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BVVG  
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GmbH



German-Ukrainian  
Agricultural Policy Dialogue

# **COMPENDIUM OF LAWS AND BYLAWS OF UKRAINE RELATED TO AGRICULTURE, FOOD PRODUCTION AND TRADE**

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## FOREWORD

This Compendium has been prepared on behalf of the German-Ukrainian Agricultural Policy Dialogue, a project funded by the German Federal Ministry of Food, Agriculture and Consumer Protection.

The German Federal Ministry of Food, Agriculture and Consumer Protection (BMELV) with its cooperation program supports the transformation process in Eastern Europe for more than 15 years. The cooperation program - managed by BMELV's mandatory GFA Consulting Group – supports sector reforms in the partner countries at national and local level.

The preparation of the compendium was covered by the budget of the project "Advisory support for the development of a legal and institutional framework for the agricultural land market" which is a side project of the Agricultural Policy Dialogue and is implemented by BVVG Bodenverwertungs- und -verwaltungs GmbH.

The German-Ukrainian Agricultural Policy Dialogue provides assistance to Ukrainian politicians and lawmakers on reforming agrarian policy and legislation with the account of German and other countries' practices as well as those of international organizations (EU, WTO) on the basis of market economy principles.

GFA Consulting Group has a sound track record of providing effective solutions to the challenges in the global consulting market. Based in Hamburg, the company has implemented complex studies and projects in over 130 countries since 1982.

BVVG (Bodenverwertungs- und -verwaltungs) GmbH is the state-owned agency responsible for the administration and privatisation of state-owned farm and forest land in Eastern Germany. Since the year 2000, BVVG also provides consultancy services to Eastern European and Central Asian countries on the privatization of farm and forest land, land market development, institution building and land administration.

This Compendium is building upon analytical work done by German-Ukrainian Agricultural Policy Dialogue or with its participation, support and facilitation.

It is necessary to acknowledge that the input of German-Ukrainian Agricultural Policy Dialogue into Ukraine's advance by the way of economic reforms is very significant.

Compendium consists of the list of effective laws and by-laws of Ukraine regulating agriculture, food industry and trade in foodstuffs. Every legal act is equipped with its number, dates of adoption and of entering into force as well as a hyperlink to its permanent address at the official web-site of the Verkhovna Rada of Ukraine ("Original in Ukrainian") where its effective reading as well as all previous readings is available. Titles of listed acts are presented as hyperlinks to official summaries of acts in English where such summaries are available. Every listed act has a special reference ("Related acts") leading to a web-page where all related to it laws and by-laws are listed. That makes possible to have access to nearly every regulation or recommendation in the field of agriculture, food industry and trade which have not been included into this Compendium or have been adopted after release of the Compendium.

Legal acts arranged in groups by topics. Topics and some legal acts have hyperlinks to books, comments and policy papers published by German-Ukrainian Agricultural Policy Dialogue or with its participation or input.

Every listed act has a brief description giving general idea about its purpose, objectives and sphere of application. Many descriptions are taken from analytical papers and documents issued by German-Ukrainian Agricultural Policy Dialogue or its partners, like Institute for Economic Research and Policy Consulting or law firm Arzinger.

This Compendium shall serve as a reference guide for foreign investors willing to start up their activities in the field of agriculture, food industry and trade in Ukraine which provides vast and diverse opportunities for such businesses despite some obstacles and barriers common for countries in transition.

## LIST OF ABBREVIATIONS / СКОРОЧЕННЯ / АББРЕВИТАТУРЫ

|          |  |
|----------|--|
| AC       | Agricultural Cooperative   |
| AIC      | Agroindustrial complex   |
| ACP      | Agro-Chemical Passport of Land Parcel (Field)  |
| APD      | German-Ukrainian Agricultural Policy Dialogue<br><a href="http://www.apd-ukraine.de">www.apd-ukraine.de</a>  |
| AFPR     | Agri-Food Policy Review, published by APD,<br><a href="http://www.apd-ukraine.ua">www.apd-ukraine.ua</a>   |
| APD/PP   | Policy Paper Series, published by APD  |
| IER      | Institute for Economic Research and Policy Consulting, <a href="http://www.ier.com.ua">www.ier.com.ua</a>  |
| M&A      | Mergers and Acquisitions   |
| CAE      | Collective Agricultural Enterprise   |
| FE       | Farming Enterprise   |
| JSC      | Joint-Stock Company  |
| LLC      | Limited Liability Company  |
| IF       | Individual Farm  |
| WMAP     | Wholesale Market of Agricultural Production  |
| CMU      | Cabinet of Ministers of Ukraine, <a href="http://www.kmu.gov.ua">www.kmu.gov.ua</a>  |
| MAPF     | Ministry of Agrarian Policy and Food of Ukraine, <a href="http://www.minagro.gov.ua">www.minagro.gov.ua</a>  |
| MAP      | Ministry of Agrarian Policy of Ukraine, <a href="http://www.minagro.gov.ua">www.minagro.gov.ua</a>   |
| MPH      | Ministry of Public Health, <a href="http://www.moz.gov.ua">www.moz.gov.ua</a>  |
| STS      | State Tax Service (State Tax Administration), <a href="http://www.sts.gov.ua">www.sts.gov.ua</a>   |
| DKZ      | State Committee of Ukraine on Land Resources, <a href="http://www.dazru.gov.ua">www.dazru.gov.ua</a>   |
| SALR     | State Agency of Ukraine on Land Resources, <a href="http://www.dazru.gov.ua">www.dazru.gov.ua</a>  |
| SCS, SSS | State Committee on Statistics of Ukraine, State Statistics Service of Ukraine<br><a href="http://www.ukrstat.gov.ua">www.ukrstat.gov.ua</a>        |
| SCF      | State Committee of Ukraine on Forestry, State Agency of Ukraine on Forest Resources<br><a href="http://dklg.kmu.gov.ua">http://dklg.kmu.gov.ua</a> |
| SCTR     | State Committee of Ukraine on Issues of Technical Regulation and Consumers Policy  |
| FAT      | Fixed Agricultural Tax   |
| GMO      | Genetically-modified organisms   |
| PAC      | Producers of Agricultural Commodities  |
| LCU      | Land Code of Ukraine, effective since 01.01.2002   |

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# COMPENDIUM<sup>1</sup>

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<sup>1</sup> Laws and by-laws are listed here as of November 30, 2012.

# 1. GENERAL LEGAL FRAMEWORK<sup>2</sup>

| Title, reference to web-page <sup>3</sup>  | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|--|---|---|
| <a href="#">Civil Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                 | № 435-IV; 16.01.03 - 01.01.04                       | Fundamental rules on entities and persons, legal capacity, obligations, contracts, intellectual property and liability. Of special importance for agri-food industry are rules listed in Articles 373-378 (property right to land parcels); 407-412 (right of use of someone's land parcel for agricultural purpose); 485-488 (rights to breeds and varieties); 501-504 (right to geographical description); 713 (contracting of agricultural output).  |
| <a href="#">Commercial Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>            | № 436-I; 16.01.03 - 01.01.04                        | General legal framework of entrepreneurial activities, including incorporation of business entities, relations between authorities and businesses, issues related to ownership, contracting and pricing, trade, protection of competition, foreign investments, innovations and liability. Most rules are further elaborated and developed in laws and bylaws. Many rules of the Commercial Code have strong resemblance with the rules of the Civil Code, but usually they have some special provisions related to business activities while the Civil Code has broader scope. Of special importance for agri-food industry are rules listed in the following Articles: 148-153 (use of natural resources in economic activities); 272-274 (contracting of agricultural output). |
| <a href="#">Code of Laws of Ukraine on Labour</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>     | № 322-VIII; 10.12.71 - 01.01.72                     | Codified legal act consisting of major rules and regulation on contracting labor and arranging relations with employees. This Code is supplemented by vast array of laws and by-laws regulating <a href="#">safety at work</a> , <a href="#">settlement of collective disputes</a> , <a href="#">trade unions</a> , occupational health, <a href="#">wages</a> , <a href="#">vacations</a> and social protection of workers; a complete list of related acts may be found in the left column under the heading "Related acts".  |
| <a href="#">Tax Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                   | № 2755-VI; 02.12.10 - 01.01.11                      | Codified legal act in the field of taxation regulating administration of taxes, taxes and duties themselves and relations between taxpayers and tax authorities. Among agriculture-related taxes it is necessary to mention agricultural VAT (PACs may use VAT accrued in their sales to offset VAT payable to suppliers and to cover their production expenditures) and land tax which is mostly replaced by FAT. FAT is payable by PACs only. FAT is a flat rate tax that replaces a number of taxes and duties, including profit and land taxes. Its rate varies from 0.09 to 1% of the normative value of farmland, depending on farmland's type and location. <sup>4</sup>   |
| <a href="#">On Business Associations</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>              | № 1576-XII; 19.09.91 - 01.10.91                     | Rules on incorporation, organization, management, transformation (M&A) and liquidation of joint-stock companies, limited liability companies, companies with addition and full liability and on partnerships ( <i>commandite</i> companies). All business associations and companies incorporated in Ukraine shall follow patterns and procedures provided for by the said Law.   |
| <a href="#">On Collective Agricultural Enterprise</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 2114-XII; 14.02.92 - 01.03.92                     | CAE is a type of business legal entity set up by natural persons of legal age willing to carry out production and sale of agricultural products and goods. CAEs appeared as a mutation of Soviet-style collective farms; on a later stage of agrarian and land reform CAEs mostly evolved into other types of companies and associations (JSC, LLC etc) but they still exist, operate and hold land.  |
| <a href="#">On Farming Enterprise</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                 | № 973-IV; 19.06.03 - 29.07.03                       | FE is a family farm, a type of legal business entity set up by full age citizens of Ukraine, individually or collectively with members of their families and/or their relatives, with a purpose of conducting agricultural commodity production, processing and sale of agricultural commodities. Qualification requirements (practical experience of employment in agriculture or agrarian education) are relevant only for acquisition (on  |

<sup>2</sup> See the following publications of APD and partners of APD: [Agriculture Guide](#) by Wolfram Rehbock, Anna Pograbna and Heinz-Wilhelm Strubenhoff, Arzinger & IER, 2010; [New Challenges for Economic Policy in Ukraine: Proposals for Immediate Action](#) by Igor Burakovsky, Oleksandra Bettli, Anna Chukhai, Vitaliy Kravchuk, Oksana Kuziakiv, Natalie Leschenko, Veronika Movchan, Oleg Nivyeviskiy, Katerina Onishchenko, Ivan Poltavets, Heinz-Wilhelm Strubenhoff, Tetyana Vachnenko, Stephan von Cramon-Taubadel, Ricardo Giucci, Lars Handrich, Ferdinand Pavel, GAG&IER, 2006; [The Draft Law "On Agriculture": Back to Central Planning?](#) AFPR, Issue # 4/2012 (April, 2012); APD/PP/01/2012: [The Draft Law "On Agriculture": Questionable Objectives and Inappropriate Instruments](#); AgPP No.27: [Financial Crisis and Ukrainian Agriculture: Impact and Response](#) AgPP No. 21: [AGRIHOLDINGS IN UKRAINE: GOOD OR BAD?](#); AgPP No.14: [Weather and Policy Risks - Are the Grain Export Restrictions Unavoidable to Achieve Food Security in Ukraine?](#); AgPP No.5: [Barriers to Investment in the Agriculture and Food Sector in Ukraine](#)

<sup>3</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

<sup>4</sup> APD. AFPR. [Issue # 9/2012](#) (September, 2012): Tackling the dilemma of agricultural taxation: Moving towards a comprehensive and transparent approach; AgPP No. 2: [Fiscal Support to Agriculture in Ukraine](#).

| Title, reference to web-page <sup>3</sup>   | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
|   |   | leasehold or ownership basis) of state-owned or municipal land for organization of FE.  |
| <a href="#">On Agricultural Cooperation</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 469/97-BP;<br>17.07.97 - 13.08.97                 | AC is a coop set up by producers of agricultural commodities <sup>5</sup> (citizens of Ukraine and/or legal entities incorporated in Ukraine) with a purpose of conducting joint activities in agriculture in the field of production of commodities (production AC) or provision of services (servicing AC, 80% of services in money terms is provided to members of AC).  |
| <a href="#">On Individual Farm</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 742-IV;<br>15.05.03 - 11.06.03                    | IF is a variety of family farm, a way of conducting small-scale agricultural production by natural persons being members of a family or relatives and residing together. It is not a legal entity and not a business; it is meat first of all for meeting consumption needs of a household, though the Law provides for sale of “excessive output”. As a matter of fact, this “excessive output” is quite significant and makes up nearly a half of the total Ukraine’s agricultural output. Ifs are subject to statistical recording.  |
| <a href="#">On Wholesale Markets of Agricultural Production</a> <sup>6</sup><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                               | № 1561-VI;<br>25.06.09 - 01.10.10                   | WMAP is a legal entity incorporated in Ukraine and granted (on a competitive basis) a status of WMAP by MAPF (see below). Activities of WMAP consist of establishment, operation and maintenance of wholesale market infrastructure. Status of WMAP gives a legal entity an opportunity to apply for a land plot to be leased out for the purposes of establishing WMAP without an auction and also to ask for the state support and other incentives.  |
| <a href="#">On Commodity Exchange</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1956-XII;<br>10.12.91 - 10.12.91                  | Framework Law governing organization and activities of boards for commodity exchange.   |
| <a href="#">On State Registration of Legal Entities and Natural Persons – Entrepreneurs</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                | № 755-IV;<br>15.05.03 - 01.07.04                    | Rules on administrative procedures related to official (state) registration of legal entities and of natural persons conducting business activities without incorporation of legal entities (entrepreneurs) as well as on dissolution of legal entities and on termination of business activities conducted by entrepreneurs. All businesses are considered fully operational and legally capable or dissolved and/or wound up upon state registration only.  |
| <a href="#">On Licensing of Certain Types of Economic Activity</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1775-III;<br>01.06.00 – 21.10.00                  | This Law provides an exhaustive list of economic activities subject to licensing and general rules on issue of licenses and control over adherence of licensees to conditions of licenses. All types of economic activities in agri-food sector subject to licensing are listed in this Law.  |
| <a href="#">On the List of Permissive Documents in the Field of Economic Activities</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                    | № 3392-VI;<br>19.05.11 – 01.01.12                   | The Law essentially matches different types of permissive documents with their corresponding legislation acts that regulate the issuance of these documents. The Law prohibits demanding permissive documents that are neither required nor included in the List attached to the Law. In particular the Law covers such permissive documents as quality and veterinary certificates, sanitary and phytosanitary certificates etc (APD. Legislation Review. <a href="#">Issue # 2/2012</a> ).  |
| <a href="#">On Prices and Pricing</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 5007-VI;<br>21.06.12- 03.08.12                    | Framework Law establishing types of prices in Ukraine and providing legal basis for bylaws on state regulated prices. Law also defines sanctions for violations in the field of pricing to be applied to businesses. This Law is of special importance for agri-food sector as soon as many agricultural and food products are subject to state price regulation.   |
| <a href="#">On the Main Principles of State Supervision (Oversight) in the Area of Commercial Activity</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 877-V;<br>05.04.07- 26.12.07                      | Framework Law defining the essence of the state policy in the field of state supervision over business activities, it defines competences of supervising authorities, procedures to be followed when performing supervision.  |
| <a href="#">On the Permit System in the Field of Economic Activity</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                     | №2806-IV;<br>06.09.05 – 05.01.06                    | This Law determines legal and organizational principles for functioning of the permit system in the field of economic activity. It sets the procedure for activity of permit-issuing bodies authorized to issue permit documents, as well as administrators. The Law applies to permit bodies, administrators, authorized body and subjects of economic activity that intend to carry out economic activity. However the This Law exclusively establishes: the need of receiving permit document; the permit body authorized to issue permit document; whether issue of permit document |

<sup>5</sup> Producers of agricultural commodities (PAC) are those whose gross income from sale of agricultural commodities and related services makes up at least 75% of the total gross income, see MAPF Order On Approval of Calculation of Share of Agricultural Commodity Production.

<sup>6</sup> See, for example, USAID/LINK [Study Of The Current State And Development Tendencies Of Wholesale Agricultural Markets And Logistical Centers In The Southern Region Of Ukraine](#)

| Title, reference to web-page <sup>3</sup>   | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS   |
|---|--|--|
|   |  | is paid or free;<br>the term of adopting decision on issue or refusal to issue permit document; the exact list of reasons for refusal of issue and cancellation permit document.   |
| <a href="#">On State Market Supervision and Control of Non-Food Products</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №2735-VI;<br>02.12.10-<br>05.07.11                           | Law establishes legal framework for state supervision and control over trade in non-food products, defines competences of authorized bodies, types of and procedures for control activities and also measures to be applied in case of detection of violations and abuses. This Law is relevant for producers and traders engaged into operations with fertilizers, plant protection agents, machinery, vehicles and equipment.  |
| <a href="#">On Standardization</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №2408-III;<br>17.05.01 –<br>20.06.01                         | This Law defines legal basis for scientific, research and administration activities in the field of development and application of standards, lays down rules on implementation of standards and control thereof.  |
| On Metrology and Metrological Activity<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 113/98-<br>BP;<br>11.02.98 –<br>13.03.98                   | Law lays down foundations of state policy in the field of metrology, define the system of units of measurement to be used in Ukraine (SI) and other rules and norms in this sphere.  |
| <a href="#">On Standards, Technical Regulations and Procedures for the Evaluation of Compliance</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №3164-IV;<br>01.12.05-<br>11.01.06                           | Law establishes a legal basis for development, application and revision of national standards, technical regulations and procedures for assessment of conformity.  |
| <a href="#">On Waste</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №187/98-<br>BP;<br>05.03.98-<br>14.04.98                     | Framework law on waste management and treatment. It defines general rules on handling waste, establishes competences of the authorities regarding waste management, obligations of citizens and business regarding waste, describes system for recording and monitoring sources of waste, places for waste utilization etc.  |
| <a href="#">On Lease of Land</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 161-<br>XIV;<br>06.10.98 –<br>22.10.98                     | Detailed rules on conclusion, signing, registration, execution, alteration, prolongation and termination of contracts for lease of land parcels (public and private), rules on composition of such contracts (essential conditions, mandatory attachments). Law imposes upon tenants an obligation to care for fertility and other useful property of land and to return it to owner upon completion of lease period in the condition it had at signing of contract (so far not very applicable as soon as few plots in Ukraine have ACP). Contracts may be signed for the term up to 50 years; currently there are no restriction on area of land in leasehold; foreign entities and joint ventures are free to contract land for lease in Ukraine for organization of agricultural production and trade. |
| CMU Resolution On Approval of Procedure for Collection of Contribution and Disbursement of Funds for Development of Vine-Growing, Gardening and Hop-Growing,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 587;<br>15.07.05 –<br>15.07.05                             | Rules on calculation, payment, collection and disbursement of the said contribution.   |
| STA Order On Approval of Template of Tax Declaration for Fixed Agricultural Tax<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1016;<br>24.12.10 –<br>24.01.11                            | Template for FAT reporting to be used by all PACs - payers of FAT.   |
| MAPF Order On Approval of Calculation of Share of Agricultural Commodity Production<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 772;<br>26.12.11 –<br>04.05.12                             | According to the Tax Code of Ukraine (see above), businesses that derive no less than 75% of their gross revenues from sales of selfproduced agricultural commodities and related services are PACs and eligible to pay FAT. This Order approves the Calculation of a share of agricultural production in gross revenues of a PAC to determine whether a PAC is qualified for obtaining the status of FAT payer. <sup>7</sup>  |
| MAPF Order On Approval of Norms Within Which Compensation is Undertaking in Grape-Growing, Gardening and Hop-Growing, of Forms for Reporting and of List of Mechanisms and Machinery<br><a href="#">Original in Ukrainian</a>         | №365<br>19.06.12 –<br>16.07.12                               | Practical rules for disbursement, according to the Law of Ukraine On Contribution for Development of Vine-Growing, Gardening and Hop-Growing (see above), of compensation of expenditures incurred by agricultural producers in the field of grape-growing, gardening and hop-growing.   |

<sup>7</sup> APD. Legislation Review. [Issue # 5/2012](#) (May, 2012)



| Title, reference to web-page <sup>3</sup>   | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|---|---|--|
| MAP Order On Approval of Procedure for Disbursement of Budget Funds Provided For Development of Grape Growing, Gardening and Hop-Growing and On Funding Expenditures for Improvement of Material and Technical Base of Sectoral Scientific Establishments and Their Experimental Farms<br><a href="#">Original in Ukrainian</a> | № 792;<br>09.11.07 – 23.11.07                       | Detailed rules on disbursement of budget funds for funding expenditures for carrying out scientific and technical research in the said sectors and funding expenditures for improvement of material and technical base of sectoral scientific establishments and their experimental farms.   |
| Resolution of CMU On Approval of Procedure for Acquiring by Legal Entity Status of Wholesale Market of Agricultural Goods<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 141;<br>11.02.10 - 26.02.10                       | Act describes a procedure for granting status of WMAP to legal entities which submitted their offers to MAPP. Decision is taken by MAPP tender committee on the basis of analysis of submitted business plans, although Procedure lacks measurable criteria for weighing submitted offers.   |
| Order of MAPF On Approval of Model Rules for Operation of WMAP<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 73;<br>19.02.10 - 19.04.10                        | Model rules regulate the organization of wholesale trade at WMAP (by way of auctions in particular) and also issues related to storing, moving, labeling, sorting goods and keeping them and marketplace safe for consumers. WMAP shall adopt their own rules on the basis of Model Rules.   |
| Decree of President of Ukraine On State Inspection of Agriculture of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №459/2011;<br>13.04.11- 20.04.11                    | According to the Decree, State Inspection is a central executive body and entrusted with the task of ensuring realization of state policy in the field of supervision (control) in AIC. Inspection is performing its supervision (control) activities in the field of land use and soil protection, crop-growing, safety and quality of agricultural output, rules of producing wine products, biological and genetic safety, safety and conformity of agricultural machines and vehicles, protection of rights to breed of plants, issue of permits and licenses etc. |
| Order of SCS On Approval of Procedure for Recording of Individual Farms by Village, Town and City Councils,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 409;<br>26.10.09 - 30.01.10                       | Documents describes recording of IF for statistical purposes, in particular it provides for the recording of households conducting individual farming, of households allocated land plots for IF and of households which have stopped individual farming. Significance of the Act increases in view of anticipated extension of the state support tools to IF.   |
| CMU Resolution On Approval of Rules On Drafting of Technical Regulations Developed On The Basis of Acts of Legislation of the European Union To be Approved By the Cabinet of Ministers of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 708;<br>18.06.12- 12.09.12                        | This act, inter alia, provides for the inclusion of texts of EU Directives into Ukrainian TRs developed on the basis of the said acts of the EU.   |
| Order of SCTR On Approval of List of Products Subject to Mandatory Certification in Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №28;<br>01.02.05- 15.05.05                          | Exhaustive list of products and goods which are subject to mandatory certification in Ukraine, with reference to respective standards and TRs.   |

## 2. SPECIAL LEGAL FRAMEWORK

### 2.1. AGRICULTURE<sup>8</sup>

| Title, reference to web-page <sup>9</sup>   | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
| <a href="#">On Major Foundations of State Agrarian Policy for the Period Till 2015</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                 | № 2982-IV; 18.10.05 – 16.11.05                      | Law of mostly declaratory nature setting up principles, priorities and objectives of agrarian policy.   |
| <a href="#">On State Support to Agriculture of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1877-IV; 24.06.04 – 01.01.05                      | Framework law which sets up the following types of state support: regulated prices for agricultural commodities; deadlines for settling accounts between PAC and wholesale and retail traders; commodity and financial interventions through Agrarian Fund; secured forward procurement of commodities; direct financial support of PACs (reimbursement of interest rate; partial reimbursement of leasing payments for new agricultural machinery and equipment.   |
| On Amendments to the Tax Code of Ukraine regarding Support of Agricultural Producers<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                   | № 4268-VI; 22.12.11 – 01.01.12                      | The Law essentially brings back the old mechanism (with some changes) for compensations/premiums to agricultural enterprises and households for the milk and meat they sell to processing plants that existed until 2011. The amount of VAT received by food processing enterprises from selling dairy and meat products is transferred exclusively on subsidies/premiums to agricultural producers which sold their unprocessed milk and meat in live weight to processing enterprises. The current law obliges milk and meat processing enterprises to conduct a separate bookkeeping for operations of supply of the self produced milk and meat products. Based on this bookkeeping, milk and meat enterprises transfer the positive difference between the VAT payables and VAT credit to the special fund of the State Budget of Ukraine and on the special account at the State Treasury in the following proportions: in 2012 - State Budget – 30% and special account – 70%; in 2013 – State Budget – 40% and special account – 60%; in 2014 – State Budget – 50% and special account – 50%. Further the VAT amounts on the special accounts are supposed to be used exclusively for compensations to agricultural producers (APD. Legislation Review. <a href="#">Issue # 1/2012</a> ). |
| On the System for Engineering and Technical Support for the Agro-industrial Complex of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>         | № 229-V; 05.10.06 – 01.01.08                        | Law shall establish legal, economic and organizational principles for the formation and the functioning of the system for engineering and technical support for the agro-industrial complex, regulate the relations in the area of technical and technological maintenance and servicing of the agro-industrial complex, contribute to the development of economic conditions for creating, testing, manufacturing, selling, using, and servicing technical devices for sectors of the agro-industrial complex.   |
| On Prioritization of Social Development of Rural Areas and Agro-Industrial Complex in National Economy<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 400-XII; 17.10.90 – 01.11.90                      | Legal act laying foundations of the state policy in the field. Defines principles of business in AIC. Provides for minimum level of state expenditures for centralized CAPEX for AIC (1% of GDP), special rules on social protection of rural dwellers and agricultural enterprises, on pricing in AIC, on financial support to enterprises of AIC.   |
| <a href="#">On Agricultural Advisory Activities</a> <sup>10</sup><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                      | №1807-IV; 17.06.04 – 01.01.05                       | Framework Law establishing general legal basis for agricultural advisory activities in rural areas. Law provides for registration of advisory services and advisors in the State Register, for qualification attestation of advisors and certification of advisory services and also for state support to advisory activities.  |
| <a href="#">On Specifics of Insuring Agricultural Output With State Support</a><br><a href="#">Original in Ukrainian</a>  | №4391-VI; 09.02.12 – 01.07.12                       | Law provides legal framework for state support in the field of insuring agricultural risks. The state provides support to farmers as a compensation of part of premiums paid to insurance companies under policies. Provisions of the Law is further elaborated in acts of CMU, see   |

<sup>8</sup> Complete list of [legal acts on agriculture](#). See in particular, the following publications of APD: *Agriculture, Bioenergy and Food Policy in Ukraine* ed. by Heinz Strubenhoff, Veronika Movchan and Igor Burakovsky, APD & IER, 2009. – p.55-104; Agricultural State Expenditures Highlights, AFPR [Issue # 1/2012](#) (February, 2012); ; APD/PP/01/2012: [The Draft Law 'On Agriculture': Questionable Objectives and Inappropriate Instruments](#); AgPP No. 30: [The Agricultural Knowledge and Information System in Ukraine – Call for Reforms](#); AgPP No. 27: [Financial Crisis and Ukrainian Agriculture: Impact and Response](#); AgPP No. 2: [Fiscal Support to Agriculture in Ukraine](#).

<sup>9</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

<sup>10</sup> See the following publication of APD: [AgPP No. 18: Financing and institutional set up of agricultural advisory services in Europe – Lessons for Ukraine](#).

| Title, reference to web-page <sup>9</sup>   | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS   |
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| <a href="#">Related acts</a>  |   | below.   |
| On Amendments to the Article 13 of the Law of Ukraine On State Support of Agriculture of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 4216-VI;<br>22.12.12 – 13.01.12                   | The Law extends the definition of the eligible for compensation long-term credits from 36-60 months to 36-84 months. Also now the Law allows agricultural enterprises to get a concession on short-term credits to cover their production costs in the current as well as in the next year. But the credit period should not exceed 12 calendar months (APD. Legislation Review. <a href="#">Issue # 2/2012</a> ).   |
| On Contribution for Development of Vine-Growing, Gardening and Hop-Growing<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   |   | All traders selling alcohol beverages and beer to consumers shall pay this contribution making 1.5% of the turnover of the said sales. Producers of the beverages are subject to this contribution provided they sell their output to ultimate consumers. Funds accrued are accumulated by the State Treasury and utilized for state support of vine-growing, gardening and hop-growing.   |
| <a href="#">On Agricultural Census</a><br><a href="#">Original In Ukrainian</a><br><a href="#">Related acts</a>   | № 575-VI;<br>23.09.08 – 17.10.08                    | Law identifies legal, organizational and economic principles for preparing and carrying out the agricultural census, processing, summarizing, disseminating, and using its results. It also regulates relations of subjects of the agricultural census, identify their rights, obligations and responsibility, establish state guarantees with respect to the protection of confidential information that was obtained in the process of carrying out the agricultural census.   |
| CMU Resolution On Approval of Procedure and Conditions for Granting to Agricultural Commodity Producers of State Support in Insuring Crops by Way of Reducing Price of Premiums and List of Crops and Risks In Respect of Which Compensation of Premiums is Provided in 2012<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 813;<br>15.08.12- 10.09.12                        | Rules on granting state support to producers of agricultural commodities consisting of up to 50% reimbursement of insurance payments (premiums). Support covers premiums under policies in respect of winter wheat.  |
| CMU Resolution On Approval of Procedure for Declaring Agricultural Risks a Disaster and On Granting and Usage of Budget Loans (state financial assistance) in Case of Its Realization<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №841;<br>15.08.12- 15.09.12                         | Extraordinary events of technical or natural origin caused by natural disasters (draught, hail storm, frost, flood etc) or human activities (accidents, fires etc) are criteria for declaring agricultural risks to be of disastrous nature. Risks of disastrous nature are declared disasters if they have led to damaging or elimination of at least 30% of cropping areas insured according to the Law of Ukraine On Specifics of Insuring Agricultural Output With State Support (see above).  |
| CMU Resolution On Approval of Procedure for Disbursement of Funds Provided For By State Budget For State Support of Crop Growing At Irrigated Lands<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 345;<br>09.04.08 – 09.04.08                       | This act provides for compensation of up to 50% of the cost of electricity used for irrigating fields starting from April of ongoing year.   |
| Resolution of CMU #342 On Amendments to the Resolution of CMU of 2nd of March, 2011 # 246<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 342;<br>23.04.12 – 14.05.12                       | The Resolution initiates a special budget subsidy to households from the 1st of June, 2012. Households receive payments for keeping young cattle according to the following scheme: a) 250 UAH per head of cattle aged from 3 to 5 months; b) 500 UAH – from 6 to 8 months; c) 750 UAH – from 9 to 11 months. This payment is topped-up with 250 UAH every following three months until the age of the young cattle reaches 11 months. The subsidy is paid from VAT accumulated by dairy processors. Dairies transfer the positive difference between the VAT payables on their produce and VAT credit on inputs to the special fund of the State Budget of Ukraine and on the special account at the State Treasury (APD. Legislation Review. <a href="#">Issue # 6/2012</a> ). |
| Order of MAPF On Activities of the Agrarian Fund on Organized Agricultural Market in the 2012/13 Marketing Year<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 125;<br>14.03.12 – 02.04.12                       | The Order establishes minimum and maximum intervention prices for objects of government price regulation in the 2012/2013 marketing year. These are the prices at which the Agrarian Fund can intervene in the markets. For example, a minimum and maximum intervention price (including VAT) for milling wheat (soft, 3d grade) is UAH 1800/t and UAH 2154/t, accordingly. Feed wheat (soft, 4 <sup>th</sup> grade) intervention price band is set at UAH 1729/t (min) and UAH 2066/t (max) (APD. Legislation Review. <a href="#">Issue # 5/2012</a> ).   |
| Resolution of CMU On Approval of  | № 104;  | The 2012 State Budget of Ukraine contains a certain novelty in the   |

| Title, reference to web-page <sup>9</sup>  | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS   |
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| <p>the Order for Disbursement of Funds that are foreseen in the State Budget for Financial Support of Measures in Agriculture,<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>13.02.12 –<br/>21.02.12</p>                               | <p>sense that it aggregated a pool of state support programs to agriculture under the ‘umbrella’ name ‘Financial support to agricultural complex’, and certainly it required further decoding. In previous years the State Budget contained numerous individual state support programs with a certain target. The current Resolution ‘decodes’ this aggregated budget line into several ones, i.e. extension services support, selection in crop production, livestock development, credit and lease concession program, whole sales market development, land fertility, service cooperatives development, selection in livestock and poultry sectors, among others (APD. Legislation Review. <a href="#">Issue # 3/2012</a>).</p> |
| <p>CMU Resolution On Approval of Procedure for Collection of Contribution and Disbursement of Funds for Development of Vine-Growing, Gardening and Hop-Growing<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 587;<br/>15.07.05 –<br/>15.07.05</p>                    | <p>Rules on calculation, payment, collection and disbursement of the said contribution.</p>  |
| <p>MAPF Order On Approval of Norms Within Which Compensation is Undertaking in Grape-Growing, Gardening and Hop-Growing, of Forms for Reporting and of List of Mechanisms and Machinery;<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№365<br/>19.06.12 –<br/>16.07.12</p>                      | <p>Practical rules for disbursement, according to the Law of Ukraine On Contribution for Development of Vine-Growing, Gardening and Hop-Growing (see above), of compensation of expenditures incurred by agricultural producers in the field of grape-growing, gardening and hop-growing.</p>  |
| <p>MAP Order On Approval of Procedure for Disbursement of Budget Funds Provided For Development of Grape Growing, Gardening and Hop-Growing and On Funding Expenditures for Improvement of Material and Technical Base of Sectoral Scientific Establishments and Their Experimental Farms<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p> | <p>№ 792;<br/>09.11.07 –<br/>23.11.07</p>                    | <p>Detailed rules on disbursement of budget funds for funding expenditures for carrying out scientific and technical research in the said sectors and funding expenditures for improvement of material and technical base of sectoral scientific establishments and their experimental farms.</p>  |

## 2.2. FOOD INDUSTRY<sup>11</sup>

| Title, reference to web-page <sup>12</sup>  | Number; dates DD.MM.YY: adopted on / effective from    | COMMENTS  |
|---|--|---|
| <p>On Safety and Quality of Food Products<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 771/97-BP;<br/>           23.12.97 – 24.01.98</p> | <p>This Law establishes competences of veterinary and sanitary authorities of Ukraine; sets rules on putting into operation of new facilities in the field of production, processing and sale of food stuffs and products, suspension and prohibition of operation of the said facilities; requirements to food products, their composition, labeling, packaging and advertisement; rules on export and import trade in food products. “The current largely Soviet-type food safety and quality (FS) system in Ukraine does not ensure effective FS control for population but rather undermines Ukraine’s export potential and international competitiveness in agriculture and food sectors via significant FS compliance costs” (APD, AFPR <a href="#">Issue # 10/2012</a>).</p> |
| <p>On Fish, Other Aquatic Living Resources and Food Products Derived From Them<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>   | <p>№ 486-IV;<br/>           06.02.03 – 12.03.03</p>    | <p>Law defines rules on fishing, processing of fish and production of foodstuffs and feedstuffs from fish, on attestation of production facilities meant for processing of fish, on certification of quality and safety of products derived from fish, on import, export of and trade in fish and fish-derived products</p>   |
| <p>On Milk and Dairy Products<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 1870-IV;<br/>           24.06.04 – 29.07.04</p>   | <p>Law sets up the list of detailed technical and organizational requirements to production of milk and dairy products, to quality and safety of milk and dairy products, provides for measures of state support to dairy sector.</p>   |
| <p>On Grain and Grain Market in Ukraine<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 37-IV;<br/>           04.07.02 – 31.07.02</p>     | <p>Basic Law laying foundations of the state policy on cereals and main rules regarding production, storing and marketing (export, import and domestic sales) of cereals, on ensuring food security of the state and on state interventions on cereals market of Ukraine.</p>   |
| <p>On Baby Food<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 142-V;<br/>           14.09.06 – 01.01.07</p>     | <p>Law describes state policy in the field of production of baby food and sets up requirements to quality and safety of baby food.</p>  |
| <p>On the State Regulation of Production and Circulation of Ethyl Alcohol, Cognac and Fruit Alcohols, Alcoholic Beverages and Tobacco Products<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>                               | <p>№ 481/95-BP;<br/>           19.12.95 – 23.01.96</p> | <p>Detailed rules on licensing, production, certification, trade in and import and export of ethyl alcohol, cognac and fruit alcohols, alcoholic beverages and tobacco products. Law also defines competences of state bodies of control in this sector and describes violations entailing fines.</p>   |
| <p>CMU Order On Approval of Procedure for Labeling Food Products That Contain Genetically-Modified Organisms or Produced With Use Thereof and Are Being Put into Circulation<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p> | <p>№ 468;<br/>           1305.09 – 01.07.09</p>        | <p>Rules on mandatory labeling of food products with GMO content over 0.9%. Labeling of products with GMO content less than 0.1% or without GMO is voluntary.</p>   |
| <p>Technical Regulations approved by the Cabinet of Ministers of Ukraine</p>  |  | <p>Technical Regulations (TR) are sets of requirements to safety and other technical parameters of vehicles, machines, equipments, vessels, materials, substances, liquids etc. TRs are approved by the Cabinet of Ministers and shall be mandatory for all entities and persons concerned. Many of approved TRs are based on respective Directives of the EU. As of November 30, 2012, there are 48 TRs approved by CMU and 20 TRs approved by Ministries.</p>   |
| <p>Order of SCTR On Approval of Technical Regulation Regarding Rules on Labeling Food Products<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>   | <p>№ 487;<br/>           28.10.10-25.02.11</p>         | <p>Detailed set of rules on labeling of packed food products. TR is building upon, inter alia, <a href="#">Directive 2000/13/EC</a> Of The European Parliament And Of The Council Of 20 March 2000 On The Approximation Of The Laws Of The Member States Relating To The Labeling, Presentation And Advertising Of Foodstuffs and Commission <a href="#">Directive 2008/5/EC</a> Of 30 January 2008 Concerning The Compulsory Indication On The Labeling Of Certain Foodstuffs Of Particulars Other</p>   |

<sup>11</sup> Complete list of laws and bylaws (effective readings in Ukrainian) related to food industry is available [here](#). Also see the following APD publications: *Agriculture, Bioenergy and Food Policy in Ukraine* ed. by Heinz Strubenhoff, Veronika Movchan and Igor Burakovsky, APD & IER, 2009. – p.166-187, 202-264, 298-305; [Introducing minimum milk prices: A move with negative economic implications](#). AFPR, Issue # 5/2012 (May, 2012); [Dairy trade dispute between Ukraine, Russia, and Belarus: The beginning of a new trade war?](#) Issue # 2/2012 (March, 2012); AgPP No. 33: [Raw sugar toll refining – a sensible policy?](#); AgPP No. 24: [European Markets for Meat: Real Opportunities for Ukraine?](#); AgPP No. 19: [The EU Dairy Market – Real Opportunities for Ukraine?](#); AgPP No. 25: [Options for Ukraine with regard to its National Policy towards GMOs: the EU or US Model?](#); AgPP No. 16: [Comment on the Law of Ukraine No 1103 “On the State Biosafety System for Developing, Testing, Transportation and Usage of Genetically Modified Organisms”](#). Complete list of Law and By-laws related to food industry is available here: <http://zakon2.rada.gov.ua/laws/main/1733>

<sup>12</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>12</sup>   | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS  |
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|  |   | Than Those Provided For In Directive 2000/13/EC Of The European Parliament And Of The Council.  |
| Order SCTR On Approval of TR for Proving Conformity of Package (Packaging Materials) and Packaging Waste<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 289;<br>24.12.04-<br>05.02.05                     | Detailed set of rules on packaging, packaging materials and packaging waste regarding their conformity. This TR is building upon European Parliament And Council <a href="#">Directive 94/62/EC</a> of 20 December 1994 On Packaging And Packaging Waste.   |
| CMU Resolution On Approval of Procedure for Granting Operational Permits in Respect of Facilities (Objects) for Production, Processing or Sale of Food Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | №712;<br>12.05.07 –<br>12.05.07                     | Procedure prescribes that operators of facilities meant for production, processing or sales of food products shall obtain an operational permit for every facility. Permits are issued by Chief Sanitary Doctor (head of local sanitary inspectorate) or Chief Veterinary Doctor (head of local veterinary inspectorate), depending on the type of facilities. New permits shall be obtained on occasions of new (renovated) facilities opening, change of type of activity of condition of premises, premature withdrawal of previous permit or in case of export of food products. Cost of all tests, analysis, investigations as well as of the permit are borne by operators. Time limit for checks and issue of permit – 30 calendar days. Permits are issued for unlimited period of time provided operators perform necessary sanitary measures. |
| MPH Order On Approval of Procedure for Maintaining Register of Facilities (Objects) and Operators Thereof<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №25;<br>24.01.08 –<br>24.02.08                      | Procedure regulates issues related to organization and maintaining of the Registry of facilities meant for production, processing or sales of food products and operators thereof as well as recording, alteration and withdrawal of Register's information. In fact, this Register is a record of operational permits (see above). Besides facilities and operators located in Ukraine, Register contains information on facilities located abroad and producing products meant for import to Ukraine.   |
| MAPF Order On Approval of Requirements to Development, Implementation and Application of Permanently Applicable Procedures Based On HACCP<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                       | № 590;<br>01.01.12 –<br>02.05.13                    | Detailed rules on implementation of HACCP in food industry of Ukraine   |
| MAP, MPH and SCTR On Approval of Procedure for Maintaining Registry of Certified (Attested) Producers of Milk, Dairy Raw Materials and Dairy Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>           | № 24/28/18;<br>21.01.05-<br>06.02.05                | Procedure is developed on the basis of Law of Ukraine On Milk and Dairy products, it is aiming at provision of information to all concerned persons in respect of producers of milk, dairy raw materials and dairy products whose production facilities and technologies comply with requirements of effective standards, rules and norms. Attestation of production facilities is performed by MAP; on the basis of attestation results dairy businesses are given certificate of attestation and entered into the Registry. This certificate may be withdrawn from producers; MAP is informing public about withdrawal of such certificates through media.  |
| CMU Resolution On Approval of Procedure for Processing of Grapes, Fruits and Berries into Wine Base Under Tolling (Give-and-Take) Conditions”<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                   | № 1236;<br>0611.97 –<br>15.11.97                    | This Procedure aims first of all on establishing tighter control over collection of excise tax on alcohol and alcoholic beverages. In order to tighten the said control Procedure prescribes registration of contracts for tolling processing of grapes, fruits and berries by MAPF, <a href="#">UKOOSPILKA</a> or Oblast State Administrations, depending on subordination of processing enterprises.  |
| CMU Resolution On Approval of Procedure for Granting Permits for Production of Dried Wine Base,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №1005;<br>24.07.06 –<br>24.07.06                    | This Procedure regulates use of dried wine base (wine materials) by producers of wines in years of insufficient harvest of grape. Respective permits are issued by MAPF free of charge. The black label of wines produced with dried wine materials shall contain information about use of such materials.  |
| Order of State Committee On Technical Regulation and Consumers Policy On Approval of Technical Regulation for Rules On Labeling of Food Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                | № 487;<br>28.10.10 –<br>25.02.11                    | Rules on labeling of food products providing requirements on types of information to be provided on labels of food products (ingredients etc).  |
| MAPF Order On Approval of Instruction on Technology for Production of Baker's Grade Flour  | № 10;<br>04.02.11 –<br>11.03.11                     | Respective technological instructions   |

| Title, reference to web-page <sup>12</sup>  | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
| and Whole-Meal Flour from Triticale and Instruction on Storing Grain in Grain Storages With Use of Polymer Grain Sleeves<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   |   |   |
| MAPF Order On Establishment of Maximum Content of Erucic Acid in Oils, Fats and Their Blends Meant for Human Consumption and in Food Products Containing Oils and Fats<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                           | № 93;<br>24.03.11-<br>16.05.11                      | Order defines that oils, fats and blends (mixes) thereof meant for supply to retail networks and to the network of establishments of restaurant business and for food consumption, as well as in finished food products with oils and fats or their blends shall contain no more than 2% of erucic acid. Oil blends and fats meant for industrial processing shall contain no more than 5% of erucic oil.   |
| MAPF Order On Approval of Instruction for Merchandising Assessment and Marking of Meat<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 587;<br>01.11.11 –<br>02.12.11                    | Instruction for performing merchandising assessment of all types of meat and poultry and for marking of the said.   |
| State Sanitary Norms and Rules  |   | State sanitary norms and rules (SSNR) are approved by the Ministry of Public Health and meant for ensuring sanitary and epidemiological wellbeing of humans in the process of industrial production of consumers and industrial goods. Currently there are 20 SSNR, some of them are of relevance for food industry (as of November 30, 2012). Legal basis for approving SSNR is found in Article 40 of the <a href="#">Law of Ukraine "On Ensuring Sanitary and Epidemiological Wellbeing of Population"</a> |
| MPH Order On Approval of SSRN for Facilities Producing Malt, Beer and Non-Alcoholic Beverages<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 811;<br>11.12.07 –<br>06.01.08                    | Norms and rules meant for ensuring sanitary and epidemiological wellbeing of population in the process of industrial production of malt, beer and non-alcoholic beverages.  |
| MPH Order On Approval of SSRN for Facilities and Ships That Produce Goods from Fish and Other Water Living Resources<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 197;<br>06.05.03 –<br>04.06.03                    | Norms and rules meant for ensuring sanitary and epidemiological wellbeing of population in the process of production foodstuffs from fish and other water living resources.   |
| MPH Order On Approval of Sanitary Rules and Norms On Application of Food Additives<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 222;<br>23.07.96-<br>16.12.96                     | Production, sale or use of food additives in Ukraine is permitted under condition that food additives are approved and released into circulation in Ukraine by MPH. Food additives are natural or synthetic substances being purposefully introduced into food products in order to give them necessary properties; these substances are not consumed independently as food products or else. These are coloring agents, preserving agents, odorants, acidity regulators etc.                                 |
| MAP Order On Approval of Regulations on Central Sectoral Taste Panels For Assessment of Quality of Food Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №332;<br>14.05.09-<br>07.08.09                      | National Standards on food products, inter alia, regulate organoleptical properties of food products. In order to assess conformity of organoleptical properties of food products being release on market, Central Taste Panels have been established by MAP to test organoleptical properties of different groups of food products, starting from alcohol and vodkas and ending up with bread and pasta.   |
| Order of Ministry on Extraordinary Situation and Liquidation of Outcomes of Chernobyl Nuclear Disaster On Approval of Rules on Safety at Work for Workers of Coastal Fish-Processing Enterprises<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | №365<br>16.06.06-<br>03.09.06                       | Detailed rules on safety at works to be applied at all coastal fish-processing facilities.  |
| CMU Resolution On Approval of TR on Ecological Labeling<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 529;<br>18.05.11-<br>03.06.11                     | This TR contains requirements to non-mandatory (voluntary) ecological labeling of goods and products. It also regulates the procedure for development and revision of ecological criteria. TR is based upon <a href="#">Regulation No 66/2010</a> Of The European Parliament And Of The Council Of 25 November 2009 On The EU Ecolabel.   |

## 2.3. RURAL DEVELOPMENT (incl. BIO-FUEL)

| Title, reference to web-page <sup>13</sup>  | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|---|---|--|
| On Prioritization of Social Development of Rural Areas and Agro-Industrial Complex in National Economy<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                   | № 400-XII;<br>17.10.90 – 01.11.90                   | Legal act laying foundations of the state policy in the field. Defines principles of business in AIC. Provides for minimum level of state expenditures for centralized CAPEX for AIC (1% of GDP), special rules on social protection of rural dwellers and agricultural enterprises, on pricing in AIC, on financial support to enterprises of AIC.  |
| On Alternative Types of Fuel <sup>14</sup><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1391-XIV,<br>14.01.00 – 15.02.00                  | Framework Law provisions of which further developed or to be developed in bylaws. This Law defines types of alternative fuel (liquid fuels, gas fuels and hard fuels), types of vehicles and equipment consuming alternative types of fuels and ways for confirming their ability to consume the said. It also provides for measures stimulating research, design, production and implementation of alternative fuels and vehicles and equipment consuming them; details of the measures are to be found in bylaws adopted pursuant to this Law. Law also defines target values of the volume of bio-ethanol to be added into motor fuels (7% min starting from 2016).   |
| Decree of the President of Ukraine On Additional Measures for Social protection of Peasants-Owners of Land Parcels and Land Shares (Pai)<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 92/2002;<br>02.02.02 – 02.02.02                   | This Decree lays down a rule that the rate of rent paid to citizens – owners of land parcels of agricultural use and land shares shall not be lower than 3% of normative value of land.  |
| CMU Resolution On Approval of State Special Program for Ukrainian Rural Development for the period till 2015<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                             | №1158;<br>19.09.07- 19.09.07                        | The food security strategy of Ukraine is laid down in the State Special Program of Ukrainian Rural Village Development for the period till 2015. The objectives are to ensure food security and food independence. Particularly the target of production of 50 m tons of grain, 25 m tons of sugar beet and 15 m tons of oil crops till 2015 is set in the program. Also, the Program foresees the development of renewable energy sources and alternative biofuels, particularly biodiesel and bioethanol. The Program indicates the necessity of organic agriculture and biofuel production legalization. <sup>15</sup> This Program lays down strategic directions for further advance and objectives to be attained in Ukraine's AIC. Rural development is seen as an outcome of improved economic situation in farm businesses. |
| CMU Resolution On Approval of Program for Development of Production of Diesel Bio-fuel<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1774;<br>22.12.06 – 22.12.06                      | Program sets objectives and results to be achieved in the field of cultivation of raw materials for production of bio-diesel and production of the type of alternative fuel. For instance, it provides for the increase of cropping areas of rape seed up to 10% of all arable land in Ukraine (i.e. up to 3.1 million ha).  |

<sup>13</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

<sup>14</sup> See in particular: [Sustainable Biomass Production and Certification for the EU Biofuels Market Handbook for Producers and Traders](#) by Natalia Sysenko, Serhiy Kandul, Martina Gaebler, Horst Fehrenbach, Susanne Köppen, GIZ&IER, 2012; [Agriculture, Bioenergy and Food Policy in Ukraine](#) ed. by Heinz Strubenhoff, Veronika Movchan and Igor Burakovsky, APD & IER, 2009. – p.281-348; APD & IER. AFPR [Issue 3/2012](#) (April 2012) EU Biofuels Policy: Repercussions on Ukraine; Biofuels policy in Ukraine: The need for critical rethinking. APD & IER. AFPR [Issue # 7/2012](#) (August, 2012). Also see the following policy papers published by APD&IER: APD/PP/02/2012: [Pellet production in Ukraine: a profitable option for sustainable development?](#) AgPP No. 31: [Straw use in Ukraine – opportunities and options](#); AgPP No. 29: [Sustainability requirements for biofuels in the EU: implications for Ukrainian producers of feedstocks](#); AgPP No. 26: [Biogas and "green tariffs" in Ukraine – A profitable investment?](#); AgPP No. 15: [Financing GHG Emission Reduction Projects in Agriculture in Ukraine. Use options for markets related to the Kyoto Protocol](#); AgPP No. 7: [The World Biofuel Boom and Ukraine – How to Reap the Benefits](#); AgPP No. 6: [Overview on Renewable Energy in Agriculture and Forestry in Ukraine](#).

<sup>15</sup> [Agriculture Guide](#) by Wolfram Rehbock, Anna Pograbna and Heinz-Wilhelm Strubenhoff, Arzinger&IER, 2010, p.63.



## 2.4. FOOD SAFETY AND CONSUMERS PROTECTION<sup>16</sup>

| Title, reference to web-page <sup>17</sup>  | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
| <a href="#">On Safety and Quality of Food Products</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 771/97-BP;<br>23.12.97 – 24.01.98                 | This Law establishes competences of veterinary and sanitary authorities of Ukraine; sets rules on putting into operation of new facilities in the field of production, processing and sale of food stuffs and food products, suspension and prohibition of operation of the said facilities; requirements to food products, their composition, labeling, packaging and advertisement; rules on export and import trade in food products. “The current largely Soviet-type food safety and quality (FS) system in Ukraine does not ensure effective FS control for population but rather undermines Ukraine’s export potential and international competitiveness in agriculture and food sectors via significant FS compliance costs” (APD, AFPR <a href="#">Issue # 10/2012</a> )   |
| <a href="#">On State System of Biosafety at Time of Creating, Testing, Transporting and Using Genetically Modified Organisms</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | №;<br>31.05.07 – 21.06.07                           | Law lays down fundamental of state policy in the field of GMO, it defines competences of central and local executive bodies in this field, provides rules for production, transportation, storing, import, transit, export and state registration of GMO and food products derived from or produced with GMO. Law also prescribes establishment in Ukraine of the network of test laboratories called upon to perform an actual control over GMO circulation and releases into environment. “Law ... introduces several important mechanisms as regards GMO handling in Ukraine. Some of them, like monitoring of GMO products, have been introduced in Ukraine for the first time, the others, like registration, were available until now only for biotech plants. Monitoring of GMO products is of special importance as it allows to control the GMO products after their putting into circulation. Also important, the Law provides a framework for further measures. It foresees, amongst others, the approval of the safety criteria for GMO handling, the procedure for licensing genetic engineering activities in closed and open environments and the procedure for granting permission for the transit of GMO through Ukraine”. <sup>18</sup> |
| <a href="#">On Protection of Rights of Consumers</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1023-XII,<br>12.05.91 – 01.10.91                  | Framework Law laying foundation of consumers’ rights protection in Ukraine, establishing main rules in the field and liability of businesses guilty of violating those rules.   |
| <a href="#">On Ensuring Sanitary and Epidemiological Well-Being of Population</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 4004-XII;<br>24.02.94 – 08.04.94                  | The Law sets forth the following requirements: on licensing of types of activity related to a potential danger for human health; on safety for health and life of the population in state standards and other regulatory technical documents; on design, construction, development, production and use of new means of production and technologies; on bringing in from abroad products, their sale and use; on food raw materials and foodstuffs, and conditions of the transportation, storage and sale thereof; on business and drinking water supplies and places of water use; on atmospheric air in populated localities, air at production and other facilities; on residential and business premises, territories, means of production and technologies.  |
| <a href="#">On General Safety of Non-Food Products</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 2736-VI;<br>02.12.10- 05.07.11                    | Law established general requirements regarding safety of non-food products and defines ways for confirming safety, for ensuring safety and also competences of state bodies entrusted with control over safety of non-food products in Ukraine. Provisions of this Law is further elaborated in the Law of Ukraine On State Market Supervision and Control of Non-Food Products, see below.   |
| MPH Order On Approval of Microbiological Criteria for Establishing Indicators of Safety of Food Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                         | № 548;<br>19.07.12 – 28.08.15                       | Detailed rules on hygiene safety of food products at all stages of production, processing, transportation, storing and trade. Rules on sampling, analyzing and labeling.  |
| MPH Order On Approval of List of Food Products in Respect of Which  | № 971;<br>09.11.10- 30.12.10                        | This Order lists food products subject to GMO content control. These are products derived from soy bean, corn (maize), potato, tomato,  |

<sup>16</sup> See in particular, the following APD publications: Food Safety and Quality Standards in Ukraine: A need for a breakthrough, [AFPR Issue # 10/2012](#) (October 2012); AgPP No. 25: [Options for Ukraine with regard to its National Policy towards GMOs: the EU or US Model?](#)

<sup>17</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

<sup>18</sup> AgPP No. 16: [Comment on the Law of Ukraine No 1103 “On the State Biosafety System for Developing, Testing, Transportation and Usage of Genetically Modified Organisms”](#).

| Title, reference to web-page <sup>17</sup>  | Number;<br>dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
|---|---|---|
| Control of GMO Content is Performed<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  |   | marrow, melon, papaya, chicory, sugar beetroot, rape seed, flax seed, cotton seed, wheat grain and rice; products meant for baby nutrition, diet nutrition; starters and yeasts.  |
| State Hygienic Norms  |   | State hygienic norms (SHN) are approved by the Ministry of Public Health and meant for establishing maximum level of content of certain substances in water, food and other consumers and industrial goods. MPH of Ukraine has approved so far only 1 set of SHN, see below. Legal basis for approving SSNR is found in the <a href="#">Law of Ukraine "On Ensuring Sanitary and Epidemiological Wellbeing of Population"</a> . |
| MPH Order On Approval of SHN "Permitted Levels of Content of Radio-Nuclides Cs137 and Sr90 in Food Products and Potable Water"<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | №256;<br>03.05.06-<br>28.07.06                                  | Order establishes maximum permitted content of the said radio-nuclides in food products and potable water.  |

## 2.5. AGRI-FOOD TRADE<sup>19</sup>

| Title, reference to web-page <sup>20</sup>  | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
| <a href="#">Civil Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 435-IV;<br>16.01.03 -<br>01.01.04                 | The most complete collection of rules and norms on trade activities related to offering, contracting, discharge of obligations, liabilities and other issues having significance for trade.   |
| <a href="#">Commercial Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 436-I;<br>16.01.03 -<br>01.01.04                  | Rules on trade activities similar to those listed in the Civil Code with special focus of business trade activities.  |
| <a href="#">Customs Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 4495-VI;<br>13.03.12 -<br>01.06.12                | The Code incorporates some of the previous other laws and bylaws and contains the following innovations: i) an entrepreneur should provide only single document on import-export operations; ii) the Code enforces electronic declaration without any restrictions to accelerate the customs clearance; iii) the Code establishes a comprehensive list of documents required by the customs authority for customs registration; iv) custom clearance is to be carried out within 4 hours from the time of submitting declaration; v) entrepreneurs have an opportunity to control time for customs clearance; customs authorities carry a personal responsibility for delays in customs registration. The Code simplifies the rules for approval of customs value, which is the base for customs duty. The Code sets the new concept of „compromise at customs“. The rules of confiscations are revised. The Code significantly expands the rights of entrepreneurs to appeal decisions, actions and inaction of customs authorities. The Code sets the rules according to which the damage caused to the company by unlawful actions of customs officials should be recovered from the state budget. <sup>21</sup> |
| <a href="#">On Customs Tariffs of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 2371-III;<br>05.04.01 -<br>01.06.01               | Gives understanding of Ukrainian system of classification of goods for the purpose of foreign trade. Contains a comprehensive list of customs duties effective in Ukraine.  |
| <a href="#">On Export Duty Rates for Seeds of Some Oil Plants</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                      | № 1033-<br>XIV;<br>10.09.99 -<br>30.09.99           | Law sets up rates of export duties on seed of flax, sunflower and camelina (16% of customs value).  |
| <a href="#">On Export Duty on Live Cattle and Leather Raw Materials</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                | №180/96-<br>BP;<br>07.05.96 -<br>25.05.96           | Law sets up rates of export duties on export of bovine animal and sheep (50% of customs value) and hides of bovine animal, horse and sheep (30% of customs value).  |
| <a href="#">On State Regulation of Import of Agricultural Products</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                 | № 468/97-<br>BP;<br>17.07.97 -<br>07.10.97          | Law sets up rules on tariff and non-tariff measures aiming at regulation of food and commodities import, including customs duties, seasonal duties, certification and control of imports (veterinary, sanitary, phytosanitary, radiological).   |
| <a href="#">On Establishing Tariff Quota for Import into Ukraine of Raw Cane Sugar</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | №404-V;<br>30.11.06 -<br>01.01.09                   | This Law defines that annual quota for importing of raw cane sugar into Ukraine makes up 260 thousand t. Such import is performed on the basis of special permits (licenses) issued by the Ministry of economy of Ukraine, details are to be found in the List of related laws and by-laws (see footnote referred to in the left column).   |
| <a href="#">On Grain and Grain Market in Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                   | № 37-IV;<br>04.07.02 -<br>31.07.02                  | Basic Law laying foundations of the state policy on cereals and main rules regarding production, storing and marketing (export, import and domestic sales) of cereals, on ensuring food security of the state and on state interventions on cereals market of Ukraine.  |
| <a href="#">On Milk and Dairy Products</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №1870-IV;<br>24.06.04 -<br>29.07.04                 | Law sets up the list of detailed technical and organizational requirements to production of milk and dairy products, to quality and safety of milk and dairy products, provides for measures of state support to dairy sector.  |
| <a href="#">On the State Regulation of Production and Circulation of Ethyl Alcohol, Cognac and Fruit Alcohols, Alcoholic Beverages and</a>                      | № 481/95-<br>BP;<br>19.12.95 -<br>23.01.96          | Detailed rules on licensing, production, certification, trade in and import and export of ethyl alcohol, cognac and fruit alcohols, alcoholic beverages and tobacco products. Law also defines competences of state bodies of control in this sector and describes violations entailing   |

<sup>19</sup> See, in particular, the following APD publications; [AgPP No. 36](#): Legal and Economic Assessment of the Impact of the Draft Law on Domestic Trade – Does limiting Food Trade help the Poor?; [AgPP No. 35](#): State monopoly in agricultural exports: the game is not worth a candle; [AgPP No. 34](#): Why agricultural producers lose huge market opportunities with state monopolies – International experience and Ukrainian evidence; [AgPP No. 24](#): European Markets for Meat: Real Opportunities for Ukraine?; [AgPP No. 19](#): The EU Dairy Market – Real Opportunities for Ukraine?

<sup>20</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

<sup>21</sup> APD. Legislation Review: Agriculture, Food and Renewable Energy Sector, [Issue #7-8/2012](#)

| Title, reference to web-page <sup>20</sup>  | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|---|---|--|
| Tobacco Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   |   | fines.   |
| CMU Order On Approval of Procedure for Granting Permits for Import on Territory of Ukraine of Animals, Products of Animal Origin, Reproduction Materials, Biologic Products, Pathology Material, Veterinary Preparations, Substances, Feeding Additives, Premixes and Feedstuffs<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | №652;<br>01.07.09 –<br>01.07.09                     | Procedure defines that respective permits are issued by the State Phyto-Veterinary Service within 30 days from an application, free of charge. Permits are issued for the period of 1 year. Procedure also provides a complete list of documents and papers to be attached to an application for import.   |
| CMU Resolution On Approval of Procedure for Labeling Food Products That Contain Genetically-Modified Organisms or Produced With Use Thereof and Are Being Put into Circulation<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 468;<br>1305.09 –<br>01.07.09                     | Rules on mandatory labeling of food products with GMO content over 0.9%. Labeling of products with GMO content less than 0.1% or no GMO is voluntary.  |
| CMU Resolution On Approval of Procedure for Carrying Out Trading Activities and Rules for Trade Services On the Market of Consumers Goods<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 833;<br>15.06.06-<br>05.07.06                     | This Procedure and Rules define the general conditions for conducting trading activities by businesses engaged into wholesale, retail trade, restaurant and trading services, set up major requirements to establishments and outlets of trading network, network of restaurants and other places of trading servicing of consumers acquiring goods and products from enterprises, institutions and organizations regardless of their legal form, ownership and including foreign entities conducting business in Ukraine.   |
| CMU Resolution On Approval of Procedure for Performing Wholesale and Retail Trade in Transport Vehicles and their Components Having Identification Numbers<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1200;<br>11.11.09-<br>20.11.09                    | The procedure determines the mechanism of conducting trading activities in wholesale and retail trade in automobiles, buses, motorcycles of all types, makes and models of semi-trailers, trailers, tractors, self-propelled chassis, self-propelled agricultural, road-building and agricultural machines, agricultural machinery and other machinery and vehicles of domestic or foreign make and their parts (engine, chassis, body, frame) with identification numbers and also used vehicles and their components with identification numbers.  |
| On Approval of License Conditions for Undertaking Economic Activity Consisting of Wholesale Trade in Seed<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 124/422/194 /201;<br>26.11.03-<br>28.11.03        | Wholesale trade in seed in Ukraine is subject to licensing. Licenses are issued to businesses in accordance with these License Conditions approved jointly by MAP, State Committee of Ukraine on Forestry, State Committee of Ukraine on Issues of Regulatory Policy and Entrepreneurship, State Committee of Ukraine On Issues of Housing and Utilities.  |
| CMU Resolution On Approval of Procedure for Declaration of Changes of Wholesale Prices for Food Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №1222;<br>17.10.07-<br>17.10.07                     | This Procedure defines steps to be taken by producers of food products in case their raise wholesale prices for their output (socially sensitive products) by more than 1% in a month. These products are: graded wheat flour, whole-meal rye flour, buckwheat, beef, pork, poultry, boiled sausages (except for the highest grade), milk, milk cheese with fat content up to 9%, sour cream with fat content up to 20%, butter with fat content up to 72.5%. Producers shall submit justification of new prices to the State Inspection on Prices 10 days prior introduction of new prices. If submitted set of documents is incomplete or justification is ill-founded, Inspection does not give a positive conclusion on justification of new prices. If set is complete and justification is well-founded, producers shall declare new prices, along with conclusion of the Inspection, to Oblast State Administration (or Kyiv City or Sevastopol City State Administrations, Soviet of Ministers of Autonomous Republic of Crimea) which then has two days for consideration of submitted declaration. If it decides in favour of a producer, the latter may apply new prices; if it doesn't, producer shall keep old prices and may file an appeal in respect of the refusal. |

## 3. INPUTS

### 3.1. MACHINERY AND EQUIPMENT<sup>22</sup>

| Title, reference to web-page <sup>23</sup>  | Number;<br>dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS   |
|---|---|--|
| On the System for Engineering and Technical Support for the Agro-industrial Complex of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 229-V;<br>05.10.06 –<br>01.01.08                              | Law shall establish legal, economic and organizational principles for the formation and the functioning of the system for engineering and technical support for the agro-industrial complex, regulate the relations in the area of technical and technological maintenance and servicing of the agro-industrial complex, contribute to the development of economic conditions for creating, testing, manufacturing, selling, using, and servicing technical devices for sectors of the agro-industrial complex.  |
| On Stimulating Development of National Machine Building for Agro-Industrial Complex<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 3023-III;<br>07.02.02 –<br>15.03.02                           | This Law declares machine building for AIC a priority sector and outlines directions and means of state support for and facilitation to this sector. Among other things, Law requires that budget funding of the sector was separated from other state expenditures in the Law on state budget and presented there as a separate item.   |
| On Protecting the Rights of Buyers of Agricultural Machinery<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №900-IV;<br>05.06.03 –<br>08.07.03                              | Law regulates relations between buyers of agricultural machinery and its producers, sellers, agents and agencies executing works and providing services related to technical maintenance, identifies rights and obligations of buyers, and identifies the mechanism for providing state protection for buyers, identifies obligations and responsibility of producers, sellers, agents and agencies executing works and providing services. Each piece of machinery that is imported to the territory of Ukraine shall have a certificate of conformity or a document that testifies to the recognition of foreign documents on the confirmation of conformity of machinery to the requirements established by the legislation of Ukraine. |
| On General Safety of Non-Food Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 2736-VI;<br>02.12.10-<br>05.07.11                             | Law established general requirements regarding safety of non-food products and defines ways for confirming safety, for ensuring safety and also competences of state bodies entrusted with control over safety of non-food products in Ukraine. Provisions of this Law is further elaborated in the Law of Ukraine On State Market Supervision and Control of Non-Food Products, see above.  |
| CMU Resolution On Approval of Procedure for Carrying Out Trading Activities and Rules for Trade Services On the Market of Consumers Goods<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                  | № 833;<br>15.06.06-<br>05.07.06                                 | This Procedure and Rules define the general conditions for conducting trading activities by businesses engaged into wholesale, retail trade, restaurant and trading services, set up major requirements to establishments and outlets of trading network, network of restaurants and other places of trading servicing of consumers acquiring goods and products from enterprises, institutions and organizations regardless of their legal form, ownership and including foreign entities conducting business in Ukraine.   |
| CMU Resolution On Approval of Procedure for Performing Wholesale and Retail Trade in Transport Vehicles and their Components Having Identification Numbers<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 1200;<br>11.11.09-<br>20.11.09                                | The procedure determines the mechanism of conducting trading activities in wholesale and retail trade in automobiles, buses, motorcycles of all types, makes and models of semi-trailers, trailers, tractors, self-propelled chassis, self-propelled agricultural, road-building and agricultural machines, agricultural machinery and other machinery and vehicles of domestic or foreign make and their parts (engine, chassis, body, frame) with identification numbers and also used vehicles and their components with identification numbers.  |
| Technical Regulations approved by the Cabinet of Ministers of Ukraine   |   | Technical Regulations (TR) are sets of requirements to safety and other technical parameters of vehicles, machines, equipments, vessels, materials, substances, liquids etc. TRs are approved by the Cabinet of Ministers and shall be mandatory for all entities and persons concerned. Many of approved TRs are based on respective Directives of the EU. As of November 30, 2012, there are 48 TRs approved by CMU and 20 TRs approved by Ministries.   |
| CMU Resolution On Approval of   | № 1367;   | TR is aiming at ensuring safety of agricultural or forestry tractors, their  |

<sup>22</sup> Laws, by-laws, standards, technical regulations regarding machinery and equipment for agri-food sector are available at <http://zakon2.rada.gov.ua/laws/main/j882>

<sup>23</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>23</sup>  | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|---|---|--|
| TR for Type-Approval Of Agricultural Or Forestry Tractors, Their Trailers And Interchangeable Towed Machinery, Together With Their Systems, Components And Separate Technical Units<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                | 28.12.11-13.07.12                                   | trailers and interchangeable towed machinery, together with their systems, components and separate technical units. TR is based on EC <a href="#">Directive 2003/37/EC</a> .   |
| CMU Resolution On Approval of TR On Components and Features of Wheeled Agricultural and Forestry Tractors,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | N 1368; 28.12.11-13.07.12                           | TR sets requirements to wheeled agricultural and forestry tractors regarding maximum full (with load) weight; shape and size and location of registration plate; reservoirs for liquid fuel; ballast load; sound signals; level of external noise and exhaust systems.   |
| CMU Resolution On Approval of TR on Safety of Machinery<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  |   | TR is aiming at establishment common requirements to safety of machines and equipment regarding human health and safety, safety and health of animals and plants, safety of property and environment. TR is based upon <a href="#">Directive 2006/42/EC</a> Of The European Parliament And Of The Council Of 17 May 2006 On Machinery.   |
| CMU Resolution On Approval of Procedure for State Testing and State Registration of Technical Means of Application of Pesticides and Agrochemicals,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 479; 29.04.96-29.04.96                            | This acts states that production, import, purchase and use of technical means for application of pesticides and agrochemicals are allowed only upon state registration thereof. State testing is aiming at ensuring safety of the said means for human health and life as well as for animal and plant wellbeing. Procedure also provides for mandatory registration of the said means every 5 years upon initial registration. State registry of the said technical means is maintained by Ukrainian State Center for Testing and Forecasting of Tevchnics and Technologies for Agricultural Production ( <i>Український державний центр по випробуванню та прогнозуванню техніки і технологій для сільськогосподарського виробництва</i> , <a href="http://ndipvt.org.ua/">http://ndipvt.org.ua/</a> ) |
| CMU Resolution Issues of Importing to Customs Territory of Ukraine of Materials, Units, Components, and/or Component Parts for the Purpose of Production of Machinery and/or Equipment for AIC<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                     | № 459; 23.05.12-01.06.12                            | This Resolution approved the Procedure for importing of the said parts, units and components for production of machinery and equipment for agriculture, forestry and food industry (production of food, beverages and tobacco products) <u>exempt from customs duty</u> and the List of goods subject to the rules of the Procedure.   |
| CMU Order On Approval of Procedure of Mandatory Technical Control of Tractors, Driving Chassis, Self-Propelled Agricultural, Road-Building and Amelioration Machines, Agricultural Machinery and Other Mechanisms;<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 1201; 16.11.11 – 05.12.11                         | Mandatory technical control is performed by local inspectorates of technical supervision, annually, and consists of assessment of suitability of machines and mechanism for safe operation. Control is completed by the issue of a protocol. Operation of the said machines and mechanisms without the protocol is prohibited.   |
| CMU Order On Approval of Procedure for Use of Funds of State Budget Meant for Partial Compensation of Cost of Complex Agricultural Machinery of National Make,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 959; 28.07.04 – 28.07.04                          | Procedure regulates provision of state support for purchase of agricultural machinery of domestic origin; this support makes up to 30% of the machinery cost, VAT exclusive.   |
| List of new agricultural machinery and equipment of foreign make analogues of which are not produced in Ukraine and which are purchased by agricultural enterprises through the mechanism for reducing cost of borrowings   |   | CMU annually releases the list of foreign agricultural machinery with no analogues produced in Ukraine which may be purchased by Ukrainian farm businesses with state support (reduction of cost of borrowings), see, for instance, this <a href="#">document</a> and this <a href="#">document</a> .  |
| MAP Order On Procedure for Carrying Out State Registration of   | № 488; 14.07.09 – 30.10.09                          | Technical means for AIC which successfully passed state commissioning may be included into the State Registry of Technical   |

| Title, reference to web-page <sup>23</sup>  | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
|---|--|---|
| Technical Means Recommended for Use in Agro-Industrial Complex of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  |  | Means for Agro-Industrial Complex. All means included into Registry considered to be well-adapted for Ukrainian conditions. Registry is administrated and maintained by MAPF.   |
| MAPF Order On Approval of Procedure for Recording, Creation and Maintenance of Registry of Enterprises, Establishments, Organizations and Other Subjects of Economic Activities Which Perform Trade in Tractors, Self-Propelled Chassis, Self-Propelled Agricultural, Road-Building and Amelioration Machines, Agricultural Machinery, Other Mechanisms and Their Components Having Identification Numbers<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 325;<br>05.06.12-<br>13.07.12                              | This Procedure describes actions of the State Inspection of Agriculture in the field of creating and maintaining the Registry of businesses engaged into trade in agricultural vehicles and machines with identification numbers as well as in the field of control over circulation of limited-issue forms (reference-invoices and other documents related to purchase and registration of machines and vehicles) and registration plates. |

### 3.2. LAND: <sup>24</sup> USE, MANAGEMENT AND PROTECTION

| Title, reference to web-page <sup>25</sup>  | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
| <a href="#">Land Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                               | № 2768-III;<br>25.10.01 –<br>01.01.02               | The Code lays legal foundations of land use, land ownership and land management. Provides basic rules for use of agricultural land (arable land, perennial plantations, pastures, he-fields and fallow fields). Sets restrictions on farmland ownership (foreigners, joint ventures and foreign companies are not allowed to own farmland in Ukraine; one person may own not more than 100 ha of farmland); trade (provisionally any alienation of farmland is banned) and use (farmland shall be used for agricultural purposes only). Code also defines competences of state and municipal authorities in the field of land administration, land management and control. Many provisions of the Code are further elaborated in Laws and bylaws. |
| <a href="#">On Protection of Lands</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                             | № 962-IV;<br>19.06.03 –<br>29.07.03                 | Framework Law defining competences of state authorities and municipalities in the field of land protection and describing in general terms areas and spheres for further detailed regulation of issues related to different types of land use, including standards (like ratio of crops in crop rotations; ratio of land uses within regions and landholdings; levels of soil fertility, contamination and degradation).  |
| <a href="#">On State Control Over Use and Protections of Lands</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 963-IV;<br>19.06.03 –<br>23.07.03                 | Law describes administrative system entrusted with the task of control over land use and protection, defines competences of state inspectorate, procedures to be observed when performing checks and investigation.   |
| <a href="#">On State Land Cadastre</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                             | № 3613-VI;<br>07.07.11 –<br>07.08.11                | Fundamental Law describing the system of state land cadastre, types of data and information recorded in the cadastre and rules on keeping and maintaining cadastral records. Along with the law of Ukraine On State Registration of Real Rights to Immovable Property and Their Encumbrances" this Law establishes two-tier cadastral and registration system.  |
| <a href="#">On Valuation of Land</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                               | № 1378-IV;<br>11.12.03 –<br>13.01.04                | Framework Law setting up legal basis for the profession of land valuers and appraisers, defining types of land evaluation, respective procedures and documents to issued in the process of land evaluation. Provisions of this Law are further elaborated upon in bylaws adopted by CMU, SALR and MAPF, see below.  |
| <a href="#">On Land Management</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                 | № 858-IV;<br>22.05.03 –<br>08.07.03                 | Framework Law laying down the state policy on land management and describing all types of land management documents and works as well as rules regulating activities of businesses engaged in land management.  |
| <a href="#">On Land Reclamation</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                | №1389-XIV;<br>14.01.00 –<br>16.02.00                | This Law provides a legal framework for different types of land reclamation (amelioration, betterment), including hydro-technical, culture-technical, chemical, agro-technical and agro-forest amelioration. It also regulates issues related to ownership to amelioration system declaring exclusive state ownership to engineer infrastructure of national amelioration systems. Amelioration systems of farms may be owned by farms themselves. Law also describes planning, designing, construction, exploitation and maintenance of amelioration systems.  |
| <a href="#">On Pesticides and Agrochemicals</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                    | № 86/95-BP;<br>02.03.95 –<br>11.04.95               | Framework Law defining the state policy towards production, transportation, storing, sale, use and utilization of pesticides and agrochemicals as well as competences of executive bodies in this field and principal mandatory requirement regarding safety of agricultural products in terms of pesticides and agrochemicals content.   |
| CMU Resolution On Approval of Model Contract for Lease of Land<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>     | № 220;<br>03.03.04 –<br>13.12.04                    | Model contract for lease of land usually used in Ukraine for leasing land from land owners. This model contract is not a mandatory template, nevertheless it is often said that cadastral officers tend to refuse registration or delay it if contact does not match the model one. Nevertheless, this Model as well as Law of Ukraine On Lease of Land (see above) leaves enough space for legal maneuvering.  |
| Decree of the President of Ukraine  | №   | This Decree lays down a rule that the rate of rent paid to citizens –   |

<sup>24</sup> See, in particular, the following APD publications: [Concerns about soil degradation: Should the Government correct its past mistakes at the expense of farmers? AFPR, Issue # 6/2012 \(June, 2012\)](#); AgPP No. 32: [The Value of Farmland - Expected Farmland Prices in Ukraine after lifting the Moratorium on Farmland Sales](#). Also see: [Rural Property Rights in Ukraine \(desk study\)](#), 2010. Center for Land Reform Policy in Ukraine, 2010; *Katja Dells, Maksym Fedorchenko, Oksana Frankewicz & Pieter Steffens. State Land Management of Agricultural Land in Ukraine*, Center for Land Reform Policy in Ukraine, Kyiv, 2008, 104 p.

<sup>25</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.



| Title, reference to web-page <sup>25</sup>  | Number, dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|---|---|--|
| On Additional Measures for Social protection of Peasants-Owners of Land Parcels and Land Shares (Pai)<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | 92/2002; 02.02.02 – 02.02.02                        | owners of land parcels of agricultural use and land shares shall not be lower than 3% of normative value of land.  |
| SALR Order On Approval of Classification of Types of Land Use Designation<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 548; 23.07.10 – 15.02.11                          | Exhaustive list of types of land use designation. Used for describing intended land use in land management documents, state land cadastre records, leasehold agreements and land titles. Use of land plots contrary to designated type of land use is illegal, prohibited and entails administrative, criminal and civil liability.  |
| CMU Resolution On Approval of Regulation on Maintaining State land Cadastre<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №1051; 17.10.12 – 01.01.13                          | Very detailed instruction describing all actions related to creation and maintenance of cadastral records. This Regulation enters into force simultaneously with Law of Ukraine “On State Land Cadastre”, i.e. 01.01.2013 (if not postponed further).  |
| On Approval of Instruction On Filling In Templates of Land Titles for Ownership and for Permanent Use of Land Plots<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 325; 22.06.09 – 25.08.09                          | Detailed guidelines for land management engineers on drafting land titles for private ownership to land plots and right of permanent use of land plot. Land titles are documents proving rights of ownership or permanent use to land plots. Currently issued by SALR. It is anticipated that land titles as they exist currently in Ukraine will be abolished upon introduction of full-fledged state registration of property rights (to be performed by the Ministry of Justice).   |
| CMU Resolution On Approval of Procedure for Drafting Land Management Projects for Allocation of Land Plots<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 677; 26.05.04 – 26.05.04                          | Land parcels are formed through procedure of allocation of new parcels or division (separation) or change of designated purpose of use of existing plots. Allocation is taking place when a parcel is shaped on account of public land for the first time (i.e. it has not existed before) or its boundaries and/or designated purpose of use is being changed in the process of allocation. Document describes this procedure step by step.   |
| DKZ Order On Approval of Instruction for Establishing (Renewing) Boundaries of Land Plots in Kind (On Surface) and Marking Them with Boundary Marks,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                           |   | Instruction describes procedure, actions and documents necessary for establishing boundaries of land parcels and registering them in the state land cadastre.  |
| Resolution of CMU On Approval of Procedure for Developing Land Management Project for Environmental and Economic Justification of Crop Rotation and Normalization of Grounds”,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 1134; 02.11.11 – 11.11.11                         | Resolution describes composition of land management projects aiming at implementation of optimal crop ratios in crop rotations and procedure for approving of the said projects. Development and implementation of the said projects are mandatory.  |
| Regulation of CMU On Approval of the Procedure for Land Inventory Works<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 513; 23.05.12 – 18.06.12                          | The Regulation lays down the requirements towards the land inventory works during the land planning, and preparation of the technical documentation. Land inventory works are to be conducted to maintain the State Land Cadastre, to perform land use control and land protection, to detect and analyze qualitative conditions of land plots, to establish boundaries, define grounds composition of land plots, to check the data from land inventory works with information contained in the land titling documents and in the State Land Cadastre information; to carry out land planning ( <a href="#">APD Legislation Review, Issue 7-8/2012</a> ). |
| CMU Resolution On Expert Monetary Evaluation of Land Plots<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1531; 11.10.02-11.02.02                           | This act presents a methodic according to which expert monetary valuation of land plots is done. Expert monetary valuation is aiming at establishment reliable meaning of potential market value of land plots.  |
| DKZ Order On Approval of Procedure of Carrying Out Expert Monetary Land Evaluation of Land Plots<br><a href="#">Original in Ukrainian</a>   | № 2; 09.01.03 – 23.05.03                            | A very detailed instruction for land surveyors on how to perform expert monetary valuation of land plots.  |

| Title, reference to web-page <sup>25</sup>   | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
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| <a href="#">Related acts</a><br>CMU Resolution On Methodic of Normative Monetary Evaluation of Lands of Agricultural Use and of Settlements<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 213;<br>23.03.95 –<br>23.05.95                             | This Resolution contains Methodic for performing normative monetary evaluation of agricultural land to be followed by chartered land evaluators and land surveyors. Normative monetary evaluation is a basis for calculation of land tax, FAT, state duty, ground rent for public land, compensation of losses of agricultural and forestry production (when agricultural or forestry lands are withdrawn from their users or owners for non-agricultural or non-forestry uses respectively) as well as for development of measures of economic stimulation of rational use and protection of land. Methodic is further developed in by-laws of DKZ and SALR (see below). |
| CMU Resolution On Introducing Changes into Methodic of Normative Monetary Evaluation of Lands of Agricultural Use and of Settlements;<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>       | № 1185;<br>31.10.11-<br>01.01.12                             | This Resolution is a bad example of legal certainty. The Cabinet of Ministers decided to multiply the normative value of farmland as of July 1, 1995 (basic parameter for calculation of ground rent and FAT) by 1.756. Prior to this decision normative value was annually adjusted according to the rate of inflation (adjustment was done only if the annual rate of inflation exceeded 10%). As a result, all land-related payments based on normative value grew by 1.756.   |
| DKZ Order On Regulation on Normative Monetary Evaluation of Land of Agricultural Use and of Settlements<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                     | №18/15/21/<br>11;<br>27.01.06 –<br>16.04.06                  | Regulation contains description of practical performance of normative monetary evaluation of agricultural land to be followed by chartered land evaluators and land surveyors.  |
| CMU Resolution On Development of Amelioration and Improvement of Ecological Condition of Ameliorated Lands in 1994-2000<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                     | № 537;<br>14.07.93-<br>14.07.93                              | A document of program and forecast nature which sets objectives and tasks in respect of amelioration and use of ameliorated land.   |
| CMU Resolution On Approval of Regulation on Monitoring of Land<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 661;<br>20.08.93 –<br>20.08.93                             | Regulation gives general outline of the system meant for monitoring the condition of land and soil, recording parameters describing properties of soil and their development over time. Monitoring serves as a basis for drafting and implementing measures and actions in the field of soil protection and improvement of fertility and quality of soil. Monitoring is applicable to lands of all categories, including land of agricultural use. A special act regarding the latter was adopted by MAP and presented below (MAP Order No.51 of 26.02.04).   |
| CMU Resolution On Approval of Procedure for Reimbursing Damages to Land Owners and Land Users<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 284;<br>19.04.93-<br>19.04.93                              | Procedure describe how land owners and land users are compensated against damages they suffered as a result of withdrawal of land plots, temporary occupation of land plots, deterioration of quality of soil or putting land plots into conditions which render impossible further use of land plots according to their category and use-purpose.  |
| Derzhkomzem Order On Rules for Land Conservation<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 175;<br>17.10.02 –<br>14.02.03                             | Rules for conservation of degraded, eroded, low-yield and contaminated soils. Conservation may be initiated by a landowner, land user or local executive bodies in the field of land administration or environmental protection. Conservation consists of withdrawal of land plots from cultivation and restoration of soil properties through grassland or forest renovation. Upon restoration of fertility and other properties land may be returned into cultivation. NB: it is expected that new rules on conservation of land will be approved by MAPF soon ( <a href="#">draft</a> has already been published).   |
| Decree of President of Ukraine On Total Agro-Chemical Certification of Lands of Agricultural Use<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1118/95;<br>02.12.95 –<br>02.12.95                         | Decree established mandatory total agro-chemical certification of farm land (concluded by issue of agro-chemical passports, ACP) although provided for very few details thereof; by 2000 this process should have been completed. It was not, and currently this process is plodding ahead, based on more detailed legal basis (see below).   |
| Order of MAPF On Approval of Procedure for Maintaining Agro-Chemical Passport of Field, Land Plot<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 536;<br>11.10.11 –<br>10.01.12                             | Order establishes unified procedure for issuing, maintaining and using agro-chemical passport (ACP) of fields and land plots. ACP contains data on agro-chemical properties of soils and the level of contamination of soil. Order provides for regular surveying of fields and plots with adding into their ACPs new data on quality of soil and level of contamination in order to have records of processes going on in soils and influences which users and/or owners of those fields and plots make upon soil.   |

| Title, reference to web-page <sup>25</sup>   | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
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| Order of MAPF On Approval of Regulation On Monitoring of Soils at Lands of Agricultural Use<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 51;<br>26.02.04 –<br>09.04.04                              | Monitoring of soils on lands of agricultural use is performed by MAPF in order to detect, in timely manner, changes of condition of soils, assessment of such lands, prevention of negative outcomes of ongoing processes and development of scientifically sound systems of crop cultivation and agro-technologies. Regulation also provides for regular agro-chemical certification of arable land (once every 5 years), hay-fields, pastures and perennial plantations (once every 5-10 years); besides, landowner or land user may ask for certification in case of change of land owner. Results of monitoring of soil and agrochemical certification of agricultural lands are used for regulation of legal basis of land relations during economic and monetary land valuation, determining the size of ground rent, determining the scope and scale of measures for protection of soil and increase of fertility, adjusting agricultural technologies, conducting environmental and agrochemical zoning (zoning) of areas, identifying areas for production of agricultural products for the manufacture of baby food and food for dietetic nutrition, developing recommendations for efficient and environmentally sound use of agrochemicals. |
| MAPF Order On Approval of List of Inquiries and Unified Template for Act of Control For Performing Scheduled Measures of State Supervision (Control) Over Adherence of Economic Subjects to Requirements of Land Legislation,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 424;<br>12.07.12 –<br>17.08.12                             | Order contains an exhaustive list of inquiries to be made by inspectors of the State Inspection of Agriculture in the course of planned (scheduled) checks on abidance by and examinations of adherence to requirements of land legislation on the part of subjects of economic activities. Results of the said checks and examinations are to be aggregated and presented using the template of Act of Control attached thereto.   |

### 3.3. SEED AND PLANTING MATERIALS<sup>26</sup>

| Title, reference to web-page <sup>27</sup>   | Number; dates DD.MM.YY: adopted on / effective from                  | COMMENTS   |
|--|--|--|
| <p>On Seeds and Planting Stock<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 411-IV;<br/>           26.12.02 –<br/>           28.01.03</p>   | <p>Law defines competences of executive authorities in the sphere of production, storing, labeling, moving, importing, exporting of and trading in seed as well as rules on state control in this field. It also sets up basic rules on production of seed, market transactions with seed and establishment of seed reserves. Final clauses of the Law provide for state support to seed production and trade and also for state control in the field of seed and planting stock business.</p>   |
| <p><a href="#">On Protection of Rights to Varieties of Plants</a><br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>   | <p>№ 3116-XII;<br/>           21.04.93 –<br/>           01.11.93</p> | <p>This Law establishes a system for recognition and protection of intellectual property rights to varieties of plants, it defines competences of executive bodies in this area (including <a href="#">State Service for Protection of Rights to Varieties of Plants</a>), lays down a procedure for recognition and registration of respective rights, lists rights and duties of rights owners and holders, provides rules on licenses and tools for protection of respective rights.</p>  |
| <p>CMU Resolution On Some Issues of State Reserve Seed Fund<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>   | <p>№ 977;<br/>           27.06.03 –<br/>           27.06.03</p>      | <p>State Reserve Seed Fund is established in order to provide seed of agricultural crops to areas where seed is not produced or produced in insufficient quantities and also to agricultural enterprises and farmers lacking seed due to natural disasters or other extraordinary events. Seed is procured for the said purposes on a competitive basis. Seed is provided to interested parties according to their claim (it is either sold or exchanged or lent). Nomenclature of seed to be procured for the purposes of the Fund, its quantities and quality are approved by CMU.</p> |
| <p>CMU Resolution On Approval of Procedure for Purchase of Conditioned and Reproductive Seed for Cultivating for Industrial Purposes Plants Which Contain Small Quantities of Narcotic Substances<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p> | <p>№ 1129;<br/>           27.12.08 –<br/>           12.01.09</p>     | <p>This Resolution allows purchase of some varieties of white poppies and hemp for industrial purposes; such purchase is allowed provided producers of seed are registered in the State Register of Seed and Planting Stock Producers.</p>   |
| <p>CMU Resolution On Some Issues of Carrying Out Testing and Registration of Genetically Modified Organisms of Varieties of Agricultural Plants<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>   | <p>№ 808;<br/>           23.07.09 –<br/>           14.08.09</p>      | <p>Testing is performed in order to define the influence of the said plants on spread of wild and harmful plants, on outbursts of diseases and appearance of substances responsible for development and proliferation of harmful insects. If testing proves that this is not the case, a variety may be put into State Register and allowed for cultivation. Also see this <a href="#">document</a>.</p>   |
| <p>MAP Order On Approval of Regulation On State Service of Plant Quarantine<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>   | <p>№ 310;<br/>           08.05.07 –<br/>           04.06.07</p>      | <p>State Service of Plant Quarantine: defines procedures for import, export and use of plants and plant products; investigate varieties, biology and ecology of regulated harmful organisms and develops a forecast of their spreading in order to prevent introduction and/or spreading in Ukraine; performs inspector's checks and phyto-sanitary expertise of regulated objects; performs state control over carrying out of phyto-sanitary measures; issues quarantine permits; submits petitions to CMU on introduction or withdrawal quarantine regimes etc.</p>                   |
| <p>MAP Order On Approval of Regulation on State Seed Inspectorate,<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 97,<br/>           23.03.04 –<br/>           19.04.04</p>       | <p>Regulation defines status, competence, structure and procedures of the State Seed Inspection being a state establishment entrusted with the task of performing state control in the field of seed production, storing, labeling, moving, importing, exporting of and trading in seed.</p>   |
| <p>MAP Order On Approval of Regulation On Pomology and Ampelography Inspectorate<br/> <a href="#">Original in Ukrainian</a><br/> <a href="#">Related acts</a></p>  | <p>№ 770;<br/>           31.10.07 –<br/>           27.11.07</p>      | <p>This Inspectorate is a body of state control over quality of seed of berry plants, nut plants and planting stock of fruit, berry and nut crops, of vines and hop. Regulation defines its competences and organizational structure. In particular, this Inspectorate performs control over activities of listed producers of seed and planting stock, over conditions of cultivation, keeping and selling seed and planting stock, it also defines quality of seed and cropping properties of seed, performs certification of seed and planting stock etc.</p>                         |
| <p>Order of SCF On Approval of Regulation on Ukrainian State</p>   | <p>№ 124;<br/>           10.07.03 –</p>                              | <p>State Inspectorate in the field of seed and planting material for needs of forestry sector; functions and competences are similar to those of the</p>   |

<sup>26</sup> Legal acts related to the issue of seed and planting material are available in Ukrainian [here](#).

<sup>27</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>27</sup>  | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
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| Forest Seed Inspectorate<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | 10.09.03   | State Seed Inspectorate.  |
| MAP Order On Approval of Procedure for Carrying Out Attestation of Economic Subjects for Acquiring Right to Production and Realization of Seed and Planting Stock and On Approval of Regulation on State Registry of Producers of Seed and Planting Stock, <sup>28</sup><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 152;<br>25.05.03 –<br>15.07.03                             | Business interested in becoming producers of seed and planting stock shall be attested by special commissions established by MAP (for original and elite seed) or by Oblast Departments of Agriculture (for reproductive seed or planting stock and first generation hybrids) or State Service on Forest resources (for forest plants) or Ministry of housing and utilities (for flower and decorative plants) on the ground of set of documents, including license agreement between owner of rights to plant breed and respective businesses.   |
| MAP Order On Approval of Procedure for Carrying Out Soil and Laboratory Variety Check<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 866;<br>23.12.08-<br>02.02.09                              | This Procedure is meant for organization of carrying out of soil and laboratory variety checks of seed of cereal crops (wheat, rye, triticale, barley, oat, buckwheat, rice) and corn and sorghum listed in the State Registry of Varieties of Plants Fit for Cultivation in Ukraine, in order to check variety properties of seed. It is applicable to all businesses registered in the State Registry of Producers of Seed and Planting Stock (see above). On the basis of tests and checks performed according to the Procedure, Oblast State Seed Inspectorate issues a protocol stating compliance/incompliance of seed with requirements of variety purity. |
| MAP Order On Approval of Procedure for Carrying Out Organization of and Control Over Performance of Appraisal of Varietal Dropping<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 463;<br>03.07.09 –<br>07.08.09                             | Varietal dropping are used for appraisal of varietal properties of seed and called upon to check whether varietal properties maintained in the process of cultivation and whether seed may be used for seeding purposes. This Order describes interaction of State Seed Inspectorate, authors of plant varieties and seeding farms in the process of appraisal.   |
| MAP Order On Approval of Rules for Packing and Labeling Seed of Agricultural Crops<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 426;<br>22.06.09 –<br>31.07.09                             | Rules on packing and labeling of certified seed (original and elite) effective in respect of businesses engaged into production and sale of seed.   |
| Licensing Conditions for Wholesale Trade in Seed<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №124/422/1<br>94/201;<br>26.11.03-<br>28.11.03               | Licensing Conditions were approved by the State Committee of Ukraine On Issues of Regulatory Policy and Entrepreneurship, MAP, State Committee of Ukraine on Forestry and State Committee of Ukraine on Housing and Municipal Utilities. Conditions list requirements to facilities and qualification of personnel necessary for wholesale trade in seed. Additionally, in case of import of seed in Ukraine, it requires quarantine permission issued by the <a href="#">State Service On Plant Quarantine</a> and conformity certificate.   |

<sup>28</sup> This act shall be effective till National Standard "Seed of Agricultural Crop. Requirements to Packing, Labeling and Transporting" become effective.

### 3.4. VETERINARY ISSUES<sup>29</sup>

| Title, reference to web-page <sup>30</sup>  | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
| <a href="#">On Veterinary Medicine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 2498-XII;<br>25.06.92 –<br>24.07.92               | Framework Law describing the state system of veterinary and sanitary control (authorities, competences, rights and obligations, procedures), providing rules for and requirements to control over health, transportation and quarantine of animals, quality and safety of veterinary drugs and equipment, implementation of veterinary and sanitary protection measures, production of and trading in animal products, veterinary drugs and equipment and feedstuffs for animals.   |
| <a href="#">On Protection of Population Against Infectious Diseases</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №1645-III;<br>06.04.00-<br>12.05.00                 | This Law describes legal and organizational measures for protecting citizens from infectious diseases, including those common for humans and animals. Law also provides legal basis for sanitary and other protection measure (like quarantine) called upon to prevent transfer of such diseases to Ukraine from abroad and their spreading in the country.   |
| On Ensuring Sanitary and Epidemiological Well-Being of Population<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 4004-XII;<br>24.02.94-<br>08.04.94                | Law describes the system of bodies and measures of sanitary protection of territory of Ukraine. It sets up a general requirement that all food raw materials, food products as well as materials, equipment and facilities engaged into production, storing, transporting, selling of the said shall conform to sanitary norms and rules and be subject to mandatory certification. Law also regulate activities of the State sanitary service, realization of state sanitary supervision and responsibility of persons liable for violation of sanitary norms and rules.   |
| Decree of President of Ukraine On Approval of Regulation On State veterinary and Phyto-Sanitary Service of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 464/2011;<br>13.04.11                             | Basic regulation on organization, competences and activities of the State Veterinary and Phyto-Sanitary Service of Ukraine being a central executive body subordinate to the Cabinet of Ministers and guided in its activities by the Minister of Agrarian Poly and Food of Ukraine. Regulation lists all kinds of actions, measures and tasks to be applied and performed by the Service in order to ensure well-being of humans, animals and plants on the territory of Ukraine.  |
| CMU Resolution On Approval of Procedure for Reimbursement of Material Losses (Damages) Suffered by Persons Pursuant to Introduction of Quarantine (Quarantine Restrictions) of Animals Or Pursuant to Carrying Out Procedures and Works On Liquidation of Especially Dangerous (Quarantine) Diseases<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | №1003;<br>31.10.12-<br>09.11.12                     | This Resolution provides for reimbursement of the value of animals confiscated from natural persons and agricultural enterprises pursuant to realization of quarantine measures.  |
| CMU Resolution on Approval of Rules on Transportation of Animals<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1402;<br>16.11.11-<br>06.02.12                    | Detailed rules on and requirements to transportation of all kinds of animals, including domestic, wild and agricultural, aiming at ensuring well-being of animals and prevention of suffering, straying as well as spread of diseases and harm to humans.   |
| CMU Resolution On Approval of Regulations on State Registration of Veterinary Preparations, Feed Additives, Premixes and Finished Feedstuffs<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1349;<br>21.11.07 –<br>21.11.07                   | Detailed rules on state registration of veterinary preparations, additives included in feed stuffs for animals, premixes and formulas performed by the State Committee of Ukraine On Veterinary Medicine, nowadays – State Veterinary and Phyto-sanitary Service of Ukraine ( <a href="http://vet.gov.ua/">http://vet.gov.ua/</a> )   |
| MAPF Order On Approval of Lists of Questions for Performing Scheduled Measures of State Supervision (Control) over Abundance of Economic Subjects to Legislation in the Field of Veterinary Medicine and of Unified Act of Check (Control)<br><a href="#">Original in Ukrainian</a>   | № 538;<br>12.10.11 –<br>28.11.11                    | This regulation consists of several lists of questions to be asked within the framework of state supervision (control) measures by inspectors of the State Veterinary and Phyto-Sanitary Service at the following facilities: (i) enterprises for initial treatment of bird; (ii) avi-farms; (iii) slaughterhouses; (iv) businesses engaged into production of veterinary drugs and preparations, wholesale and retail trade of veterinary preparations; (v) agri-food marketplaces. The said measures are concluded with filling in and signing of a unified act of check (template of it is attached to the Order). |

<sup>29</sup> Complete list of acts related to veterinary issues.

<sup>30</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>30</sup>   | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
|--|--|---|
| <a href="#">Related acts</a>   |  |   |
| MAPF Order on Approval of Regulation on Use of Animals in Agriculture<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 652;<br>25.10.12-<br>07.12.12                              | This Regulation is aiming at protecting agricultural animals from cruel and brutal treatment.   |
| Order of MAP and State Committee of Ukraine on Veterinary Medicine On Approval of Instruction On Sanitary Treatment – Disinfection, Desinsection and Deratization - of Aviculture Objects<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 69;<br>20.06.07 –<br>24.07.07                              | Detailed rules to be followed by all aviculture farms in order to clear their premises and production facilities of dangerous microorganisms, harmful insects, rats and mice.   |
| Order of State Committee of Ukraine On Approval of Instruction for Prevention and Liquidation of Salmonellosis of Birds<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №316;<br>03.08.10-<br>20.09.10                               | This Instruction establishes mandatory procedures to be undertaken by veterinary doctors for prevention of bird salmonellosis, it also lists measures to be taken in case of outbreak of disease at poultry farms, rules on intra-farm use of contaminated eggs and meat. |
| MAPF Order On Approval of Instruction on Prevention and Liquidation of Bird Yersiniosis<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №433;<br>13.07.12-<br>20.08.12                               | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in aviculture sector as well as actions to be taken in case of outburst of the disease.  |
| MAPF Order On Approval of Instruction on Prevention and Liquidation of Avi-flue<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №547;<br>17.10.11-<br>28.11.11                               | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in aviculture sector as well as actions to be taken in case of outburst of the disease.  |
| MAPF Order On Approval of Instruction on Prevention and Liquidation of Bird Sickening With Newcastle Disease<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 548;<br>17.10.11 –<br>25.11.11                             | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in aviculture sector as well as actions to be taken in case of outburst of the disease.  |
| MAPF Order On Approval of Instruction on Prevention and Liquidation of Bird Vibriosis (campilobacteriosis)<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 502;<br>28.09.11 –<br>31.10.11                             | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in aviculture sector as well as actions to be taken in case of outburst of the disease.  |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Instruction on Prevention and Liquidation of Glanders and Farcy<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 449;<br>21.10.10 –<br>29.11.10                             | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in animal sector as well as actions to be taken in case of outburst of the disease.  |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Instruction on Prevention and Liquidation of Bird Streptococcosis<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 412;<br>04.10.10-<br>12.11.10                              | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in aviculture sector as well as actions to be taken in case of outburst of the disease.  |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Instruction on Prevention and Liquidation of Bird Pseudomonas<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 479;<br>26.11.09 –<br>28.12.09                             | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in aviculture sector as well as actions to be taken in case of outburst of the disease.  |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Instruction on   | № 316;<br>03.09.09 –<br>12.10.09                             | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in animal sector as well as actions to be taken in case of outburst of the disease.  |

| Title, reference to web-page <sup>30</sup>   | Number;<br>dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS   |
|--|---|--|
| Prevention and Liquidation of Tuberculosis of Animals<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   |   |  |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Instruction on Prevention and Liquidation of Bird Staphylococcus<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 184;<br>10.06.09 –<br>17.07.09                                | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in aviculture sector as well as actions to be taken in case of outburst of the disease.   |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Instruction on Prevention and Liquidation of Bluetongue<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 164;<br>26.05.09 –<br>26.06.09                                | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in animal sector as well as actions to be taken in case of outburst of the disease.   |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Rules on Arrangement and Maintenance of Operational (Existent) Dead Piles and Bio-Thermal Pits For Burial of Animal Carcasses in Settlements of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 232;<br>27.10.08 –<br>09.02.09                                | Rules provide for burning of animals which died due to infectious diseases or unknown reasons and for treatment (utilization) of animals which died due to other reasons. Rules also regulate activities of the State Veterinary Service regarding maintenance of available dead piles and bio-thermal pits. |
| Order of State Committee of Ukraine on Veterinary Medicine On Approval of Instruction On Diagnostics and Prevention of and Fight Against Bovine Spongiform Encephalopathy<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 180;<br>04.09.08 –<br>31.10.08                                | Instruction provides description of the disease and lays down rules on prophylactic measures to be applied in animal sector as well as actions to be taken in case of outburst of the disease.   |
| MAPF Order On Approval of the List of Maximum Allowed Quantities of Undesirable Substances in Feedstuffs and Feeding raw Materials for Animals<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  |   | Order lists chemical substances presence of which in feedstuffs is considered as undesirable (cadmium, led, mercury etc) and defines maximum permitted content of the said substances in different feedstuffs.   |



### 3.5. AGRICHEMICALS<sup>31</sup>

| Title, reference to web-page <sup>32</sup>   | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|--|---|--|
| <a href="#">On Protection of Plants</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 180-XIV; 14.10.98 – 24.11.98                      | Framework Law providing for fundamentals of state policy in the field of plant protection, describing tasks and competences of state and municipal bodies in this area, defining measures and actions to be applied for the protection of plants from harmful and damaging influences. Law also imposes upon all legal entities and natural persons legal obligations regarding compliance with technologies for cultivating plants and crops and surveying plantations for presence of harmful organisms.   |
| <a href="#">On Pesticides and Agrichemicals</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 86/95-BP; 02.03.95 – 11.04.95                     | Law regulates legal relations connected with state registration, production, procurement, transportation, storage, trade and safe for people's health and environment use of pesticides and agrochemicals, determines rights and obligations of enterprises, institutions, organizations and citizens, as well as authorities of bodies of state executive power and officials in this sphere. The Law prohibits import into the customs territory of Ukraine, production, trade, use and advertising of pesticides and agrochemicals prior to their state registration. A mandatory condition for state registration of pesticides and agrochemicals is availability of corresponding documentation concerning their safe use, including positive conclusion of the state sanitary and epidemiological inspection, methods of determining pesticide and agrochemicals residue in agricultural products, fodders, food products, soil, water and air. Business activities in the sphere of production of pesticides and agrochemicals (only growth regulators of plants), wholesale, retail trade of pesticides and agrochemicals (only growth regulators of plants) are conducted on the basis of a license in accordance with the procedure, established by the law. |
| <a href="#">On Plant Quarantine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 3348-XII; 30.06.93 – 13.08.93                     | Provides for the competences of state and municipal bodies in the field of phyto-sanitary measures, establishes a system of phyto-sanitary preventive and protective measures, including detection, monitoring and elimination of harmful plants, and rules on foreign trade in the context of phyto-sanitary regime of the territory of Ukraine.  |
| On National Program for Treatment of Toxic Waste<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1947-III; 14.09.00 – 27.10.00                     | This Law enacted a national program for treatment of toxic waste, including 13,5 thousand t of expired plant-protecting agents kept at storage facilities all over Ukraine without due precaution and protection measures.   |
| CMU Resolution on Approval of the Procedure for State Recording of Availability and Use of Pesticides and Agri-chemicals<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 881' 02.11.95-02.11.95                            | This Resolution provides for mandatory recording and reporting of nomenclature and quantities of pesticides and other agri-chemicals (e.g. mineral fertilizers) kept at agricultural enterprises. Enterprises record used quantities and available quantities year-end and report these figures to the State Statistical Service of Ukraine by January 10 annually.  |
| CMU Resolution On Approval of Procedure for Carrying Out State Testing, State Registration and Re-Registration, Issue of Lists of Pesticides and Agrochemicals Permitted for Use in Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 295; 04.03.96-04.03.96                            | State testing of pesticides and agrochemicals is performed by laboratories of the Ministry of Environment and Natural Resources and Ministry of Public Health in order to establish biological, toxic, hygienic and environmental safety of pesticides and agrochemicals. Preparations containing new substances shall pass testing during two complete vegetation periods, preparations containing no new substances (i.e. with substances already tested) may be tested during one complete vegetation period. Upon completion of state testing preparations, if safe, shall undergo state registration and may be then passed on to retailers and farmers. Registration is performed by the Ministry of Environment and Natural Resources.  |
| CMU Resolution On Approval of Procedure for Withdrawal, Utilization, Extermination and Disposal of Ineligible or Prohibited for Use Pesticides and Agrochemicals and Packaging for Them<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>     | № 354; 27.03.96-27.03.96                            | Procedure according to which producers of pesticides and agrochemicals as well as businesses licensed by the Ministry of Environmental Protection and Natural Resources perform withdrawal, utilization, extermination and disposal of ineligible or prohibited for use pesticides and agrochemicals and packaging for Them.   |

<sup>31</sup> Complete list of acts related to the issue of agri-chemicals.

<sup>32</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>32</sup>   | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
|--|--|---|
| Order of MAP and State Committee of Ukraine on Issues of Regulatory Policy and Entrepreneurship On Approval of License Conditions for Carrying Out Economic Activity in the Field of Wholesale, Retail Trade in Pesticides and Agri-chemicals (only regulators of growth)<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 9/30;<br>01.02.06 –<br>28.02.06                            | Requirements to businesses engaged into wholesale and retail trade in pesticides and agri-chemicals (growth regulators); these requirements are related to trade facilities, certificates and permissions, personnel, safety and hygiene arrangements at working places etc.  |
| Technical Regulations approved by the Cabinet of Ministers of Ukraine  |  | Technical Regulations (TR) are sets of requirements to safety and other technical parameters of vehicles, machines, equipments, vessels, materials, substances, liquids etc. TRs are approved by the Cabinet of Ministers and shall be mandatory for all entities and persons concerned. Many of approved TRs are based on respective Directives of the EU. As of November 30, 2012, there are 48 TRs approved by CMU and also 20 TRs approved by ministries. Where relevant, TR are referred to in respective sections of this Compendium. |
| CMU Resolution On Approval of TR on Ecological Labeling<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 529;<br>18.05.11-<br>03.06.11                              | This TR contains requirements to non-mandatory (voluntary) ecological labeling of goods and products. It also regulates the procedure for development and revision of ecological criteria. TR is based upon <a href="#">Regulation No 66/2010</a> Of The European Parliament And Of The Council Of 25 November 2009 On The EU Ecolabel.   |

## 4. PRODUCTION

### 4.1. CROP-GROWING<sup>33</sup>

| Title, reference to web-page <sup>34</sup>   | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|--|---|--|
| <a href="#">On Grain and Grain Market in Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 37-IV; 04.07.02 – 31.07.02                        | Basic Law laying foundations of the state policy on cereals and main rules regarding production, storing and marketing (export, import and domestic sales) of cereals, on ensuring food security of the state and on state interventions on cereals market of Ukraine.   |
| <a href="#">On Plant Quarantine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 3348-XII; 30.06.93 – 13.08.93                     | Provides for the competences of state and municipal bodies in the field of phyto-sanitary measures, establishes a system of phyto-sanitary preventive and protective measures, including detection, monitoring and elimination of harmful plants, and rules on foreign trade in the context of phyto-sanitary regime of the territory of Ukraine.  |
| <a href="#">On State Regulation of Production and Sale of Sugar</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 758-XIV; 17.06.99 – 13.07.99                      | Law lays foundations of state policy in the field of sugar beetroot cultivation and sugar production and trade, defines competences of state bodies entrusted with implementation of the policy, provides rules on procurement of sugar, on pricing in sugar sector, on declaration of sugar stocks, on relations within sugar sector, on state credits for sugar producers. <sup>35</sup>   |
| Resolution of CMU On Approval of Normatives of Optimal Proportion of Crops in Crop Rotations in Different Natural and Agricultural Regions,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 164; 11.02.10 – 01.08.10                          | Resolution describes structure of planting areas in different regions of Ukraine for cereals, legume crops, rape, sunflower, potato, vegetable and cucurbits crops, forage grasses and fallow areas. It also defines period for rotation of crops cultivated on the same fields. Also see Resolution of CMU No <a href="#">1134</a> in the Section on LAND which describes development of land management projects for ensuring ecological and economic justification of crop rotations. |
| CMU Resolution On Approval of Regulation On State Registry of Plant Varieties Suitable for Cultivation in Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 686; 15.05.03 – 15.05.03                          | Purpose of this Regulation is two-fold: first, it is concerned with promotion of cultivation of crops of good quality with discernable variety properties; second, it is concerned with protection of intellectual property rights of variety owners.  |
| CMU Resolution On Approval of State Special Program for Ukrainian Rural Development for the period till 2015<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №1158; 19.09.07-19.07.07                            | Among other things, Program sets the target of reaching 10%-share of organic production in the gross agricultural output and mentions “stimulation of organic farming”.  |
| Resolution of Verkhovna Rada of Ukraine On Return for Further Elaboration of Draft Laws On Production of and Trade In Organic Agricultural Output and Raw materials and On Foundations of Organic Production<br><a href="#">Original in Ukrainian</a><br>Related acts (draft law <a href="#">9707</a> and draft law <a href="#">9707-1</a> ) | № 4682-VI; 15.05.12 – 15.05.12                      | This Resolution shows how far Ukraine’s legal framework has advanced towards full-fledged regulation of organic farming.   |

<sup>33</sup> Legal acts (laws, bylaws, concepts, programs etc) on crop-growing are to be found in Ukrainian [here](#).

<sup>34</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

<sup>35</sup> See in particular: [Raw sugar toll refining – a sensible policy? APD/PP/ AqPP No. 33. 2011.](#)

## 4.2. LIVESTOCK PRODUCTION<sup>36</sup>

| Title, reference to web-page <sup>37</sup>   | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|--|---|---|
| <a href="#">On National Program of Selection in Livestock Industry Till 2010</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №1517-IV;<br>19.02.04 –<br>26.03.04                 | Program document which describes current situation in livestock industry sector, sets out objectives and lists tools for attaining those objectives.  |
| <a href="#">On Pedigree Cattle Breeding</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 3691-XII;<br>15.12.93 –<br>11.01.94               | Framework Law providing legal basis for pedigree breeding activities in breeding of cattle and bovine animals, hog and pig, horse, sheep, goat, bird, fish, bee and silkworm. Defines competences of authorities in the field, sets requirements to import-export of and trade in breeding resources. Businesses engaged into pedigree breeding are subject to special state registration as subjects of the said activities.                                       |
| <a href="#">On Identification and Registration of Animals</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1445-VI;<br>04.06.09 –<br>01.01.10                | Framework Law defining subjects and objects (cattle, horse, pig, goat and sheep) of identification and registration of animals and procedures related thereto. Law also provides legal basis for the state support in this field.   |
| <a href="#">On Beekeeping</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1492-III;<br>22.02.00 –<br>01.04.00               | Framework Law setting rules for beekeeping, production and trade in beekeeping products and also for the state measures in the field of support and development of beekeeping.  |
| <a href="#">On Milk and Dairy Products</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1870-IV;<br>24.06.04 –<br>29.07.04                | Law sets up the list of detailed technical and organizational requirements to production of milk and dairy products, to quality and safety of milk and dairy products, provides for measures of state support to dairy sector.  |
| <a href="#">On Protection of Animals from Cruel Treatment</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 3447-IV;<br>21.02.06-<br>29.03.06                 | Law lays down rules on keeping, breeding, transporting, trading and raising animals in the context of ensuring proper treatment. Law directly prohibits use in animal farming of methods associated with pain and suffering of animals. Detailed rules are to be defined by MAPF.   |
| MAPF Order On Approval of Regulation On Single Registry of Animals<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 578;<br>25.09.12 -<br>26.10.12                    | This Regulation was adopted pursuant to the Law of Ukraine On Identification and Registration of Animals and describes activities of the State Veterinary and Phyto-Sanitary Service in the field of organization, maintenance, administration and use of the State Registry of Animals   |
| CMU Resolution On Approval of Procedure for Use of Funds Provided For By State Budget for Partial Compensation to Subjects of Economic Activities of Cost of Construction and Reconstruction of Animal Farms and Complexes and Factories for Production of Formula Feed<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 900;<br>04.10.10 –<br>07.10.10                    | Budget funds are allocated to farmers on a competitive basis as a non-refundable assistance and may cover up to 50% of the cost (VAT excl.) of concluded in 2009-2012 stages of construction (reconstruction) of animal farms and complexes (to accommodate at least 500 heads of cattle or 1200 sows or 1 million heads of bird) and up to 30% of the cost of completed in 2009-2012 stages of construction (reconstruction) of formula feed plants and factories. |
| CMU Resolution On Approval of Procedure for Use of Funds Provided for by State Budget for Development of Animal Industry<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №282;<br>18.03.09-<br>03.04.09                      | Detailed rules on allocation and disbursement of budget subsidies to agricultural producers for meat, milk and animals (cow, pig, sheep, bee etc).  |
| CMU Resolution on Approval of Rules on Transportation of Animals<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1402;<br>16.11.11-<br>06.02.12                    | Detailed rules on and requirements to transportation of all kinds of animals, including domestic, wild and agricultural, aiming at ensuring well-being of animals and prevention of suffering, straying as well as spread of diseases and harm to humans.   |
| MAPF Order on Approval of Regulation on Use of Animals in Agriculture<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 652;<br>25.10.12-<br>07.12.12                     | This Regulation is aiming at protecting agricultural animals from cruel and brutal treatment.   |
| MAP Order On Approval of Instruction On Selection of Bulls of Meat Breeds<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №41<br>21.01.09-<br>22.02.09                        | Instruction on organization and undertaking of selection work with bulls of meat breeds to be followed by all farms specializing in pedigree cattle breeding.   |

<sup>36</sup> [Legal acts on cattle breeding.](#)

<sup>37</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>37</sup>   | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS   |
|--|--|--|
| Order of State Committee of Ukraine For Supervision Over Protection of Labour On Approval of Rules for Protection of Labour in Livestock Sector. Pig breeding<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 269;<br>06.12.04-<br>26.02.05                              | Detailed rules on safety at work in pig-breeding sector.   |
| Order of State Committee of Ukraine For Supervision Over Protection of Labour On Approval of Rules for Protection of Labour in Livestock Sector. Cattle raising<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 268;<br>06.12.04-<br>26.02.05                              | Detailed rules on safety at work in cattle-raising sector.   |
| Order of State Committee of Ukraine On Industrial Safety On Approval of Rules on Protection of Labour in Aviculture<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 213;<br>06.10.08-<br>14.11.08                              | Detailed rules on safety at work in aviculture sector.   |
| MAPF Order On Approval of Veterinary and Sanitary Requirements to Facilities (Objects) for Production of Beekeeping Products<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                    | № 491;<br>08.08.12 –<br>01.04.13                             | Detailed set of requirements to apiaries and their products in view of ensuring veterinary and sanitary safety and well-being of animals, plants and humans. |

### 4.3. FRUITS<sup>38</sup> AND VEGETABLES GROWING

| Title, reference to web-page <sup>39</sup>  | Number;<br>dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
|---|---|---|
| <a href="#">On Grapes and Wine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 2662-IV;<br>16.06.05 –<br>01.01.06                            | Law defines rules on grapes growing and production and sale of alcoholic beverages derived from grapes.   |
| On Contribution for Development of Vine-Growing, Gardening and Hop-Growing<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 587-XIV;<br>09.04.99 –<br>01.07.99                            | All traders selling alcohol beverages and beer to consumers shall pay this contribution making 1.5% of the turnover of the said sales. Producers of the beverages are subject to this contribution provided they sell their output to ultimate consumers. Funds accrued are accumulated by the State Treasury and utilized for state support of vine-growing, gardening and hop-growing.                            |
| CMU Resolution On Approval of State Special Program for Ukrainian Rural Development for the period till 2015,<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  |   | Among other things, Program sets the target of reaching 10%-share of organic production in the gross agricultural output and mentions “stimulation of organic farming”.   |
| CMU Executive Order On Approval of Plan of Urgent Measures for Development of Production of Potato and Vegetables<br><a href="#">Original in Ukrainian</a>  | №475-p;<br>18.05.11 –<br>18.05.11                               | List of measures to support development of cultivation and production of potato and vegetables along with institutions and bodies responsible for implementation of measures and deadlines for implementation.  |
| CMU Resolution On Approval of Procedure for Use of Funds Aimed for Partial Reimbursement of Construction Cost of New Greenhouse Complexes<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 305;<br>02.03.11 –<br>04.04.11                                | These funds are allocated by MAPF on a competitive basis. It is allowed to compensate up to 50% of construction cost (VAT excl.) of new greenhouse complexes with use of modern energy-saving technologies, for growing vegetables and mushrooms. Complexes shall be completed by construction and put into operation.  |
| Resolution of Verkhovna Rada of Ukraine On Return for Further Elaboration of Draft Laws On <a href="#">Production of and Trade In Organic Agricultural Output and Raw materials</a> and <a href="#">On Foundations of Organic Production</a><br><a href="#">Original in Ukrainian</a> | № 4682-VI;<br>15.05.12 –<br>15.05.12                            | This Resolution shows how far Ukraine’s legal framework has advanced towards full-fledged regulation of organic farming.  |
| CMU Executive Order On Approval of Concept for Development of Vegetable-Growing and Processing Industry<br><a href="#">Original in Ukrainian</a>  | №1120-p;<br>31.10.11 –<br>31.10.11                              | The Concept contains analysis of the current situation in vegetable-growing and reflects on ways and opportunities for improvement. It sets the goal of producing at least 10 million t of vegetables in Ukraine annually. Of the two alternatives – sector growth on account of own internal resources or creation of supportive legal, tax and financial environment – it gives preferences to the second option. |

<sup>38</sup> Legal acts on [grape-growing](#); on [gardening](#).

<sup>39</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

#### 4.4. STORAGE<sup>40</sup> AND TRANSPORT<sup>41</sup>

| Title, reference to web-page <sup>42</sup>  | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|---|---|---|
| <a href="#">On Certified Commodity Storages and Simple and Double Storage Warrants</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №2286-IV;<br>23.12.04-19.04.05                      | Law regulates activities of certified storage facilities for keeping commodities and issue and circulation of storage warrants, establishes rights and obligations of owners and operators of certified storage facilities, of issuers, keepers and buyers of storage warrants and also pledge of commodities kept at certified storage facilities.   |
| Code of Commercial Navigation of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   |   | Codified legal act on commercial navigation regulating all aspects of activities of commercial fleet under Ukrainian flag, including issues of transportation of loads by rivers and sea.   |
| On Transport<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 232/94-BP;<br>10.11.94 – 11.01.95                 | Framework Law defining legal basis of operation of all kinds of transport, including issues related to transportation of food products, food raw materials, animals, fish, bird and animal products.  |
| On Rail Road Transport<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 273/96-BP;<br>04.07.96 – 25.07.96                 | Basic Law on activities and operation of rail road transport being state monopoly.  |
| On Road Transport<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 2344-III;<br>05.04.01 – 11.05.01                  | Framework Law on road transport in Ukraine concerned with all aspects of organization and operation of road transport business.   |
| On Transport and Forwarding Activity<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1955-IV;<br>01.07.04 – 30.07.04                   | Framework Law defining conditions of forwarding activities in all sectors of transport.   |
| CMU Resolution On Approval of Statute of Rail Road of Ukraine<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 457;<br>06.04.98 –                                | Basic rules on transportation of different kinds of loads by rail roads of Ukraine.   |
| Rules On Transporting Loads<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 644;<br>21.11.00 – 24.11.00                       | Extensive regulation on all aspects of transporting all kinds of loads by rail roads approved by the Ministry of Transport of Ukraine. Besides, there have been later adopted rules on transportation of loads in <a href="#">bulks</a> , in <a href="#">open carriages</a> , in <a href="#">universal containers</a> .   |
| Rules On Transporting Animals, Birds and Other Loads Subject to State Veterinary and Sanitary Control<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №873;<br>09.12.02 – 09.01.03                        | Rules on rail road transportation of animals, birds, fish, bees, invertebrates, animal products, food products, biological, chemical and pharmaceutical preparations.   |
| CMU Resolution On Approval of TR for Provision of Services Related to Transporting Passengers and Loads On Rail Road Transport<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                         | № 193;<br>01.03.10 –                                | This TR is based on the following Directives: <a href="#">91/440/EEC</a> ; <a href="#">95/18/EC</a> ; <a href="#">96/49/EC</a> ; <a href="#">2000/18/EC</a> ; <a href="#">2001/14/EC</a> ; <a href="#">2004/49/EC</a> .   |
| CMU Resolution On Approval of Procedure for Issue of Certificate of Conformity of Services Related to Storage of Grain and Products Derived from Grain<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 1294;<br>02.12.09-14.12.09                        | Rules on assessment of storage facilities for grain performed by State Agricultural Inspectorate with following issue of conformity certificate. Certificate shall confirm the conformity of storage facility to related standards, technical regulations, sanitary norms and rules. Assessment of conformity is mandatory, it is provided for by Article 11 of the Law of Ukraine On Grain and Grain Market of Ukraine.  |
| MAP Order On Approval of Technical Regulation on Grain Storage Facility<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 228;<br>15.06.04-16.07.04                         | This is a detailed set of requirements and rules applicable to facilities providing storage services to owners of cereals, including legal and organizational matters. Among other things, TR list requirements to documents of storage facilities, their territory, premises and engineer infrastructure, laboratory and additional support facilities. It also describes procedures and technologies to be observed as well as qualitative parameters of cereals to be ensured when cereals are stored. |
| CMU Resolution On Measures for Collection, Processing and   | № 261;<br>02.03.98 -                                | Decision of CMU on establishment in Ukraine a state enterprise concerned with collection, processing and utilization of used  |

<sup>40</sup> [Complete list of legal acts related to storage facilities, packaging and packing materials and containers.](#)

<sup>41</sup> [Complete list of legal acts related to transport activities in Ukraine.](#)

<sup>42</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>42</sup>  | Number, dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
|---|--|---|
| Utilization of Used Container and Packaging<br><a href="#">Original in Ukrainian</a><br>Related acts  | 02.03.98   | containers and packaging materials.   |
| Order of Ministry of Economic and On Issues of European Integration of Ukraine On Approval of Procedure for Collecting, Sorting, Transporting, Processing and Utilizing Used Container (Package)<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 224;<br>02.10.01 –<br>05.10.01                             | This regulation provides for mandatory recording, collection and transfer for utilization of used containers and packing materials by all businesses whose activities are associated with production of the said sort of waste.                           |
| CMU Resolution on Approval of Rules on Transportation of Animals<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1402;<br>16.11.11-<br>06.02.12                             | Detailed rules on and requirements to transportation of all kinds of animals, including domestic, wild and agricultural, aiming at ensuring well-being of animals and prevention of suffering, straying as well as spread of diseases and harm to humans. |
| MAPF Order On Approval of Instruction on Storing Grain in Grain Storages With Use of Polymer Grain Sleeves<br><a href="#">Original in Ukrainian</a>   | № 10;<br>04.02.11 –<br>11.03.11                              | Respective technological instruction  |



#### 4.5. FISHERY<sup>43</sup>

| Title, reference to web-page <sup>44</sup>   | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS   |
|--|---|--|
| <a href="#">On National Program For Development of Fishery Till 2010</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1516-IV; 19.02.04 – 26.03.04                      | Documents describes current situation in fishery industry of Ukraine and set up objectives for the future, provides tools and list of measures to be implemented in the field of ocean industrial fishing, industrial fishing in exclusive (economic) territorial sea of Ukraine, fishing in internal waters, breeding of fish and production of food products derived from fish and other water living resources. |
| <a href="#">On Fish, Other Aquatic Living Resources and Food Products Derived From Them</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 486-IV; 06.02.03 – 12.03.03                       | Law defines rules on fishing, processing of fish and production of foodstuffs and feedstuffs from fish, on attestation of production facilities meant for processing of fish, on certification of quality and safety of products derived from fish, on import, export of and trade in fish and fish-derived products   |
| <a href="#">On Acquaculture</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 5293-VI; 18.09.12 – 01.07.13                      | Framework Law describing basic rules on competences of authorities in the field of aquaculture, defining types of aquaculture, use of artificial and natural water reservoirs for aquaculture purposes, veterinary and sanitary requirements to be observed by business engaged into aquaculture.  |
| <a href="#">On Fishery, Industrial Fishing and Protection of Water Bioresources</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 3677-VI; 08.07.11 – 04.08.11                      | Framework Law describing basic rules on competences of authorities in the field of fisheries and describing types of activities in the field and of infrastructure used therein. It also sets rules on industrial fishing, processing of water bioresources and on quality and safety of products derived from water bioresources.   |
| <a href="#">Decree of President of Ukraine On State Agency of Fishery of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 484/2011; 16.04.11 – 04.05.11                     | State Agency is a central executive body coordinated by CMU through the Minister of Agrarian Policy. Agency and its local bodies are practically implement state policies in the field of fishing, fisheries, aquaculture, fishing fleet, preservation, protection of water bioresources and production of food products from fish and other water living resources.   |
| <a href="#">CMU Resolution On Procedure for Establishing Limits for Special Use and Defining Forecast of Permitted Yield of Water Bioresources</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 1149; 05.12.12 – Not yet effective                | Resolution regulates interaction of CMU, State Agency on Fishery and scientific institutions in defining annual limits and quotas for catching water bioresources in waters of Ukraine, including territorial sea and internal water reservoirs.   |
| <a href="#">CMU Resolution On Approval of State Economic Program for Development of Fishery For 2012-2016</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 1245; 23.11.11 – 16.12.11                         | Program aiming at development of fishing fleet, industrial fishing, artificial fish breeding and growing, improvement of situation of natural water objects in order to support natural reproduction of fish and other water living resources. Program lists responsible ministries and agencies and provides for certain volume of funds to be disbursed while implementing the Program.                          |
| <a href="#">Order of the State Committee of Ukraine on Fishery On Approval of Instruction on Procedure for Artificial breeding and Growing of Fish, Other Water Living Resources and Their Use in Specialized Commodity Fishing Farms</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 4; 15.01.08 – 08.02.08                            | Rules on artificial growing of fish, see weed, oysters, invertebrates. Such growing is performed by fishing farms on the basis of regimes approved by the State Committee of Fishery (nowadays – State Agency of Fishery of Ukraine, <a href="http://darg.gov.ua/">http://darg.gov.ua/</a> ) of or its local bodies.   |
| <a href="#">MAP Order On Approval of Instruction on Special Use of Fish and Other Water Bioresources,</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 623/404; 11.11.05 – 17.12.05                      | Detailed rules on establishment of limits, on allocation of quotas, issue of permits for industrial fishing.   |
| <a href="#">MAPF Order On Approval of Procedure for Artificial Breeding and Growing of Water Bioresources and Use Thereof</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 414; 07.07.12 – 20.08.12                          | Detailed rules on interaction of businesses and authorities in respect of artificial breeding and growing of water bioresources.   |
| <a href="#">MAPF Order On Approval of</a>  | № 149;  | Pursuant to the Law of Ukraine On Fishery, Industrial Fishing and  |

<sup>43</sup> [Complete list of laws and bylaws on fishery.](#)

<sup>44</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.

| Title, reference to web-page <sup>44</sup>  | Number;<br>dates<br>DD.MM.YY:<br>adopted on /<br>effective from | COMMENTS  |
|---|---|---|
| Regimes of Fishing in 2012<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | 28.03.12 –<br>28.04.12  | Protection of Water Bioresources, MAPF annually approves regimes of fishing at <a href="#">Dnipro Water Reservoirs</a> , in basins of <a href="#">Azov Sea</a> and <a href="#">Black Sea</a> . Regimes define periods of time when fishing is allowed, tools of fishing and varieties of fish to be caught.   |
| Order of SCTR On Approval of Procedure for Carrying Out Attestation of Facilities Used For Processing of Products of Fishing<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> |   | Detailed rules on attestation of enterprises willing to take up processing of products of fishing, including requirements to facilities, documents, personnel and equipment. Among other things, document is aiming at introduction of HACCP (Hazard Analysis and Critical Control Point) in Ukraine. Upon completion of attestation procedures an attestation certificate is issued on the basis of which, along with necessary sanitary and veterinary certificates, an enterprises is allowed to starting production activities. |
| MPH Order On Approval of SSNR for Facilities and Ships That Produce Goods from Fish and Other Water Living Resources<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>         | № 197;<br>06.05.03 –<br>04.06.03                                | Norms and rules meant for ensuring sanitary and epidemiological wellbeing of population in the process of production foodstuffs from fish and other water living resources.   |

## 4.6. FORESTRY<sup>45</sup>

| Title, reference to web-page <sup>46</sup>   | Number; dates DD.MM.YY: adopted on / effective from | COMMENTS  |
|--|---|---|
| <a href="#">Forest Code of Ukraine</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | №3852-XII;<br>21.01.94 –<br>13.04.94                | Codified legal act providing legal basis for regulatory, economic, recreational and environmental activities in forests of Ukraine, including timber logging, sports and recreational activities and hunting.   |
| <a href="#">On Hunting Economy and Shooting</a><br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №1478-III;<br>22.02.00 –<br>28.03.00                | Law defines legal, economic and organizational principles of activity of legal entities and natural persons in the field of hunting economy and shooting. This Law aims at ensuring equal rights for all users of hunting grounds in relations with bodies of state power as regards to running hunting economy, organization of protection, use and reproduction of fauna.       |
| Decree of President of Ukraine On State Agency of Ukraine on Forest Resources<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | №458/2011;<br>13.04.11 –<br>20.04.11                | Regulation on organization and competences of the State Agency on Forest Resources being the central executive body in the field of forestry guided by CMU through the Minister of Agrarian Policy and Food. Web-site of Agency: <a href="http://dklg.kmu.gov.ua/forest/control/uk/index">http://dklg.kmu.gov.ua/forest/control/uk/index</a>                                      |
| CMU Resolution On Approval of Regulation for Division of Forests into Categories and Definition of Specially Protective Forests Plots<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a> | № 733;<br>16.05.07-<br>16.05.07                     | Forests, according to their properties, are divided into the following categories: forests of nature-protecting, scientific, historical and cultural use; forests of recreational and health-improving forests; protective forests; exploitation forests. Use of forests is performed according to the category they has been assigned to.  |
| CMU Resolution On Approval of Regulation On Maintaining State Forest Cadastre and Recording of Forests<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>                                | № 848;<br>20.06.07 –                                | Regulation defines most general rules on maintenance of state forest cadastre, on filling it with information and on updating information of forests of Ukraine. <a href="#">Detailed rules on state forests cadastre</a> have been approved by the State Committee of Ukraine on Forestry (nowadays 0 State Agency on Forestry).   |
| CMU Resolution On Regulation of Issues Related to Special Use of Forest Resources<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 761;<br>23.05.07 –<br>23.05.07                    | This Regulation defines procedure of and requirements to the issue of permits for special use of forest resources, namely timber logging and felling, collection of <a href="#">secondary forest materials</a> , <a href="#">turpentine</a> , side forests uses (collection of hey, mushrooms, berries, medicinal plants, pasturing etc) and use of useful properties of forests. |
| CMU Resolution On Approval of Rules on Improvement of Qualitative Composition of Forests<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  |   | Rules of forestry measures related to improvement of strength, sustainability and productivity of forests, preservation of bio-diversity in forests, improvement of protective, sanitary, hygiene, health-improving and other properties of forests by way of cutting and felling for shaping and forest hygienic.  |
| CMU Resolution on Approval of Rules on Recreation of Forests<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>  | № 303;<br>01.03.07 –<br>01.03.07                    | Rules on recreation of forests to be followed by users and owners of forests in Ukraine in order to ensure sustainable and rational use of properties of forests.   |
| MAPF Order On Approval of Regulation On Use of Useful Properties of Forests<br><a href="#">Original in Ukrainian</a><br><a href="#">Related acts</a>   | № 502;<br>14.08.12 –                                | Further development and elaboration of rules and requirements listed in CMU Resolution <a href="#"># 761</a> (see above)  |

<sup>45</sup> Legal acts related to forestry is available in Ukrainian [here](#). Also see this publication of APD: [AgPP No. 6: Overview on Renewable Energy in Agriculture and Forestry in Ukraine](#).

<sup>46</sup> Legal acts listed hereunder are Laws of Ukraine unless specified otherwise.