

**STATE COMMITTEE FOR TECHNICAL REGULATION AND CONSUMER  
POLICY OF UKRAINE**

**ORDER**

City of Kiev

No \_\_\_\_\_

\_\_\_\_\_

On amendments to the List of goods  
subject to mandatory certification in  
Ukraine

Under Article 14 of the Decree of the Council of Ministers of Ukraine of 10 May 1993 No 46-93 "Concerning standardisation and certification" and the Rules of Procedure of the state committee for technical regulation and consumer policy of Ukraine confirmed by the Edict of the President of Ukraine of 18 March 2003, No 225,

**I HEREBY ISSUE THE FOLLOWING ORDER:**

1. To make the following amendments to the List of goods subject to mandatory certification in Ukraine confirmed by an order of the *Derzhspozhivstandart* (State Consumer Standards Body) of 1 February 2005 No 28 and registered with the Ministry of Justice of Ukraine on 4 May 2005 under No 466/10746 (with amendments):

1. Insert item 26.38 "Plant products" into section 26, which is supplemented accordingly;

2. This order is valid from its official publication date.

3. The Technical Registration Department (O. Ya. Serdyukov) is requested to submit this order to the Ministry of Justice of Ukraine for official registration within five days.

4. After this order has been officially registered with the Ministry of Justice of Ukraine, the State Enterprise Ukrainian Scientific, Research and Educational Centre concerned with Problems of Standardisation, Certification and Quality (L. P. Korchevna) is requested to publish it in the next issue of the monthly information gazette *Standarti* (Standards).

5. Responsibility for verifying the execution of this order lies with the Deputy Director of the State Consumer Standards Body of Ukraine, S. T. Cherepkova.

**Director**

**L. V. Losyuk**

**INTRODUCED:**

Technical Registration Department

O. Ya, Serdyukov

**APPROVED:**

Deputy Director

S. T. Cherepkov

Head of the Legal Department

M. P. Korolenko

**EXPLANATORY NOTE**  
**on the draft order of the State Consumer Standards Body of Ukraine**

**"On amendments to the List of goods subject to mandatory certification in Ukraine"**

**1. Reasons why the order is necessary**

The Federal Veterinary and Phytosanitary Inspection Service of the Russian Federation wrote to the Ukrainian authorities to inform them that Ukrainian agricultural products and food products of plant origin supplied to the Russian Federation were exceeding the maximum permitted levels of pesticides and nitrates in plant products.

The absence of compulsory certification of agricultural products and food products of plant origin to guarantee safe levels of pesticide, nitrate and nitrite residues makes it possible for products contaminated with potent chemicals to appear on the consumer market, posing a threat to human health.

In view of this, the Ministry of Agrarian Policy wrote (letter of 2 October 2009 No 37-13-3-10/18033) to the State Consumer Standards Body proposing to include plant products in section 26 "Foodstuffs and raw materials" of the List of goods subject to mandatory certification in Ukraine confirmed by an order of the State Consumer Standards Body of 1 February 2005 No 28 and registered with the Ministry of Justice of Ukraine on 4 May 2005 under No 466/10746.

To resolve as quickly as possible the issues surrounding the signing of the Memorandum between Russia and Ukraine regarding supplies of high-quality plant products to Russia, a conference chaired by the Minister of Agrarian Policy of Ukraine, Yu. F. Melnika was held on 6 October this year. Point 6 of the minutes of the conference is entitled "Request for the State Consumer Standards Body to amend the order of 1 February 2005 No 28, in particular by including plant products in the List of goods subject to mandatory certification in Ukraine".

Under Article 14 of the Decree of the Cabinet of Ministers of Ukraine "Concerning standardisation and certification", Provisions concerning the State Committee for Technical Regulation and Consumer Policy of Ukraine, confirmed by the edict of the President of Ukraine of 18 March 2003 No 225, the State Consumer Standards Body has prepared a draft order "On amendments to the List of goods subject to mandatory certification in Ukraine", in particular for the inclusion of point 26.38 "Plant products" in section 26 "Foodstuffs and raw materials" of the List confirmed by order of the State Consumer Standards Body of 1 February 2005 No 28 and registered with the Ministry of Justice of Ukraine on 4 May 2005 under No 466/10746 (with amendments).

**2. Aims and ways of achieving them**

On the basis of the decision taken at the conference held on 6 October 2009 at the Ministry of Agrarian Policy of Ukraine chaired by Yu. F. Melnika and attended by representatives of the State Consumer Standards Body, The Chief State Inspectorate for the Protection of Plants, the Committee prepared a draft order "On amendments to the List of goods subject to mandatory certification in Ukraine" inserting point 26.38 "Plant products" into the said List.

Inclusion in the List of plant products in order to ensure the reliable inspection of such products by bodies authorised for this purpose by the State and in so doing to ensure their competitiveness in other countries.

The implementation of the draft order does not changes to related legislation or the drafting of new legislation.

### **3. Legal aspects**

The draft order was prepared on the legal basis of the Act of Ukraine "On pesticides and agricultural chemicals" and the Decree of the Cabinet of Ministers of Ukraine "On standardisation and certification".

The implementation of the provisions of the proposed draft order does not require the enactment of further legislation.

### **4. Financial and economic background**

The implementation of this draft order does not entail additional budgetary or other financial expenditure.

### **5. Expected socio-economic and other consequences of implementing the order**

The draft order requires the approval of the Ministry of Health Protection of Ukraine, the Ministry of Economics of Ukraine, the Minister of Agrarian Politics, the State Customs Service and the State Committee of Ukraine responsible for Questions of Regulatory Policy and Enterprise.

### **6. Regional aspect**

The enactment of this order does not affect the development of regional administrative units.

### **7. Community approval**

The draft order does not require community consultation.

### **8. Expected results**

Adoption of the draft order will make it possible to extend the market for the sale of plant products of Ukrainian producers, which will, in its turn, increase employment and help the State budget of Ukraine to meet its expenses.

**Director**

**L. V. Losyuk**

Place, date 2009