental and inter-governmental organizations, provided a reasoned message on their consumption (use) only by such offices, institutions and organizations is submitted to the customs authority;

as a humanitarian and technical assistance;

as goods intended for the prevention and management of natural disasters and other emergencies;

b) temporary importation (admission), except in cases of temporary import of:

containers, packaging, trays;

(goods) intended for display at exhibitions, fairs and international events, as well as auxiliary equipment and materials intended for use for demonstration of (goods) or for use at exhibitions, fairs and international events;

product samples for the sole purpose of receiving orders for products (goods) of this type and unsuitable for other uses, which is achieved by coating them with indelible marking, tearing, punching or damaging in any other way

(goods) intended for testing, inspection, and experiments and for demonstrating its properties and characteristics;

printed advertising materials;

equipment necessary for artists, theater companies and orchestras (the items used during the performances, musical instruments, scenery and costumes) if such products (goods) are imported (imported) by a foreign person, and they will be used in the customs territory of the Customs Union;

professional cinematic equipments, press, radio or television, assistive devices and accessories for such equipment, if such professional equipment, devices and accessories imported (imported) by a foreign person, and they will be used in the customs territory of the Customs Union;

products (goods) designed for sport events, demonstrative sports events or training, if such products (goods) are imported by a foreign person, and they will be used in the customs territory of the Customs Union;

c) the customs-free zone, with the exception of products (goods), imported:

as spare parts for the maintenance and repair of finished goods placed under the customs procedure of release for domestic consumption or customs procedure of customs-free zone previously imported into the customs territory of the Customs Union, in respect of which compliance with mandatory requirements has been confirmed, provided copies of documents on conformity assessment are provided to the customs authorities;

as samples for research and testing, provided a copy of the contract with an accredited certification body (an accredited testing laboratory (center)), or a letter of the accredited certification body (an accredited testing laboratory (center)), confirming the quantity (weight and volume) of imported (imported) products (goods) required for these goals is submitted to the customs authorities;

as components of goods or raw materials (materials) for products manufactured in the territory of the Member State in which territory they are being placed under the customs procedure of customs-free zone;

g) free storage, with the exception of products (goods) imported (imported)

as spare parts for the maintenance and repair of finished goods placed under the customs procedure of release for domestic consumption or customs procedure of customs-free zone previously imported into the customs territory of the Customs Union, in respect of which compliance with mandatory requirements has been confirmed, provided copies of documents on conformity assessment are provided to the customs authorities;

as samples for research and testing, provided a copy of the contract with an accredited certification body (an accredited testing laboratory (center)), or a letter of the accredited certification body (an accredited testing laboratory (center)), confirming the quantity (weight and volume) of imported (imported) products (goods) required for these goals is submitted to the customs authorities;

as components of goods or raw materials (materials) for products manufactured in the territory of the Member State, in which they are being placed under the customs procedure of free warehouse;

e) re-importation, except for placing under these customs procedures of:

products (goods) in order to complete the customs procedure of temporary export;

products (goods) that have not undergone operations on processing of goods outside the customs territory of the Customs Union, in order to complete the customs procedure of processing outside the customs territory;

Customs Union goods placed under the customs procedure of customs-free zone or free warehouse with a view of the completion of the customs procedure of customs-free zone or a free warehouse customs procedures, if such goods of the Customs Union remained unchanged, except for normal wear or natural loss under normal conditions of carriage (transportation), storage and (or) use (operation);

e) refusal in favor of the state.

5. The submission of documents certifying the conformity of products (goods) with mandatory requirements or information about such documents to the customs authorities is not required:

a) when the following products (goods) are placed under the customs procedures referred to in paragraph 4 hereof:

used goods;

imported in single units (quantities), stipulated by a foreign trade contract only for personal use by the declarant (including for research purposes or as souvenirs or promotional materials);

in case of their temporary accommodation in the customs territory of the Customs Union, with the exception of products imported (imported) for financial leasing;

b) in respect of products (goods):

imported by individuals for personal use;

placed in temporary storage;

placed under the customs procedure of customs transit, processing at the customs territory, processing for domestic consumption, customs warehouse, free trade, destruction, special customs procedures;

imported (imported) as supplies.