



12 October 2023

(23-6879)

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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 Health 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): Biocidal 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: Draft Law of Ukraine "On Making Available on the Market and Use of Biocidal Products". Language(s): Ukrainian. Number of pages: 34 https://moz.gov.ua/article/public-discussions/povidomlennja-pro-opriljudnennja-proektu-zakonu-ukraini--pro-nadannja-na-rinku-ta-vikoristannja-biocidnih-produktiv https://members.wto.org/crnattachments/2023/SPS/UKR/23_12979_00_x.pdf
6. Description of content: The draft Law provides for the regulation of legal relations with regard to the approval of active substances of biocidal products, obtaining a permission for placing on the market of biocidal products, production, trade and safe application of biocidal products for human, animal and environmental health, as well as placement of treated articles on the market, defines the rights and obligations of enterprises, institutions, organisations and individuals, as well as the authority of state bodies and officials in this area. In order to achieve a high level of protection of human health, animal health and the environment, active substances with the worst hazard profiles should not be approved for use in biocidal products, except in specific situations. This should include situations where approval is justified because of the low risk from exposure to the substance, for human health, animal health or environmental reasons, or for disproportionate adverse effects reasons or disproportionate negative impact on society in case of non-approval. When deciding on the approval of such active substances, the availability of suitable and sufficient alternative substances or technologies should also be taken into account. The provisions of Law will not apply to medicinal feeds; medical devices; medicinal products and veterinary drugs; feed additives for animals and feed; food hygiene products; food additives; food flavourings and ingredients with flavouring properties intended for use in and on food products; phytosanitary products; plant protection products; cosmetic products; toy safety. The draft Law is developed to implement Regulation (EU) No. 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products. The draft Law is also notified in accordance with the requirements of the TBT Agreement.

7.	<p>Objective and rationale: <input checked="" type="checkbox"/> food safety, <input checked="" 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. The adoption of the draft Law will improve the functioning of the domestic market for biocidal products while ensuring a high level of protection of human, animal and environmental health.</p>
8.	<p>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>
9.	<p>Other relevant documents and language(s) in which these are available: Laws of Ukraine "On the Public Health System", "On Ensuring Chemical Safety and Management of Chemical Products", "On Veterinary Medicine", "On State Control over Compliance with Legislation on Food, Feed, Animal By-products, Animal Health and Welfare" (available in Ukrainian)</p>
10.	<p>Proposed date of adoption (dd/mm/yy): To be determined.</p> <p>Proposed date of publication (dd/mm/yy): To be determined.</p>
11.	<p>Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): The Law will enter into force on the day following the day of its publication and will be enacted 12 months after the date of its entry into force.</p> <p><input type="checkbox"/> Trade facilitating measure</p>
12.	<p>Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 11 December 2023</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>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 Email: ep@me.gov.ua Website: https://www.me.gov.ua</p>
13.	<p>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> <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 Email: ep@me.gov.ua Website: https://www.me.gov.ua</p>