

**Protocol on the discussions held between
Federal Service for Veterinary and Phytosanitary Surveillance (hereafter
FSVPS)
and
Export Inspection Council of India (Ministry of Commerce & Industry of
India)
(hereafter EIC)**

Moscow

Dated 28 July, 2009

With the aim of furthering the growth of trade between the Russian Federation and the Republic of India, cooperation in the field of veterinary inspection of fish, fishery and sea products (hereafter Sea Products) and prevention of fraud in the trade in marine products a meeting was held between the representatives of the FSVPS and the EIC.

The Russian delegation was led by:

Mr. N.A. Vlasov – Deputy Head of the Federal Service for Veterinary and Phytosanitary Surveillance.

The following represented the Russian side:

Mr. A.N. Alexeenko – Aide to the Head of the Federal Service for Veterinary and Phytosanitary Surveillance;

Mr. A.I. Konyakhin – Deputy chief of Administrative directorate;

Mr. I.V. Kapnulin – Head of the Control division, Administrative directorate;

Ms. E.A. Lazutkina – main specialist-expert, Control division, Administrative directorate.

The Indian delegation was led by:

Ms. Leena Nair, Chairman, Marine Products Export Development Authority, Cochin, India.

The following represented the Indian side:

Mr. T.M. Shivakumar, Director, Department of Commerce, Ministry of Commerce and Industry, Government of India;

Mr. Anand Kishore Joint Director, Export Inspection Council of India, Ministry of Commerce and Industry, Government of India.

Mr. Debajyoti Pal – First Secretary (Economic & Commerce), Embassy of India, Moscow

The sides discussed the following issues:

- the setting up of safety standards in the trade of fish, fishery and seafood products grown in aquaculture or wild caught (safety issues, in compliance with veterinary-sanitary requirements);
- on conducting joint inspections of the Indian fishing/breeding, fish processing enterprises and cold storages, interested in export of their products to the Russian Federation;
- on cooperation in the field of quarantine and inspections during export and import of wild caught products or products of aquaculture.

The Sides agreed to the annexed Memorandum between the Russian Federation and the Republic of India on the above issues.



Memorandum
between
The Federal Service for Veterinary and Phytosanitary Surveillance of the
Russian Federation (hereafter FSVPS)
and
The Export Inspection Council of India (Ministry of Commerce and Industries,
Government of India) (hereafter EIC)
on food and biological safety of fish, fishery products and seafood (hereafter Sea
Products) to be exported to the Russian Federation from India.

To support international trade in safe Sea Products FSVPS and EIC (hereafter Sides) have agreed on the following.

(1) The EIC shall inform the FSVPS monthly about the export of Sea Products (including aquaculture) to the Russian Federation using form attached (Appendix1)

Contact point on the Russian Side:

Roselkhoznadzor
Orlikov per., 1/11, 107139, Moscow
Russian Federation
Tel./fax (007) 495-608-05-70,
e-mail: notification-in@fsvps.ru

Contact point on the Indian Side:

Export Inspection Council of India
(Ministry of Commerce & Industry)
3rd Floor, NDYMCA Cultural Centre Building,
1, Jai Singh Road, New Delhi – 110001
Tel: 011-23748025,
e-mail: director@eicindia.org.

(2) Sea Products to be exported to the Russian Federation shall originate from catching/breeding/processing establishment/vessels and cold storages (hereafter Establishment) approved by the FSVPS. The list of approved Establishments, is published in official web-site of the FSVPS (www.fsvps.ru) (hereafter called List).

(3) An Establishment can be included into the List by the following procedures:

- a. The FSVPS will send to the EIC a request about compliance to the Russian requirements of an Establishment that did not export Sea Products to the Russian Federation in the past and which Russian importers are interested in. The EIC will within 30 days investigate the Establishment on its compliance to the Russian requirements and send a report to the FSVPS. If the EIC provides guarantees that the Establishment meets the Russian requirements it will be included in the List by the FSVPS. The amended List will be published in the official web-site of the FSVPS (www.fsvps.ru) within 1 week. The export can begin thereafter within 3 weeks to allow the FSVPS to inform the border posts.
- b. The EIC will send a draft list of Establishments (according to Appendix 1) that did not export Sea Products to the Russian

Federation in the past and which were inspected by the EIC and recognized as meeting the Russian requirements. The FSVPS will publish the names of the establishments as "proposed for inclusion in the List subject to their finding a Russian partner", in the official web-site of the FSVPS (www.fsvps.ru). Upon finding a Russian partner, the required information as per Appendix 2 shall be sent to the FSVPS which will then move the Establishment to the List within 30 days. However, in case the FSVPS has information about noncompliance of the Establishment (or its products) to the Russian requirements the FSVPS does not include the Establishment into the List and can send an additional request to EIC to cause inspection, provide monitoring results, etc. The EIC will within 30 days send the information requested. The FSVPS will analyze the information sent and take a decision on relisting the Establishment within 30 days.

- c. If an Establishment which is delisted or suspended, takes necessary corrective measures and wishes to continue the export the EIC will verify the corrective measures taken, recheck the Establishment and send to the FSVPS a Report, containing data on the corrective measures taken and results of the monitoring programs etc. The FSVPS will analyze the information sent and take a decision on relisting the Establishment within 30 days.

(4) Delivery of Sea Products shall be carried out directly from approved Establishments without storing in non approved cold storages and without splitting shipments after their final certification.

(5) The EIC guarantees that Sea Products exported to the Russian Federation fulfill the Russian requirements and it will take necessary measures to prevent possible deliveries to the Russian Federation of Sea Products that do not meet the requirements.

(6) The EIC is responsible for the constant supervision of the approved Establishments. If the EIC recognizes that an approved Establishment fails to meet the requirements, the EIC will suspend deliveries from this Establishment and will inform the FSVPS on that immediately.

(7) The FSVPS will do a random monitoring of Sea Products imported from India. If a violation (other than mentioned in paragraph 8) is detected with regard to an Establishment approved the FSVPS will suspend the import of Sea Products from the Establishment and immediately send the notification to the EIC. The notification will contain the description of the violation.

(8) The FSVPS will do a random monitoring on contamination of Sea Products imported from India by causative agents of dangerous human diseases. If a violation is detected with regard to an Establishment approved the FSVPS will delist the Establishment and immediately send the notification to the EIC. The notification will contain the description of the violation.

(9) If the EIC or the FSVPS detects any fraud made by an Establishment, the Establishment will be suspended immediately. The Side which detected the fraud will



notify the other Side immediately. The notification shall contain the description of the fraud. The EIC will call for the explanation from the Establishment and send to the FSVPS the report with the recommendation within 30 days. Based on the report the FSVPS will take appropriate measures, including permanent delisting.

(10) The EIC will provide the information about new contracts between specific parties on a request of the FSVPS within 2 weeks. All information on the contracts will not be published and will be kept confidential.

(11) The FSVPS can inspect Establishments approved at any time. To do that the FSVPS will inform the EIC 60 days (or more) before the date of the proposed inspection. The notice of inspection will contain the list of establishments to be inspected. The EIC will take action to organize the inspection. If an Establishment refuses FSVPS/EIC joint inspection this Establishment can be delisted.

(12) The Sides reach mutual understanding on necessity of continuation of constructive dialogue at the level of experts of the FSVPS and the EIC. To do this, both Sides agree to establish a bilateral (Russian-Indian) Working Group on Sea Products safety.

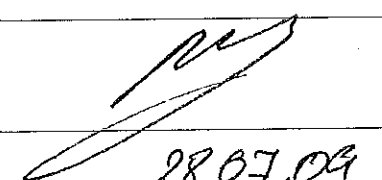
(13) The FSVPS will keep the EIC informed on possible changes of Russian legislation concerning the Russian requirements for Sea Products.

(14) Nothing in the Memorandum can affect the rights and obligations of both the Sides, which may arise out of other international agreements signed by the Sides.

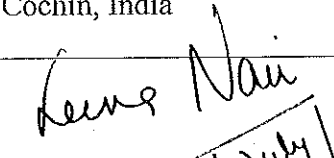
Moscow

Dated: _____

For Russian side
Deputy Head
of the Federal Service
for Veterinary and Phytosanitary
Surveillance
N. A. Vlasov


28.07.09

For Indian side
Ms. Leena Nair,
Chairman,
Marine Products Export
Development Authority,
Cochin, India


28/July/09

Appendix No.1

Information on export of Sea Products to the Russian Federation

Sl.No.	Name, No. type of the enterprise (Ship)	Type of bio- resource	Volume of annual production (ton)	Volume of export to the Russian Federation (ton)

Appendix No.2

Information on export of Sea Products to the Russian Federation

Sl.No.	Name, No. type of the enterprise (Ship)	Type of bio- resource	Volume of annual production (ton)	Volume of export to the Russian Federation (ton)	Name of the company- importer in the Russian federation