



# Russian sanitary ban on EU pigs and pig products

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# Topics

- 1. SPS relations with Russia**
- 2. Regionalisation and veterinary certificates**
- 3. ASF and the official and the "de facto" ban**
- 4. EU efforts to resolve the issue**
- 5. The WTO dispute**
- 6. The political embargo**
- 7. What to expect?**

# EU-Russia SPS relations

## Memoranda of Understanding (MoUs)

- MoU of 2006 on regionalisation and zoning

## Agreed vet certificates (30 in total)

Including (in relation to pigs and pig products):

- EU-RF certificate for pork and raw pig products
- EU-RF certificate for breeding pigs
- EU-RF certificate for piglets for fattening
- EU-RF certificate for slaughter pigs
- EU-RF certificate for finished products of animal origin
- EU-RF certificate for canned meat, salamis etc
- EU-CU certificate for raw material for pet food

# Regionalisation and veterinary certificates (1)

**Agreed veterinary export certificates state disease freedom of the exporting country:**

**"...country free of disease A for X years..."**

In case of outbreaks of a disease temporary arrangements on those certificates are needed in order to allow trade to continue from unaffected areas (regionalisation).

Typically it is agreed (official letter by the importing country) that the certifying official adds text to exclude areas:

**"... country free of disease A for X years... *except region/municipality B...*"**

## **Regionalisation and veterinary certificates (2)**

**Such arrangements with certificates to enable regionalisation were and still are common with Russia (e.g. currently with Avian Influenza).**

- **But not for African Swine Fever since 2014**

## The official and the "de facto" ban (1)

**Following the notification of the detection of African swine fever in an EU Member State Russia notified to the WTO the restriction of exports from its entire territory: Such bans were declared for:**

**Lithuania, Poland, Latvia & Estonia**

**No ban officially declared on the 24 other EU Member States**

**... but Russia applies a so-called "*de facto*" EU-wide ban**

## The official and the "de facto" ban (2)

### ***"de facto" ban:***

The wording in the certificates does not correspond any more to the real situation:

"...were obtained from the slaughter and processing of clinically healthy animals, originating from premises and/or administrative territory officially free from infectious animal diseases, including:

...

- *African swine fever - during the last 3 years in the territory of the EU excluding Sardinia"*  
*but*

*Russia refuses to agree on wording arrangements*

## EU efforts to resolve the issue

### *Information*

- *Provision of detailed information on surveillance & measures put in place*
- *Promptly informed on changes of the situation/measures*

### *Proposals:*

- *Proposals for "common practice" arrangements on certification (additional wording or annex to cert)*
- *Proposals for modifying wording of the agreed certificates*

*Numerous meetings/letters*



## Our line

- *Russia should accept arrangements for certificates to allow trade to resume*
- *EU regionalisation is effective and OIE compliant*
- *Ready to consider Russian alternative proposals that would be in line with the international norms*

### *Red lines:*

- *No bilateral arrangements with Member States*
- *No discrimination among Member States*

## **WTO dispute settlement**

*EU request for consultations in April 2014*

*Consultations took place on 1 May 2014*  
*-> No result*

*EU request for a dispute settlement Panel July 2014*

*Panel issued final report in August 2016*  
*-> Russia violated a number of provisions of  
the WTO SPS Agreement*

*Appeals currently examined by the WTO Appellate Body*

## The Russian political embargo (1)

- *NOT a SPS measure*
- *Introduced in August 2014 ("counter sanctions")*
- *Covers many agri-food products on the basis of a list of banned **CN-codes***
- *As regards pig products it partially overlaps the ASF-related ban of January 2014 (Russia bases it on the veterinary **certificates**)*

## The Russian political embargo (2)

### Examples:

	CN code	Health Certificate	ASF-related sanitary ban	Political embargo
Pig meat	0207	EU-RF pig meat and raw meat preparations	<b>BANNED</b>	<b>BANNED</b>
Pig fat (non-treated)	0209	EU-RF pig meat and raw meat preparations	<b>BANNED</b>	<b>NOT BANNED</b>
Pork sausages (heat treated)	1601	EU-RF finished food AO	<b>NOT BANNED*</b> (additional declaration)	<b>BANNED</b>

\* *banned from LT, PL, LV & EE*

## What to expect?

- *Russia obliged to comply with WTO dispute settlement outcome*
- *Even if ASF-related ban(s) are lifted pig meat would still remain blocked due to the political embargo*
- *In case of lifting of the political embargo*  
***Invention of new "SPS barriers" likely?***

*Thank you for your attention*