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## **Ukraine**

### **Food and Agricultural Import Regulations and Standards - Narrative**

### **FAIRS Country Report**

**Approved By:** Ann Murphy

**Prepared By:**  
FAS/Kyiv Staff

#### **Report Highlights:**

During the reporting period Ukraine made some steps in defining authorities among state agencies responsible for food safety. The description of the authorities is provided in a completely renewed Appendix X. The role of the State Committee for Technical regulations and Consumer Policy continues to diminish. Ukraine introduced compulsory GMO labeling for food products. Ukraine also announced a positive list of veterinary drugs allowed in food-producing animals. Contact information for Ukrainian regulatory authorities has been updated in Appendix I

#### **Section I. Food Laws:**

**The Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Kyiv, Ukraine prepared this report for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign**

**customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

Ukraine possesses a complicated and costly food safety system inherited from the Soviet Union. Controls are implemented by various state agencies that often have overlapping functions. The following agencies of the Government of Ukraine (GOU) are involved in assuring the safety of domestically produced and imported food products, and animal and plant health issues:

- State Epidemiological Service (SES) of the Ministry of Health Care of Ukraine (MHCU) establishes food safety standards and is responsible for all aspects of food safety;
- State Department of Veterinary Medicine (SDVM) of the Ministry of Agricultural Policy of Ukraine (MAPU) is responsible for animal health, safety and wholesomeness of meat, seafood and other products of animal origin;
- Main State Phytosanitary Inspection Service (MSPIS) of the MAPU is responsible for plant health issues;
- State Committee of Ukraine on Technical Regulations and Consumer Policy (SCUTRCP) is responsible for compliance of food products with existing quality and safety standards;
- State Ecological Inspection Service (SEIS) of the Ministry of Environment and Natural Resources of Ukraine (MENRU) is responsible for radiological and environmental control.

Ukraine is now a member of the World Trade Organization (WTO) and must notify its trading partners of proposed regulatory changes accordingly. Nevertheless, it is difficult for foreign suppliers to be aware of the most current food safety regulations. Suppliers should work with experienced importers in order to verify most current import requirements prior to shipping to Ukraine. Ukraine must comply with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures, the SPS Agreement, since accession. Currently, certain sanitary measures used in Ukraine could be considered non-compliant with provisions of the WTO agreement and/or with the standards established by international standards setting bodies, as well as with internationally accepted trade practices.

Customs clearance and co-related inspections in Ukraine are fee-based and are viewed by many regulatory agencies as a source of additional revenues. Exporters should be prepared for two or more GOU agencies to take samples from their shipment and test for the same safety indicators.

Although the country's regulatory environment is constantly evolving, most food safety standards have not been revised since the breakup of the Soviet Union in 1991. The main document which regulates food safety indicators in Ukraine is the Medical and Biological Requirements and Sanitary Norms of Quality of Raw Food Materials and Food Products that was approved by the Ministry of Health Care of the USSR on August 1, 1989. This document divides all food products into nine major categories: meat, meat products, poultry and eggs; milk and dairy products; fish, fish products and other seafood; bread, pasta and cereals; sugar and confectionary, vegetables, melons and gourds, fruits, berries and processed products of thereof; fat products; drinks and fermented products and other products. The document establishes a set of nutritional (content of protein, energy, carbohydrates, vitamins, micro elements, etc) and safety (maximum residue levels (MRLs) for heavy metals, micro-toxins, antibiotics, hormones, pesticides and microbiological limits) standards for each product category. Ukrainian health authorities have declared their intention to revisit the norms; however, no published information is available at this point.

Imported food products must meet the same requirements as domestically produced foods. While enforcement of food safety norms has been generally effective, outdated nutritional norms have not been rigorously enforced. The list of applicable Ukrainian legislation on food safety available in English is in Appendix IV.

## **Section II. Labeling Requirements:**

All food products sold in Ukraine must be labeled in accordance with the Law of Ukraine On Quality and Safety of Food Products and Food Raw Materials (see Appendix XII for a link to an English version of the Law). The label must contain the following information:

- 1) Name of food product;
- 2) Nominal quantity of food product (weight or volume in metric measurements);

- 3) List of all ingredients in the food product, including other food products and food additives used;
- 4) Nutritive values and energy (this category is compulsory for raw products and other products for further processing);
- 5) Expiry date, or the date of production with indicated shelf life;
- 6) Storage conditions;
- 7) Indication of a normative document according to which the product was produced (applicable for domestic food products);
- 8) Producer's name, address and place of production;
- 9) Terms of use (if any);
- 10) Presence of genetically modified organisms (GMO) in excess of 0.9% if any;
- 11) Consumption warning for food products by certain consumer categories (children, pregnant, senior people, athletes etc.);

The label must be in the Ukrainian language and meet the above aforementioned requirements; therefore, the product cannot enter Ukraine with only a standard U.S. label.

Stick-on tags that meet Ukrainian food safety law requirements are allowed and can be placed on the side or over the standard U.S. label. A sample of the stick-on tag is provided in Appendix V. There are no restrictions as to the number of languages and some products sold in Ukraine have been labeled with as many as ten European languages (Appendix VI).

Customs authorities require compliance with Ukrainian labeling requirements prior to granting final product clearance. Most importers prefer to deal with products already labeled to meet Ukrainian requirements, while others prefer to attach labels in a licensed customs warehouse in Ukraine if this option is granted by control authorities. For products, subject to veterinary control (see the list in Appendix XIII), the Ukrainian Veterinary Service has recently imposed a requirement for Ukrainian language labels on all boxes within a container prior to their unloading from the vessel.

The product's expiration date (or its shelf life indicated with the date of production) must appear on the label. Although Ukrainian food safety legislation allows producers to determine the shelf life of the product, it is highly advisable to verify with the importer whether it meets the existing Ukrainian technical regulations (GOST or DSTU). There have been some discrepancies between producer-determined shelf life and old Soviet-era technical standards that have allowed the Ukrainian veterinary authorities to block certain seafood products.

The legislation and implementing regulations do not set the rules for label size and format; however, they stipulate that labels must be "easily understood". It is prohibited to include health claims, make statements targeting particular consumer groups (children, pregnant women, athletes) without prior approval from the MHCU.

Biotechnology content labeling requirements of 2002 were removed in 2007 when the Ukrainian parliament (Rada) adopted the "Law of the State System of Biosafety in Creating, Testing, Transporting and Using Genetically-Modified Organisms". That law lacked implementing details but it was signed by the President and published in June 21, 2007. On July 1, 2009 biotech labeling became required by law again. The GOU adopted resolution #468 on the labeling procedure for food derived from or containing genetically modified organisms. Any food containing more than 0.9 % of GM or a food product with an ingredient over the 0.9% GM threshold, and any foods not containing GM but derived from any product which was made with GM in excess of 0.9%, must be labeled. Producers / suppliers are required to affix a GM label. On the label each ingredient made by genetic modification is required to be labeled "genetically modified" or "contains genetically modified organism" or produced with the use of genetic modification; the name of such organisms must be included in a footnote. The notification must be in the same font as the list of ingredients. In Ukraine only four labs are capable of identifying and measuring GM content, which makes countrywide implementation of mandatory GM testing and labeling cumbersome, expensive, and impractical. At the time of this report domestic industries and food importers have not been labeling GM products.

### **Section III. Packaging and Container Regulations:**

As a part of the mandatory state sanitary and hygiene testing, the packaging of imported food products is also checked for transfer of polymers (and other elements) to food products. Regulations on Ukrainian packaging requirements can be

obtained from the Institute of Ecohygiene and Toxicology of the MHCU (see Appendix I).

Exporters must consider utilization of used packaging material while planning their shipment to Ukraine. Ukrainian legislation on Waste Products requires the provision on utilization or re-exportation of used packaging materials in the export contract (Article #17, Law # 3073-III dated March 3, 2002).

There are no particular container requirements in Ukraine. Due to small shipment volumes from overseas, exporters should be prepared to ship mixed product loads in one container. A separate health or veterinary certificate for each homogenous product lot in the container is required. Odessa and Illichivsk Sea Ports are by far the largest ports for handling containerized cargoes in Ukraine and can accept general-purpose containers. Both ports can handle refrigerated containers. It is highly advisable to verify with the freight forwarder whether or not other ports can process a particular cargo, pallet or container size.

In cases where U.S. legislation allows for reuse of packaging, all old labels must be completely removed from the boxes found within a container. FAS-Kyiv is aware of cases when double labeling caused problems for a U.S. exporter. Separate packaging or disinfectant requirements apply to many products subject to veterinary control. In such cases the requirements are clearly indicated in the bilateral health certificate (see Veterinary Inspection Chapter in the Section VI).

#### **Section IV. Food Additives Regulations:**

Ukraine is a CODEX Alimentarius Commission member, but it maintains its own positive list of food additives. Recommendations of the CODEX Alimentarius Commission, an international food safety standard setting body, are considered in approving new food additives; however, the MHCU conducts its own risk assessment for each new substance. The list of approved food additives in Ukraine is provided in Appendix VII. It is prohibited to import food products into Ukraine that contain food additives that have not received approval from MHCU.

There are four food additives, which are not on the list of approved additives, but which have been cleared for use in imported products. The Ukrainian sanitary authorities have conducted a food safety risk assessment and have established “maximum allowable levels” (MAL) in order to monitor imported food products (Appendix VIII). Importers of food products that contain non-registered food additives may seek their registration with the MHCU. There is no information available on the MAL for approved food additives since the GOU discontinued publishing them in January 1999.

#### **Section V. Pesticides and Other Contaminants:**

Ukraine establishes its own Maximum Residue Limits (MRLs) for chemical and biological contaminants in food products. An illustrative list of MRLs controlled by the GOU in meat products is provided in Appendix IX. The Ukrainian sanitary service recognizes the norms established by the Codex Alimentarius Commission for non-registered pesticides in the case of imported foods.

The use of officially registered pesticides and their application procedures are controlled by the Ministry of Ecology and Natural Resources (MENR) using the norms established by the MHCU. The MENR publishes the Catalogue of Pesticides and Agricultural Chemicals Allowed for Use in Ukraine every year. The Catalogue lists all registered pesticides by brand name, active ingredients, MRLs in different agricultural products, water, soil and air. Agricultural chemicals not listed in the catalogue cannot be used domestically, and no residues in agricultural products are allowed.

#### **Section VI. Other Regulations and Requirements:**

Agricultural and food products imported into the customs territory of Ukraine shall be subject to sanitary testing, compulsory certification, radiological, veterinary and/or phytosanitary inspections. Due to the complexity of Ukrainian food safety regulations, FAS Kyiv has prepared a single table to illustrate the types of controls exercised on imported products by the Harmonized System (HS) of Codes (Appendix X). Sanitary and veterinary inspections have been combined into one category for convenience, although, a separate veterinary inspection is conducted for the products that fall under the following HS categories: 01-05; 07; 10; 12; 14-16; 19; 21 and 23.

#### **Sampling and Testing Requirements**

Sampling and testing of imported products are regulated by the Cabinet of Ministers Decree # 833 adopted on June 14th 2002. The Decree defines “uniform allotment of the product” and establishes sample sizes and sampling time. The uniform allotment of product is defined as any quantity of the product of the same kind, name, production date, processing method, produced by the same shift with the same technological regime. For fish uniform allotment may be comprised of up to 5 consecutive production dates with sample size of 5-6 kilograms, but no less than 5 fishes if weight of 1 fish exceeds 3 kilograms. For canned food products one allotment is limited to 1 date and 1 production shift of 1 producer. For milk and dairy product allotment is limited to 1 sort, 1 producer, 1 technological cycle and 1 production date. Uniform allotment for feeds is limited to 1 load, but no more than 100 tons. Allotments of any product must not exceed 1 railway car, 1 truck or 1 tanker or tank. Each allotment must be accompanied by the certificate that insures safety and quality of the product.

Given total sampling and testing of imported products in Ukraine, sampling (especially of expensive products such as caviar, fish or chilled meat) as well as testing fees may pose a significant burden on the importer. In many cases the U.S. exporter may receive a request from the importer to put as few “uniform allotments” in the container as possible. FAS/Kiev is aware of cases when as many as 19 uniform allotments were discovered in one 25 ton refrigerated container by Ukrainian Veterinary Service. Testing fees and product loss due to sampling completely consumed the anticipated profits for that particular shipment.

The potential importer should be prepared for inevitable losses associated with testing of product. All imported commodities undergo testing at destination point, although in ports only random testing is performed. The testing period may vary from 4 days for certain meat products to 15 days for canned products. To get more information about particular product testing time and sampling, the importer is advised to contact FAS/Kiev office, since the list is quite extensive.

### **State Sanitary Inspection of Food Products**

The state sanitary inspection of food products is the major control element in the Ukrainian food safety system. It is especially true for processed products that are not subject to veterinary and/or phytosanitary control. The State Sanitary and Epidemiological Service of the MHCU tests imported food products for compliance with the Medical and Biological Requirements and Sanitary Norms of Quality of Raw Food Materials and Food Products (please refer to Section I of this report). The MHCU will grant the certificate of state sanitary and hygiene testing to the importer upon the completion of required testing. The importer or producer must pay for such testing for each food product.

### **Certification**

The Ukrainian certification system is based on the Law on Standards, Technical Requirements and Compliance Evaluation Procedures and the Law on Standardization. The Laws define the development and application of standards and technical regulations. It also grants the State Committee of Ukraine on Technical Regulations and Consumer Policy (SCUTRCP) as the authority in charge of certification and compliance. This authority in most cases duplicates the functions of the state veterinary, phyto-sanitary and sanitary safety systems that are run by the Ministry of Agricultural Policy and Ministry of Health of Ukraine, respectively. The importer should be ready to meet these requirements despite language in the Law on Standardization that states compliance with Ukrainian state standards is voluntary.

The major controlling agencies: the State Customs Service, State Border Control, Ministry of Health, Ministry of Agricultural Policy, Ministry of Culture and Tourism, Ministry of Environment, Ministry of Transport and Communications adopted joint Order No. 265/211/191/210/14/147/326 on March 27th, 2009 which separated the authorities among agencies and excluded the SCUTRCP from controlling functions. At the same time conformity certification remains compulsory for certain processed products. The list of products subject to compulsory certification is provided in Appendix X.

Certification of imported products will be tested for compliance with state quality standards (GOST – old soviet standards or DSTU – Ukrainian national standards) and safety norms (tolerance levels of toxic elements, pesticides, micro-toxins, bacterial contamination and radio nuclides). Neither GOSTS nor DSTUs are available on the Internet, although an interested importer can purchase them from specialized shops, industry associations or from the SCUTRCP itself.

There are more than 100 institutions that are authorized to conduct certification under the Ukrainian State Certification System (UkrSEPRO). The importer should seek out the lowest certification price. In most cases the samples are collected independently from the samples collected for the sanitary and veterinary inspections, thus an importer should be ready to pay the additional associated charge. It is unclear on what grounds and under what circumstances SCUTRCP honors sanitary and veterinary labs tests, but FAS Kyiv is aware of such cases.

The applicant is charged the cost of the certification (either exporter or importer). There are usually two options available to exporters and importers depending on the value and the frequency of shipments. The first option requires compliance by a foreign facility to existing Ukrainian norms and regulations on quality and safety. The supplier receives a certificate of conformity valid for two to three years. This approach avoids the requirement of certifying each shipment. The second option involves certification of each product shipment with mandatory laboratory tests upon arrival in Ukraine. The SCUTRCP is in charge of conformity certification procedures and either grants or denies issuing valid certificates for eligible food products sold in the customs territory of Ukraine. The SCUTRCP also maintains the Single State Register of Certified Products.

Ukrainian importers will likely demand a Quality Certificate (QC) from the U.S. exporter. This establishes a whole new type of certificates. This certificate has no connection to the Ukrainian certification bodies and can be viewed as a generic wholesomeness certificate issued by the producer. Normally the QC requested of the U.S. producer/supplier will contain the following:

- Name of the producer and facility number;
- Name of the supplier (if different from the producer);
- Statement that the product “fits for human consumption”;
- Number of the containers in the shipment (if more than 1);
- Net weight of the product in the container;
- Number of boxes supplied;
- Production date(s) (usually only month of the production is required);
- Expiry date (shelf life) of the product.

Being a semi-official document (not bilaterally negotiated and agreed) it speeds up both customs and veterinary procedures, so the QC is demanded by both authorities. Usually the QC will be on the company letterhead and written and may be under the signature of different employees, depending on Company’s operational structure and availability.

U.S. exporters may also refer to the Country Commercial Guide prepared by the Foreign Commercial Service of the U.S. Department of Commerce in Kyiv to learn more about certification in Ukraine and recognition of the international ISO-9000 series standards in Ukraine (Chapter 5: Trade Regulations). A link to the above mentioned report is located in Appendix II.

### **Phytosanitary Inspection**

In cases when phytosanitary inspection of food and/or agricultural products is required, the exporter(s) or freight forwarder(s) are advised to obtain a copy of the Import Permit issued by the MSPQIS prior to applying for the Federal Phytosanitary Certificate, PPQ Form 577 issued by USDA’s Animal and Plant Health Inspection Service: [http://www.aphis.usda.gov/import\\_export/plants/plant\\_exports/downloads/ppq577.pdf](http://www.aphis.usda.gov/import_export/plants/plant_exports/downloads/ppq577.pdf) The Import Permit contains product-specific requirements, including disinfectant and/or de-infestation treatment. If such treatment is required, the PPQ Form 577 should contain the necessary information on the chemical, concentration used, duration, temperature and date of treatment.

An initial inspection of the cargo will be conducted at the port of entry by Ukrainian Phyto-sanitary inspectors. Product samples will be taken and a laboratory test conducted to verify that live quarantine pests are not present in the cargo. The list of quarantined pests is available in Appendix IV. Products have to be either fumigated for a second time or refused entry if quarantined pests are found alive at the port of entry. The local branch of the MSPQIS conducts the secondary phytosanitary inspection at an in-land point of product destination to verify compliance with import conditions. The product will receive the final phytosanitary clearance following the second inspection.

## Veterinary Inspection

The requirements for products that are subject to state veterinary surveillance and control are governed by Order #71, which was adopted by the State Department of Veterinary Medicine (SDVM) on June 14, 2004. The order contains a complete list of products under their control and lists the requirements for each product. (The list is provided in Appendix XII). Prospective U.S. exporters should refer to the list even if the commodity in question is not subject to veterinary control in the U.S. Ukrainian state veterinarians may conduct inspections at the border of canned products that contain very small amounts of meat or animal fat; animal feeds of plant origin (such as soybean meal), ready-to-eat seafood products and frozen fish. FAS Kyiv advises a potential U.S. exporter contact their Ukrainian importer or agent to get accurate updates on most recent changes to the list. Currently, there is no distinguishing line of authority that separates the SDVM from the State Sanitary and Epidemiological Service in animal products, so in some cases inspections from both organizations could be demanded. FAS Kyiv is unaware of cases when veterinary inspections were conducted on products other than those in Appendix XII.

Every shipment arriving in Ukraine will be inspected and sampled regardless of the statements made in the accompanying health certificate. The exporter or importer will have to bear the costs associated with border lab testing or the cost of appeal, which is arbitrated at the Central Laboratory of the Veterinary Service. The cost of testing varies between \$80 and \$500 depending on the number of tests required and the number of uniformed lots in the shipment. The testing procedure takes up to 7 days, which makes importing some highly perishable goods impractical or impossible. In some cases Ukrainian veterinarians may examine a shipment for compliance with Ukrainian State Standards (GOSTs and DSTUs). The importer should be aware that product shelf life terms in the Ukrainian Standards are often shorter than those, adopted in the U.S. Imported products may remain wholesome according to the U.S. export certificate, but have expired shelf life according to Ukrainian standards. U.S. exporters are advised to contact their Ukrainian partners to avoid this problem.

Sampling of imported products is conducted according to the Cabinet of Ministers Decree #833, of June 14, 2002. The Decree defines “uniform allotment” for different products of animal origin. In many cases it is a product produced by one enterprise during one production cycle, but often there are severe time limits for production dates. In some cases the Ukrainian veterinary service defines allotments based on production dates (boxes produced 5 days apart or by different shifts maybe defined as belonging to different allotments). Many Ukrainian importers will request that their U.S. exporters ship fewer allotments to avoid excessive sampling, testing and long delays. U.S. exporters should be advised that none of the existing bilateral certificates requires veterinary inspections of U.S. facilities.

The list of products, allowed for export to Ukraine and falling under the auspicious of the Food Safety Inspection Service can be found on the official USDA FSIS web page:

[http://www.fsis.usda.gov/Regulations\\_&Policies/Ukraine\\_Requirements/index.asp](http://www.fsis.usda.gov/Regulations_&Policies/Ukraine_Requirements/index.asp)

Protocols for exporting animals to Ukraine are available through the International Regulations Retrieval System (IRRS) of USDA’s Animal and Plant Health Inspection Service at the following address:

[http://www.aphis.usda.gov/regulations/vs/iregs/products/product\\_ukraine.shtml](http://www.aphis.usda.gov/regulations/vs/iregs/products/product_ukraine.shtml)

For frozen fish and seafood products, an exporter is advised to contact the proper U.S. Competent Authorities. An export certificate can be issued by either the U.S. Food or Drug Administration (FDA):

<http://www.fda.gov/AnimalVeterinary/default.htm> or (in case of fish and other aquatic animals) by the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce: <http://www.noaa.gov/>. For frozen fish

import regulations and standards, please refer to UP 6011 GAIN Report at:

<http://www.fas.usda.gov/gainfiles/200605/146197842.pdf> which explicitly describes import requirements in Attachment I.

In case of a discrepancy between statements required by Ukrainian SDVM Order #71 and those made in the negotiated U.S.–Ukraine Health/Veterinary Certificate, the official certificate will prevail.

## Radiological Inspection of Food Products

Following the Chernobyl accident in 1986, the GOU rigidly controlled food contamination of radionuclides in order to protect consumers. In 1997, the MHCU approved the state hygienic norms (so called DR-97) that established the maximum allowable levels (MAL) for the two most occurring radionuclides – Cesium-137 (137Cs) and Strontium-90 (90Sr). See Appendix XI for the list of MALs for different food products.

## Samples Shipped Via Express Mail

Samples worth less than \$100 can be cleared duty-free according to Ukrainian legislation. The regulations do not distinguish product samples from food products; therefore, samples shipped via express mail could be subject to sanitary, veterinary, phytosanitary, radiological and ecological inspection if the customs officer determines that such control is necessary.

## Section VII. Other Specific Standards:

### Pet Food and Feed Additives

According to Article 14 of the Law of Ukraine “On Veterinary Medicine”, the State Scientific and Control Institute of Veterinary Drugs and Feed Additives (Appendix I) conducts assessments for pet food and feed additives in Ukraine.

The official document for pet food or feed additive registration in Ukraine is the Registration Certificate. Purchase and utilization of pet food and feed additives that are not registered in Ukraine is prohibited. The Registration Certificate and the Manufacturer’s Quality Certificate are mandatory documents and must be presented at the point of entry into Ukraine.

The U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (USDA/APHIS) published the official veterinary certificate for U.S. pet food exports to Ukraine at:

[http://www.aphis.usda.gov/regulations/vs/iregs/products/downloads/up\\_pf\\_cert.pdf](http://www.aphis.usda.gov/regulations/vs/iregs/products/downloads/up_pf_cert.pdf) .

A company, that applies for registration will assume all costs associated with the procedure. Experts from the State Scientific and Control Institute of Veterinary Drugs and Feed Additives will establish a separate registration procedure for every pet food or feed additive sample. Field trials may be required for some products. The cost of registration is \$600 to \$3,200 depending on the number of tests and field trials. The cost will be lower if a group of similar products is registered. The procedure should not take longer than 90 days, but it depends on the accuracy of documents and samples sent. Additional information concerning registration of pet food and feed additives can be found on the Institute’s web site at <http://www.scivp.lviv.ua/>

If the Institute approves the product, the exporter will receive a 5-year registration certificate. When the 5-year term expires, the company will be required to renew the certificate. In this case the Institute will not request a product sample, but only for a set of documents, and the procedure will be somewhat quicker and cheaper.

### Seeds

Seed exporters should note that prior to importing seeds into Ukraine for commercial release, each plant variety must be registered with the State Service on Right Protection for Plant Varieties. The entire registration process may take up to three years and cost the applicant (variety owner, exporter or importer) \$5,000-\$10,000 depending on crop type and extensiveness of field trials. This amount includes expenses related to field trials and maintenance of the variety in the Register. Currently only a few U.S. corn and sunflower hybrids are included in the State Register.

Plant varieties that show consistently good performance usually receive a temporary registration after the second year and can be marketed to farmers. The MAPU can also issue single-time permits for commercial seed imports that do not require plant variety registration if it deems such imports as urgent and necessary.

At the time of a seed shipment, the exporter should plan for a 3-5 day seed certification period in Ukraine. The State Seed Inspection Service of the MAPU inspects imported seeds for compliance with the Ukrainian state quality and purity standards even if a valid Orange International Seed Lot Certificate accompanies the shipment.

For more information on import requirements and procedures, please read Ukraine’s Planting Seeds Report at:

<http://www.fas.usda.gov/gainfiles/200809/146295733.pdf> or visit the English language site of the State Service for Plant Varieties Rights Protection at: <http://sops.gov.ua/index.en.htm>

### Special Food Products

Dietary, prophylactic food products, biologically active agents, baby food and food for athletes are considered special food products in Ukraine. The importer must register special food products with the Ministry of Health Care of Ukraine prior to importing them into Ukraine. After a positive verification of health claims and a food safety risk assessment, the product will be included into the State Register of Special Food Products of Ukraine.

### **Section VIII. Copyright and/or Trademark Laws:**

Protection of intellectual property rights is weak in Ukraine. Piracy is a common problem for domestic and foreign food suppliers with well-known consumer brand names. Ukraine is a member of the World Intellectual Property Organization, although, U.S. exporters may consider registering their brand names in Ukraine. See Appendix I for contact information for the State Committee of Ukraine on Intellectual Property (SCUIP), which is the GOU's agency responsible for the protection of intellectual property. Suppliers should work closely with their local distributors to identify any case of piracy and report them to local law enforcement agencies or to intellectual property rights inspectors of the SCUIP.

### **Section IX. Import Procedures:**

Note: Information in this section is considered accurate at the time of its publication. Exporters should confirm exact import procedures for individual products prior to shipment to Ukraine. There may be specific import requirements for certain products that were not mentioned in Section VII of this report (alcohol, tobacco, etc.). Ukrainian is the only official language recognized in Ukraine. All documents must be bilingual, submitted in Ukrainian or be accompanied by an official translation. End note.

At the planning stage, exporters are advised to check with their importer(s) to identify the types of controls that are applicable to the product(s) using Appendices X and XII as a reference. Then, it is necessary to make sure that all required inspection services are present at the port of entry into Ukraine (Appendix XII). The exporter should choose another point of entry if all of the required inspections services are not performed at a given entry point.

Any food product (except those produced for personal consumption), food raw materials and agricultural products are prohibited entry into Ukraine without documented evidence of their quality and safety. Control over food and agricultural product imports rests with the Customs Service of Ukraine. The product will not be granted final clearance until all legal procedures are met. The following documentation is required for customs clearance:

1. Certificate of conformity (wherever applicable);
2. State sanitary and epidemiological expertise certificate, (or certificate on state registration of special food products);
3. Veterinary certificate (see Sections VI and VII and Appendices X and XII for applicability);
4. Import permit and original phytosanitary certificate (see Sections VI and VII and Appendix X for applicability);
5. A Quality Certificate might be required by Customs and Veterinary Services at some border posts.

Labeling of food products and food raw materials must meet the requirements of Ukrainian legislation outlined in Section II.

It is highly advisable to complete mandatory state sanitary and epidemiological testing (#2 above) prior to shipping a product to Ukraine. The Ukrainian importer can submit samples for testing to the Institute of Ecohygiene and Toxicology under the Ministry of Health Care of Ukraine or another institution authorized by the Ministry to obtain a certificate of state sanitary and hygiene testing. All other certificates can be processed at the same time, so it is possible to complete the customs clearance process in 7 - 10 days including additional required laboratory tests.

### **Appendix I. Government Regulatory Agency Contacts: Sanitary and Hygiene Issues Related to All Food Products, MRLs.**

Anatoliy Ponomarenko, MD, Department Head  
State Department of Sanitary and Epidemiological Surveillance  
Ministry of Health Care of Ukraine  
7, Grushevskogo St., Kyiv  
01021 Ukraine  
tel. +380-44-253-39-00  
fax: +380-44-253-69-75  
e-mail: [moz@moz.gov.ua](mailto:moz@moz.gov.ua)  
Homepage: [www.moz.gov.ua](http://www.moz.gov.ua) (Ukrainian version only)

Prof. Mykola Produnchyuk, Director  
Institute of Ecohygiene and Toxicology of  
Ministry of Health Care of Ukraine  
(responsible for state sanitary and hygiene expert examination, Head of Ukrainian CODEX Commission)  
6, Heroiv Oborony St., Kyiv  
03680 Ukraine  
tel.: +38-044-251-97-00  
fax: +38-044-251-96-43  
E-mail: [office@medved.kiev.ua](mailto:office@medved.kiev.ua)  
Homepage: [http://www.medved.kiev.ua/home/index\\_en.htm](http://www.medved.kiev.ua/home/index_en.htm) (English version)

#### **Codex Alimentarius Commission**

Point of contact:  
National Codex Alimentarius Commission  
7 Grushevskogo Street,  
01021 Kyiv, Ukraine  
tel.: +380 44 253-9417  
fax: +380 44 253-9484

#### **Animal Health Issues and Safety of All Animal Products and Seafood.**

Dr. Petro Verbytsky, Head  
State Department of Veterinary Medicine of Ukraine  
Ministry of Agricultural Policy of Ukraine  
1 Grynchenko St., Kyiv  
01001 Ukraine  
Tel: +38-044-229-1270  
Fax: +38-044-229-4883  
Homepage: <http://www.vet.gov.ua/> (Ukrainian version only)

#### **Plant Health Issues**

Mr. Bilyk Anatoliy, Head  
Main State Phytosanitary Inspection Service of Ukraine  
Ministry of Agricultural Policy of Ukraine  
7, Koloskova St. Kyiv,  
03138 Ukraine  
Tel. +380-44-524-7707  
Fax: +380-44-524-3107

Homepage: <http://golovderzhkarantyn.gov.ua> (Ukrainian version only)

#### **Certification and Conformity**

Larisa Losiuk, Head  
State Committee of Ukraine on Technical Regulations and Consumer Policy

Tel.: +380-44-226-2971  
Homepage: <http://www.dssu.gov.ua/control/en/index> (English/Ukrainian)

### **Ecological Inspection of Animals, Birds and Radiological Inspection of Food Products**

State Ecological Inspection Service  
Ministry of Environment and Natural Resources of Ukraine

Tel: +380-44-244-5472  
Fax: +380-44-206-31-07  
E-mail: [dei.@skif.com.ua](mailto:dei.@skif.com.ua)

### **Pet Food and Feed Additives Registration**

Dr. Igor Kotsiumbas, Director  
State Scientific and Control Institute of Veterinary Drugs and Feed Additives  
11 Donetska St  
79019 Lviv, Ukraine  
Tel.: +380-0322-523-372  
Fax: +380-0322-521-193  
e-mail: [dndki@scivp.lviv.ua](mailto:dndki@scivp.lviv.ua)  
Web page: <http://www.scivp.lviv.ua> (Ukrainian/English)

### **Plant Variety Registration**

V. Hadzhimatov, Chairman  
State Service on Right Protection for Plant Varieties  
Ministry of Agricultural Policy of Ukraine  
15, Henerala Rodimtseva vul.,  
03041 Kyiv, Ukraine  
Tel: +380-44-257-99-33  
Fax: +380-44-257-99-34  
Email: [sops@sops.gov.ua](mailto:sops@sops.gov.ua)  
Homepage: <http://sops.gov.ua/index.en.htm> (English/Ukrainian version)

### **Seed Certification**

Mr. Viktor M. Malasai  
State Seed Inspection Service  
Ministry of Agricultural Policy of Ukraine  
Suite 408, Solomyanska Ploshcha 2  
03035 Kyiv Ukraine  
Phone: +38-044-244-0211  
Fax: +38-044-244-0210  
Email: [seeds@cantata.kiev.ua](mailto:seeds@cantata.kiev.ua)

### **Registration of Trade Marks**

Mr. Mykola Paladiy, Head  
State Committee of Ukraine on Intellectual Property  
Ministry of Education and Science of Ukraine  
8 Lvivska Ploshcha,  
04655 Kyiv-53, Ukraine  
Tel: +380-44-212-50-80, 212-50-82  
Homepage: <http://www.sdip.gov.ua/> (Ukrainian only)

## APPENDIX II U.S. GOVERNMENT CONTACT INFORMATION

### **The U.S. Embassy in Ukraine**

James D. Pettit, Deputy Chief of Mission  
10, Yuriya Kotsyubinskoho Vul., Kyiv 01901, Ukraine  
Tel: (380-44) 490-4000; Fax: (380-44) 244-7350

### **Foreign Agricultural Service (FAS)**

Ann Murphy, Agricultural Attaché  
4, Hlybochytska St., 5th Floor, Kyiv 04050, Ukraine  
Tel.: +380-44-490-4005  
Fax: +380-44- 90-4110  
E-mail: [agkiev@usda.gov](mailto:agkiev@usda.gov)  
Homepage: [http://kiev.usembassy.gov/fasKiev\\_index\\_eng.html](http://kiev.usembassy.gov/fasKiev_index_eng.html)

### **Foreign Commercial Service (FCS)**

Richard Steffens, Senior Commercial Officer  
4, Hlybochytska St., 4th Floor, Kyiv 04050, Ukraine  
Tel: (380-44) 490-4018; Fax: (380-44) 490-4046  
E-mail: [kiev.office.box@mail.doc.gov](mailto:kiev.office.box@mail.doc.gov)

### **Ukraine Country Commercial Guide (prepared by FCS-Kyiv)**

[http://www.buyusainfo.net/body2.cfm?dbf=ccg1&search\\_type2=int&country=Ukraine&logic=and&loadnav=no](http://www.buyusainfo.net/body2.cfm?dbf=ccg1&search_type2=int&country=Ukraine&logic=and&loadnav=no)

## CONTACTS IN THE UNITED STATES

### **U.S. Department of Agriculture**

Foreign Agricultural Service  
14th & Independence Ave., S.W., Washington, DC 20250-1000  
Tel: (202) 720-3935, Fax: (202) 720-7729  
E-mail: [fasinfo@fas.usda.gov](mailto:fasinfo@fas.usda.gov)  
Homepage <http://www.fas.usda.gov>

### **U.S. Department of Commerce**

The United States Commercial Service  
14th & Constitution Ave., N.W., Washington, DC 20230  
Tel.: (202) 482-5402;  
Fax: (202) 482-2456  
Homepage: <http://www.export.gov>

### **Appendix II. Other Import Specialist Contacts:**

#### **Association of International Freight Forwarders of Ukraine (AIFFU)**

Mr. Yuriy Prykhodko, General Director  
112-B Saksahanskoho Str., Apt. 20,  
01032 Kyiv, Ukraine  
Tel./fax +380-44-235-4021, 235-5840, 235-5115  
E-mail: [info@ameu.org.ua](mailto:info@ameu.org.ua)  
Homepage: <http://www.ameu.org.ua> (English)

#### **Association of Customs Brokers of Ukraine**

2 Solomyanska Plosha. Office 503 (left wing)  
Tel.: +380-44-248-8202,  
Fax: +380-44-248-82-03

E-mail: [info@ambu.com.ua](mailto:info@ambu.com.ua)  
Homepage: <http://www.ambu.com.ua> (Ukrainian only).

**Author Defined:**

**Please, see attached file Appendixes for FAIRS Report 2009.pdf**