



5 May 2023

(23-3206)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**NOTIFICATION**

<b>1. Notifying Member:</b> <u>UKRAINE</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> Ministry of Agrarian Policy and Food of Ukraine
<b>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):</b> Animals, farm animals, bees, fish and other aquatic organisms
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
<b>5. Title of the notified document:</b> Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Rules for Transportation of Animals". <b>Language(s):</b> Ukrainian. <b>Number of pages:</b> 19 <a href="https://minagro.gov.ua/npa/pro-vnesennya-zmin-do-pravil-transportuvannya-tvarin">https://minagro.gov.ua/npa/pro-vnesennya-zmin-do-pravil-transportuvannya-tvarin</a> <a href="https://members.wto.org/crnattachments/2023/SPS/UKR/23_09495_00_x.pdf">https://members.wto.org/crnattachments/2023/SPS/UKR/23_09495_00_x.pdf</a>
<b>6. Description of content:</b> The draft Resolution provides for the establishment of welfare requirements for the transportation of farm animals, bees and bumblebees, as well as related activities, including loading, unloading, reloading and resting at places of stopping, in accordance with the requirements of EU legislation in force in this sphere.  Actual Resolution of the Cabinet of Ministers of Ukraine No. 1402 "On Approval of the Rules for Transportation of Animals" of 16 November 2011 does not fully comply with the requirements of the Law of Ukraine No. 1206-IX "On Veterinary Medicine" of 4 February 2021 on ensuring the welfare of animals while transporting them. In addition, Resolution No. 1402 does not contain requirements for the transportation of bees.  The draft Resolution also provides for the implementation of the requirements of Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') and Commission Delegated Regulation (EU) 2020/688 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for movements within the Union of terrestrial animals and hatching eggs in the legislation of Ukraine.
<b>7. Objective and rationale:</b> <input type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input 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.
<b>8. Is there a relevant international standard? If so, identify the standard:</b> <input type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b>

<p><input checked="" type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b> WOAH Terrestrial Animal Health Code, Section 7</p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b> Section 7 of WOAH Terrestrial Animal Health Code deals with Animal welfare. Subsections 7.2-7.4. regulate transport of live domesticated animals: cattle, buffaloes, deer, camelids, sheep, goats, pigs and equines by sea, by land and by air.</p> <p>The Code stipulates the individual responsibility of owners and managers, transport companies, vehicle owners and drivers; facility managers at the beginning and end of the journey and at rest stops.</p> <p>In particular, Article 7.3.5. sets out the requirements for Vehicle and container design and maintenance; space allowance; rest, water and feed; disease control. Other articles of the section 7.3. deals with peculiarities of the loading operations; travel and unloading and post-journey handling.</p> <p>Thus, it is possible to conclude that the proposed draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Rules for Transportation of Animals" is in line with the WOAH Terrestrial Animal Health Code, namely with the section 7 "Animal Welfare".</p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b> Laws of Ukraine "On Veterinary Medicine", "On Protection of Animals from Cruelty", "On State Control over Compliance with Legislation on Food, Feed, By-products of Animal Origin, Animal Health and Welfare" (available in Ukrainian )</p>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> To be determined.</p> <p><b>Proposed date of publication (dd/mm/yy):</b> To be determined.</p>
<p><b>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy):</b> The Resolution will enter into force on the date of its publication and will be enacted simultaneously with the Law of Ukraine No. 1206-IX "On Veterinary Medicine" of 4 February 2021 (one year after the date of termination or cancelation of martial law).</p> <p><input type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> 4 July 2023</p> <p><b>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:</b></p> <p>Ministry of Economy of Ukraine  Department for Trade Agreements and Export Development  12/2 Hrushevskoho Str.  Tel: +(38 044) 596 6839  Fax: +(38 044) 596 6839  E-mail: <a href="mailto:ep@me.gov.ua">ep@me.gov.ua</a>  Website: <a href="https://www.me.gov.ua">https://www.me.gov.ua</a></p>

**13. Text(s) available from:  National Notification Authority,  National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**

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