



21 July 2023

(23-5013)

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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: Ministry of Agrarian Policy and Food 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): Seeds and planting material
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: The draft Resolution of the Cabinet of Ministers of Ukraine "On approval of the Procedure for importation into the territory of Ukraine of seeds and planting material of a variety not included in the Plant Varieties Register of Ukraine, but included in the OECD List of Varieties, of those agricultural plants, to the variety certification schemes of which Ukraine has joined, for the purposes of breeding and further export outside of Ukraine, and repeal of the Resolution of the Cabinet of Ministers of Ukraine of 26 October 2016 No. 762". Language(s): Ukrainain. Number of pages: 15 https://minagro.gov.ua/npa/pro-zatverdzhennya-poryadku-vvezennya-na-teritoriyu-ukrayini-nasinnya-i-sadivnogo-materialu-sortu-ne-zanesenogo-do-reyestru-sortiv-roslin-ukrayini-ale-zanesenogo-do-pereliku-sortiv-roslin-oes https://members.wto.org/crnattachments/2023/SPS/UKR/23_11215_00_x.pdf https://members.wto.org/crnattachments/2023/SPS/UKR/23_11215_01_x.pdf https://members.wto.org/crnattachments/2023/SPS/UKR/23_11215_02_x.pdf https://members.wto.org/crnattachments/2023/SPS/UKR/23_11215_03_x.pdf https://members.wto.org/crnattachments/2023/SPS/UKR/23_11215_04_x.pdf
6. Description of content: The draft Resolution provides for approval of the Procedure defining the conditions and procedure for importing into the territory of Ukraine and exporting outside Ukraine seeds and planting material of a variety not included in the Register of Plant Varieties Suitable for Distribution in Ukraine, but included in the OECD List of Varieties, of those agricultural plants to the variety certification schemes of which Ukraine has joined. In particular, the draft Resolution is aimed at regulating the import of planting material of components (parental components) of first-generation hybrids of the OECD variety and the export of the breeding of the OECD variety outside the territory of Ukraine. Currently, it is impossible to import parental components to produce a first-generation hybrid and export it, since the components of such a hybrid, namely parental components, are not included in the OECD List, and there is only information available on the OECD variety of the first-generation hybrid. At the same time, subparagraph 3.2. of paragraph 3 of Common Rules and Regulations, Section A, Part II, Annex V to the Decision of the Council "Revising the OECD schemes for the varietal certification or the control of seed moving in international trade" states, in particular, that for hybrid varieties, listing is considered to include

<p>parental components.</p> <p>The draft Resolution also establishes certain deadlines for the implementation of certain procedures under the Procedure.</p> <p>Upon the entry into force of this Resolution, the Resolution of the Cabinet of Ministers of Ukraine No. 762 of 26 October 2016 "On Approval of the Procedure for Importation into the Territory of Ukraine and Exportation Outside of Ukraine of Seeds and Planting Material of Varieties Not Included in the State Register of Plant Varieties Suitable for Distribution in Ukraine, but Included in the List of Varieties of the Organisation for Economic Cooperation and Development, of Those Agricultural Plants to the Variety Certification Schemes of which Ukraine has Joined" will become invalid.</p>
<p>7. Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input 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 type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
<p>9. Other relevant documents and language(s) in which these are available:</p> <ul style="list-style-type: none"> - Laws of Ukraine "On Seeds and Planting Material", "On Plant Quarantine", "On Ukraine's Accession to the OECD Scheme for the Varietal Certification of Cereal Seeds, Maize and Sorghum Seeds", "On Ukraine's Accession to the OECD Scheme for the Varietal Certification of Crucifer Seeds and Other Oil or Fibre Species, Sugar Beet and Fodder Beet Seeds" - Resolution of the Cabinet of Ministers of Ukraine No. 762 of 26 October 2016 "On Approval of the Procedure for Importation into the Territory of Ukraine and Exportation Outside of Ukraine of Seeds and Planting Material of Varieties Not Included in the State Register of Plant Varieties Suitable for Distribution in Ukraine, but Included in the List of Varieties of the Organisation for Economic Cooperation and Development, of Those Agricultural Plants to the Variety Certification Schemes of which Ukraine has Joined" - Resolution of the Cabinet of Ministers of Ukraine No. 97 of 21 February 2017 "On Approval of the Procedure for Certification, Issuance and Cancellation of Certificates for Seeds and/or Planting Material and Forms of Certificates for Seeds and/or Planting Material (available in Ukrainian)
<p>10. Proposed date of adoption (dd/mm/yy): To be determined.</p> <p>Proposed date of publication (dd/mm/yy): To be determined.</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): From the date of publication.</p> <p><input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 19 September 2023</p>

Agency or authority designated to handle comments: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

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

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