



GRATA
INTERNATIONAL

Novelties in Goods Labelling with Means of Identification in the EAEU

Leila Makhmetova
Counsel

Zarina Malikova
Lawyer

Novelties in Goods Labelling with Means of Identification in the EAEU

As you may know, the Agreement for Labelling Goods with Means of Identification in the Eurasian Economic Union (hereinafter - the 'Agreement') entered into force. Pursuant to the Agreement, an obligatory labelling of goods with machine-readable and mutually readable marks in the territory of the Union is introduced in the EAEU countries.

The national legislation of the EAEU countries must comply with the provisions of the Agreement. To this effect, the relevant amendments were introduced to the Law of the Republic of Kazakhstan dated 12 April 2004, No. 544-II 'On Regulation of Trading Activities'. The amendments have already been enacted.

Labelling with identification signs means the application of stickers (labels) on products with a unique sequence of characters in machine-readable form. The marking must be (1) presented as a bar code, or (2) written on the radio frequency tag, or (3) presented through another means (technology) of automatic identification.

On 18 November 2019, a meeting of the Council of the Eurasian Economic Commission (EEC) was held in Moscow, where the proposals of the Russian Federation on the introduction of obligatory labelling with means of identification with respect to perfumes and lotion water, tires and pneumatic rubber new tires, cameras (except for movie cameras), flash and flash lamps, as well as individual items of light industry products were considered and approved. In this regard, in the near future, Kazakhstan will start pilot projects for labelling these product groups.

As of today, pilot projects on labelling of fur products, alcohol products, footwear, tobacco products, medicines are being implemented/launched in the Republic of Kazakhstan.

For instance, by 1 January 2020, a pilot project on labelling tobacco products is expected to be completed in the Republic of Kazakhstan. In case of successful completion and further confirmation by the industry Ministry of the need for labelling of this product group, the other market players will be given a six-month period for the introduction of a system for labelling tobacco products with identification means. Upon expiry of the said period, the storage, transportation, purchase and sale of these goods without labelling will be prohibited in the territory of the Republic of Kazakhstan.

Given the above, the best option for manufacturers and importers is timely participation in the pilot projects, as well as the introduction of the respective labelling system (equipment and methods) in production. These measures will allow preparing production for (1) a smooth transition to a unified labelling, as well as (2) reducing the economic risks that may arise as a result of the untimely introduction of uniform requirements for goods labelling.

Currently, the legislation of the Republic of Kazakhstan does not provide for administrative sanctions for non-compliance with the new labelling requirements that are tested in pilot projects; however, the liability will also be indicated shortly. Please note that failure to comply with the requirements of the

www.gratanet.com

Agreement may entail the suspension of production or import of goods until the introduction of the respective labelling system. Thus, failure to properly comply with the requirements of the Agreement may jeopardize the trading activities of the businessman.

We hope this Alert prepared by GRATA Law Firm would be useful for you. If you have any questions or require further comments, please feel free to contact us at industry_trade@gratanet.com. We would be pleased to assist you.

This information is provided for your convenience and does not constitute legal advice. This information has been prepared to inform our clients and other persons concerned. This information should not be acted upon in any specific situation without appropriate legal advice.