



26 September 2023

(23-6398)

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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> Materials and articles intended to come into contact with foodstuffs
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> <b>All trading partners</b> <input type="checkbox"/> <b>Specific regions or countries:</b>
<b>5. Title of the notified document:</b> Draft Order of the Ministry of Agrarian Policy and Food of Ukraine "On approval of the Requirements for a written declaration of the conformity of materials and articles intended to come into contact with food and a list of documents confirming the information specified in the declaration". <b>Language(s):</b> Ukrainian. <b>Number of pages:</b> 5 <a href="https://minagro.gov.ua/npa/pro-zatverdzhennya-vimog-do-pismovoyi-deklaraciyi-pro-vidpovidnist-materialiv-i-predmetiv-priznachenih-dlya-kontaktu-z-harchovimi-produktami-ta-pereliku-dokumentiv-yaki-pidverdzhuyut-vidomos">https://minagro.gov.ua/npa/pro-zatverdzhennya-vimog-do-pismovoyi-deklaraciyi-pro-vidpovidnist-materialiv-i-predmetiv-priznachenih-dlya-kontaktu-z-harchovimi-produktami-ta-pereliku-dokumentiv-yaki-pidverdzhuyut-vidomos</a> <a href="https://members.wto.org/crnattachments/2023/SPS/UKR/23_12603_00_x.pdf">https://members.wto.org/crnattachments/2023/SPS/UKR/23_12603_00_x.pdf</a>
<b>6. Description of content:</b> The draft Order is developed in order to confirm by the market operator of materials and articles intended for contact with food compliance with the requirements for the relevant material or article, as well as to implement the provisions of the EU food legislation.  Approval of the Requirements is provided for by the Law of Ukraine of 3 November 2022 No. 2718-IX "On Materials and Articles Intended to Come into Contact with Food", notified in document G/SPS/N/UKR/150/Rev.1.  Materials and articles intended to come into contact with foodstuffs, as well as products of intermediate stages of their processing, and their components and/or substances, should be accompanied by a written declaration, which confirms the fulfillment of the requirements for the relevant material or article at all stages of its circulation, except at the points of sale to end consumers.  The purpose of the declaration of conformity is to demonstrate that materials and articles meet the requirements of the law and are safe for use.  The draft Order suggests approving the Requirements to the declaration of conformity in terms of: <ul style="list-style-type: none"><li>- General provisions;</li><li>- Requirements to the information to be contained in the declaration of conformity;</li><li>- List of supporting documents.</li></ul>

<p>The Requirements cover the following materials and articles: active materials and articles, intellectual materials and articles, glues, ceramics, cork, rubber, glass, ion exchange resins, metals and alloys, paper and cardboard, plastic, printing inks, regenerated cellulose, silicon, textile, varnishes and coatings, wax, wood.</p> <p>The draft Order also stipulates that materials and articles intended to come into contact with foodstuffs produced before the entry into force of this Order may be in circulation until the expiry date.</p> <p>The draft Order is also notified under the TBT Agreement.</p>
<p><b>7. Objective and rationale:</b> <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input 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><b>8. Is there a relevant international standard? If so, identify the standard:</b></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><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input 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></p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b> The Law of Ukraine No 2718 "On Materials and Articles Intended to Come into Contact with Food" of November 3, 2022, notified in document G/SPS/N/UKR/150/Rev.1. (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:</b> <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): The Order will enter into force from the day of its official publication and will be enacted from the day of entry into force of the Law of Ukraine "On Materials and Articles Intended to Come into Contact with Food" (will enter into force on 19 November 2025).</p> <p><input type="checkbox"/> Trade facilitating measure</p>
<p><b>12. Final date for comments:</b> <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 25 November 2023</p> <p><b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. <b>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:**

Ministry of Economy of Ukraine  
Department for Trade Agreements and Export Development  
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