

**Voluntary Report** – Voluntary - Public Distribution

**Date:** October 24, 2022

**Report Number:** UP2022-0076

**Report Name:** Foreign Export Ability Criteria Adopted

**Country:** Ukraine

**Post:** Kyiv

**Report Category:** FAIRS Subject Report

**Prepared By:** Oleksandr Tarassevych

**Approved By:** Laura Geller

**Report Highlights:**

On August 22nd, 2022, Ukraine adopted the official criteria for determining the significant impact of the proposed veterinary-sanitary measure or the approved emergency veterinary-sanitary measure on the export opportunities of foreign countries. The regulation did not provide an explicit list of actions that Ukraine's competent authority will be undertaking, in the case of a notification or discovery of a measure.

## Executive Summary

To spell out the requirement of determining the significant impact of the proposed veterinary measure on the export opportunities of foreign countries outlined in the new “Law on Veterinary Medicine”, the Ministry of Agrarian Policy of Ukraine adopted Order 511 on August 2<sup>nd</sup>, 2022. Order 511 “*On The Approval of Criteria for Determining the Presence of Significant Impact of the Proposed Veterinary-Sanitary Measure or an Approved Emergency Veterinary-Sanitary Measure on the Export Opportunities of Foreign Countries, Approval of the Types of Facilities for Holding Domestic Terrestrial Animals, and Holding and Growing Aquaculture that Pose High Risk of Spreading Animal Diseases, and Small-Scale Aquaculture Production, for which Approval of Facilities is not Required*” is expected to go into effect simultaneously with the “Law on Veterinary Medicine” on March 20<sup>th</sup>, 2023.

The Order introduced a list of measures that “can impact foreign countries’ access to the Ukrainian market”. If implemented one or many of the listed measures may have an impact:

### ORDER 511 QUOTE START (Unofficial Translation)

- 1) changing the list of laboratory or clinical tests based on the results of which a decision regarding access to the Ukrainian market is made;
- 2) change in the procedure for the passing of live animals or products of animal origin shipments, which results in over six hours of veterinary and sanitary control extension at the border inspection post.
- 3) change in import requirements to animals, including aquaculture of certain species, age, or place of origin.
- 4) a change in conditions to labeling requirements or identification of animals or products of animal origin, which may impact the market access decision; or labeling requirement change.
- 5) a change in the conditions of animals or products of animal origin transportation, which requires the installation of additional equipment.
- 6) changing the requirements for animal welfare during transportation, or temporary detention during transportation, which increases the maximum period of transportation by more than ten percent.

### ORDER 511 END OF QUOTE

**Post Comment:** The Law “On Veterinary Medicine” requires all measures to be notified through the Center for Processing of Enquiries and Notifications as appointed by the Cabinet of Ministers. Neither Order 511, nor the Law “On Veterinary Medicine” establishes a clear sequence of actions to be executed by the State Service of Ukraine for Food Safety and Consumer Protection (SSUFSCP) upon receiving

the notification of veterinary measure. It is also not clear how the Center for Processing of Enquiries and Notifications is going to receive information on foreign measures. Order 511 also establishes a list of facilities responsible for holding of live animals, reproductive materials, and animal byproducts, that are subject to registration for the purpose of exports. The list includes ungulates collection facilities, quarantine stations, and animal shelters. **End Comment.**

**Attachments:**

No Attachments.