



3 June 2022

(22-4265)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: <u>UKRAINE</u> If applicable, name of local government involved:
2. Agency responsible: Verkhovna Rada of Ukraine
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Agricultural products of plant origin, pesticides and agrochemicals, organic products
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Law of Ukraine No 2246 "On amendments to some laws of Ukraine on uninterrupted production and supply of agricultural products during martial law" of 12 May 2022. Language(s): Ukrainian. Number of pages: 4 https://zakon.rada.gov.ua/laws/show/2246-20#Text
6. Description of content: The Law provides for: 1) simplification of phytosanitary requirements for export, import and movement of agricultural products of plant origin through the territory of Ukraine, in particular the possibility of drawing up a phytosanitary certificate in electronic form; 2) during martial law and within 90 days after its termination or cancellation: – expansion of the list of entities that can take samples and conduct phytosanitary examination, in particular, the introduction of a simplified order of authorization of private laboratories and the possibility of taking samples by specialists of such laboratories, as well as certification auditors (agronomical inspectors); – giving the ability to reissue the phytosanitary certificate; – simplification of procedures for submitting documents for state registration of pesticides and agrochemicals in order to approximate the legislation of Ukraine to the legislation of the European Union, in particular the provisions of Regulation (EC) No 396/2005 in terms of the requirement to have a conclusion of sanitary and epidemiological expertise; – expansion of the list of agrochemicals allowed to import to Ukraine, production, trade, use and advertising without state registration; 3) possibility for Ukrainian producers of organic products, which are produced according to EU standards, to move to Ukrainian production standards without additional transitional period (if it happens within one certification body); 4) regulating within three years from the date of termination or cancellation of martial law import (sending) of goods subject to documentary checks, compliance checks and physical checks carried out at the checkpoints (points of control) through the state border of Ukraine; 5) exclusion provisions that prohibit import to Ukraine of goods with live animals in transit through countries where there are cases of dangerous diseases according to the list of OIE, to which the animals concerned are susceptible;

<p>6) postponing the enactment of the Law of Ukraine "On Veterinary medicine" for one year after termination or cancellation of martial law, but no later than 1 January 2024.</p>
<p>7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.</p>
<p>8. Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</p> <p><input checked="" type="checkbox"/> International Plant Protection Convention (e.g. ISPM number): ISPM No 12, ISPM No 45</p> <p><input type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p> <p>The Law complies with the requirements of ISPM No 12;</p> <p>There are some discrepancies with ISPM No. 45 in particular with regard to carrying out audits for delegation of authority to a third party organization (subparagraph 5.1), since the authorization of private laboratories takes place under a simplified system during martial law and within 90 days from the date of its termination or cancellation. At the same time, according to part seven of Article 13 of the Law of Ukraine "On Plant Quarantine" phytosanitary examination (analysis) in cases expressly provided by international treaties and/or foreign economic agreements (contracts) are carried out by state phytosanitary laboratories, belonging to the NPPO.</p>
<p>9. Other relevant documents and language(s) in which these are available: Laws of Ukraine "On Veterinary Medicine"; "On State Control over Compliance with Legislation on Food, Feed, By-products of Animal Origin, Animal Health and Welfare"; "On Plant Quarantine"; "On Plant Protection"; "On Pesticides and Agrochemicals"; "On Basic Principles and Requirements for Organic Production, Circulation and Labeling of Organic Products"; "On Ensuring Sanitary and Epidemic Welfare of Population" (available in Ukrainian)</p>
<p>10. Proposed date of adoption (dd/mm/yy): Law was adopted on 12 May 2022.</p> <p>Proposed date of publication (dd/mm/yy): Law was published on 26 May 2022.</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): Law entered into force on 27 May 2022.</p> <p><input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Not applicable</p> <p>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p>
<p>13. Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p>