

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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New Controls Applied to Imported Food Products

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FAIRS Subject Report

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Report Highlights:

This report lists all food and agricultural products subject to border inspection by commodity HS Codes. This regulation was adopted in April of 2018 and spells-out provisions of the Law of Ukraine “On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare.” By this regulation, Ukraine imposes additional controls on composite products that contain small amounts of ingredient(s) of animal origin.

The Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Kyiv, Ukraine prepared this report for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers who are normally best equipped to research such matters and specifics with local authorities before any goods are shipped.

FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Adoption of the List of Products Subject to State Control at Border Inspection Posts

To implement the Law of Ukraine “On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare” the Ministry of Agricultural Policy and Food of Ukraine adopted the list of products subject to state border control by [Order 159](#) adopted on March 26, 2018. This GAIN Report lists all agricultural and food products subject to such control (HS 1-24). All products listed below are subject to various types of control at Border Inspection Posts (BIPs).

At the time when this report was drafted the Cabinet of Minister’s adopted [Resolution #960](#) (in Ukrainian) on application of veterinary, phytosanitary and food safety control on imported agricultural and food products. FAIRS subject report on this new regulation will be submitted separately.

By publication of this list, Ukraine introduced multiple additional controls over composite products. Definition of composite products is laid out in Part 11 of Article 41 of the law of Ukraine “On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare.”

A composite product is a product that satisfies the following conditions simultaneously:

1. The product does not contain meat components;
2. The product contains less than half of processed milk product and the product is shelf-stable at an ambient temperature or has undergone during its manufacture a complete cooking or heat treatment process throughout its substance, so that any raw product is denatured; the product is produced from processed fish or egg product;
3. The product is securely packaged or sealed in clean containers; and
4. The product is labeled in Ukrainian language and is accompanied by a document that in its entirety provides information as to category/type of composite food product, country of origin, producer, ingredients, and size and number of packages of the composite food product.

Although U.S. processed food exports to Ukraine are limited, of the U.S. processed food exports many

may be subject to new border inspections. The list includes, but is not limited to, frozen pizza, noodles, pasta with different stuffing and/or toppings, quiche pies, selected food supplements, frozen wraps, soups, broths, kefir, yogurts and many others. The list includes multiple detailed definitions and special clauses that cover a variety of food products routinely imported from the EU countries.

List of Products Subject to State Control at Designated Border Inspection Posts

Product HS Code	Product Name as Provided in HS Classification	Control Application
1	2	3
Group 02		
Meat and Edible Offal		
0201	Meat of bovine animals; fresh or chilled	All products under this heading
0202	Meat of bovine animals; frozen	All products under this heading
0203	Meat of swine; fresh, chilled or frozen	All products under this heading
0204	Meat of sheep or goats; fresh, chilled or frozen	All products under this heading
0205 00	Meat; of horses, asses, mules or hinnies, fresh, chilled or frozen	All products under this heading
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies; fresh, chilled or frozen	All products under this heading
0207	Meat and edible offal of poultry; of the poultry of heading no. 0105, (i.e. fowl of the species Gallus domesticus), fresh, chilled or frozen	All products under this heading
0208	Meat and edible meat offal, n.e.c. in chapter 2; fresh, chilled or frozen	All products under this heading
0209	Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked	All products under this heading
0210	Meat and edible meat offal; salted, in brine, dried or smoked; edible flours and meals of meat or meat offal	All products under this heading
Group 03		
Fish and Crustaceans, Mollusks and other Aquatic Invertebrates		
0302	Fish, fresh or chilled, other than fish fillets and other fish meat of heading 0304	All products under this heading
0303	Fish, frozen, except fish fillets and other fish of the fish of heading 0304	All products under this heading
0304	Fish fillets and other fish meat (whether or not minced); fresh, chilled or frozen	All products under this heading
0305	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of	All products under this heading

	fish, fit for human consumption	
0306	Crustaceans; in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; smoked, cooked or not before or during smoking; in shell, steamed or boiled, whether or not chilled, frozen, dried, salted or in brine; edible flours, meals, pellets	All products under this heading
0307	Molluscs; whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; smoked mollusks, whether in shell or not, cooked or not before or during the smoking process; flours, meals and pellets of mollusks, fit for human consumption	All products under this heading
0308	Water invertebrates, other than crustaceans and mollusks, live, fresh, chilled, frozen, dried, salted, in brine or smoked, hot or cold smoked; flour, powder and granules of water invertebrates of this heading, fit for food	All products under this heading
Group 04		
Milk and Dairy Products; Birds' Eggs; Natural Honey; Edible Products of Animal Origin, not Elsewhere Specified		
0401	Milk and cream; not concentrated, not containing added sugar or other sweetening matter	All products under this heading
0402	Milk and cream; concentrated or containing added sugar or other sweetening matter	All products under this heading
0403	Buttermilk, curdled milk and cream, yoghurt, kephir, fermented or acidified milk or cream, whether or not concentrated, containing added sugar, sweetening matter, flavored or added fruit or cocoa	All products under this heading
0404	Whey and products consisting of natural milk constituents; whether or not containing added sugar or other sweetening matter, not elsewhere specified or included	All products under this heading
0405	Butter and other fats and oils derived from milk; dairy spreads	All products under this heading
0406	Cheese and curd	All products under this heading
0407	Birds' eggs, in shell; fresh, preserved or cooked	All products under this heading
0408	Birds' eggs, not in shell; egg yolks, fresh, dried, cooked by steaming or boiling in water, molded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter	All products under this heading
0409 00	Honey; natural	All products in this subheading

00 00		
0410 00 00 00	Edible products of animal origin; not elsewhere specified or included	All products in this subheading
Group 05		
Other Products of Animal Origin, not Elsewhere Specified		
0502 10 00 00	Bristles of swine or wild pigs and bristles	All products in this subheading
0504 00 00 00	Guts, bladders and stomachs of animals (other than fish); whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked	All products in this subheading
0505 *	Skins and other parts of birds with feathers, down; feathers, down and parts thereof; not further worked than cleaned, disinfected, treated for preservation; powder, waste and parts of feathers	All except decorative feathers, processed feathers carried for personal use and processed feathers sent for non-industrial purposes
0506	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised; powder and waste of these products	All products under this heading
0507	Ivory, tortoise-shell, whalebone and whalebone hair, horns, antlers, hooves, nails, claws and beaks unworked or simply prepared, not cut to shape; waste and powder of these products	All products under this heading
0508 00 00 00 *	Animal products; coral and similar materials, shells of molluscs, crustaceans, echinoderms, cuttle-bone, unworked or simply prepared but not cut to shape, powder and waste thereof	Only empty shells and shells used for food production or as raw material for glucosamine production, turtle shells and shells, including skeletal cuttlefish plates containing soft tissues or meat
0510 00 00 00 *	Ambergris, castoreum, civet and musk; cantharides; bile, dried or not glands, other animal products used in preparation of pharmaceutical products, fresh chilled, frozen or otherwise provisionally preserved	Only glands, other products of animal origin and bile
0511	Animal products not elsewhere specified or included; dead animals of chapter 1 or 3, unfit for human consumption	All products under this heading
Group 06		
Live Trees and other Plants; Bulbs, Roots and Other Similar Parts of Plants; Cut Flowers and Ornamental Foliage		
0602 90 10 00 *	Fungi Mycelium	Only products containing processed animal manure
Group 12		
Oil Seeds and Oleaginous Fruits; Miscellaneous Grains, Seeds and Fruit, Industrial or Medicinal Plants; Straw and Fodder		

1212 99 95 *	Carob tree fruits, seaweed and other algae, sugar beets and sugar cane, fresh, chilled, frozen or dried, whether or not minced; Cysts, fruit kernels and other vegetable products (including unfermented roots of <i>Cichorium intybus sativum</i>), used principally for food, not elsewhere specified or included	Only bee pollen
1213 00 00 00 *	Straw and husk of grains, not processed, whether or not ground, in the form of pellets, pressed or granulated	Only straw
1214 90 *	Broccoli, beetroot (Mangold), fodder root crops, hay, alfalfa, clover, espresso, cabbage, lupine, vetch and similar feed products, granulated or ungranulated	Only hay
Group 15		
Fats and oils of animal or vegetable origin; their cleavage products; ready-made edible fats; waxes of animal or vegetable origin		
1501	Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503	All products under this heading
1502	Fats of bovine animals, sheep or goats, other than those of heading 1503	All products under this heading
1503 00	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil; not emulsified or mixed or otherwise prepared	All products under this heading
1504	Fats and oils and their fractions of fish or marine mammals; whether or not refined, but not chemically modified	All products under this heading
1505 00	Wool grease and fatty substances derived therefrom (including lanolin)	All products included in this subheading
1506 00 00 00	Animal fats and oils and their fractions; whether or not refined, but not chemically modified, n.e.c. in chapter 15	All products in this subheading
1516 10	Animal fats and oils and their fractions; partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared	All products included in this subheading
1517 *	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils of heading 1516	Only those containing animal fats, oils or butter
1518 00 91 00 *	Fats, oils and oils of animal or vegetable origin, fractions thereof, boiled, oxidized, dehydrated, sulphonated, oxidized by air flow, polymerised by heating in a vacuum or in inert gas, or otherwise chemically modified, other than those	Only animal fats and oils, tallow

	included in heading 1516	
1518 00 95 00 *	Non-food mixes and products from animal and vegetable fats, oils and oils and their fractions	Only products from fats, oils and butter, tallow and their derivatives, including used food-grade oil, intended for further use as by-product of animal origin and not intended for human consumption
1518 00 99 00 *	Others	Only products containing animal fats
1521 90 91 00	Bee or other insect waxes, whether or not refined, colored or not colored, untreated	All products in this subheading
1521 90 99 00	Bee or other insect waxes, whether or not refined, colored or not colored, others	All products in this subheading
1522 00 *	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes	Only products of animal origin
Group 16		
Meat, Fish or Crustaceans, Mollusks or other Aquatic Invertebrates; Preparations Thereof		
1601 00	Sausages and similar products of meat, meat offal or blood; food preparations based on these products	All products included in this subheading
1602	Prepared or preserved meat, meat offal or blood	All products under this heading
1603 00	Extracts and juices of meat, fish or crustaceans, mollusks or other aquatic invertebrates	All goods included in this subheading
1604 *	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	All except composite products that meet conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare," as well as olives and olives, stuffed with fish not exceeding 20% of the product by weight
1605 *	Crustaceans, mollusks and other aquatic invertebrates, prepared or preserved	All except composite products that meet conditions laid out in Part 11 of Article 41 of the Law of Ukraine " On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare "
Group 17		
Sugar and Sugar Confectionery		
1702 *	Sugars, including lactose, maltose, glucose or fructose in solid form; sugar syrups without added flavoring or coloring matter; artificial	Including artificial honey, lactose, mixtures of natural and artificial honey and mixtures with lactose,

	honey, whether or not mixed with natural honey; caramel	except for composite products that meet the conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
1704 *	Sugar confectionery (including white chocolate), not containing cocoa	Only those containing products of animal origin; excluded confectionery (including sweets) and chocolate, which consist of less than half of the processed milk or egg product and meet the conditions specified in Part 11 of Article 41 of the Law of Ukraine " On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
<u>Group 18</u> Cocoa and Cocoa Preparations		
1806 *	Chocolate and other prepared cocoa-based foods	Only those containing products of animal origin; excluded confectionery (including candies) and chocolate, which consist of less than half of processed milk or egg product and meet conditions laid out in Part 11 of Article 41 of the Law of Ukraine" On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
<u>Group 19</u> Finished Cereal Grain, Flour, Starch or Milk Products; Flour Confectionery		
1901*	Malt extract; flour/groats/meal/starch/malt extract products, no cocoa (or less than 40% by weight) and food preparations of goods of headings 04.01 to 04.04, no cocoa (or less than 5% by weight), weights calculated on a totally defatted basis, not specified elsewhere	Only products of animal origin, including infant milk formulae, raw pizza with ingredients of animal origin; excluded composite products that meet conditions specified in in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and

		Welfare"
1902 11 00 00	Food preparations; pasta, containing eggs, uncooked, not stuffed or otherwise prepared	All products in this subheading
1902 19	Food preparations; pasta, uncooked (excluding that containing eggs), not stuffed or otherwise prepared	Only those containing ingredients of animal origin; excluded pasta and noodles not stuffed with meat products, as well as products consisting of less than half of the processed milk or egg product and complying with the conditions specified in Part 11 of Article 41 of the Law of Ukraine" On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
1902 20 10 00	Preparations of pasta, stuffed, cooked or otherwise cooked, or otherwise prepared, containing over 20% by weight of fish, crustaceans, mollusks or other aquatic invertebrates	All products in this subheading
1902 20 30	Preparations of pasta, stuffed, cooked or otherwise cooked, or otherwise prepared, containing over 20% by weight of sausages and similar products of meat and meat offal of all kinds, including fats of any kind or origin	All products in this subheading
1902 20 91 00 *	Products made of pasta, stuffed or cooked	Only those containing products of animal origin
1902 20 99 00 *	Other products made of macaroni dough, stuffed, uncooked	Only those containing products of animal origin
1902 30 *	Other pasta products not included in the product subheadings 1902 11, 1902 19 or 1902 20	Only those containing ingredients of animal origin; excluded pasta and noodles, not stuffed with meat products, as well as products consisting of less than half of processed milk or egg product and complying with the conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
1902 40 *	Couscous	Only those containing ingredients of animal origin; excluded products consisting of less than half of the

		processed milk or egg product and complying with conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
1904 10 10 00 *	Ready-made food products obtained by popping or frying grains of cereals or cereal products made of corn	Only those containing ingredients of animal origin; excluded composite products that meet conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
1904 90 10 *	Ready to eat products made of rice	Only those containing products of animal origin (e.g. sushi)
1905 *	Bread, pastry, cakes, biscuits, other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Only those containing products of animal origin. For example: waffles or waffle wraps, stuffed with meat or cheese (for example, bureks classified under HS 1905 32 91); waffles or waffle wraps, stuffed with products of animal origin, except meat and cheese (classified under HS 1905 32 99); precooked or cooked pizza or quiches pies, stuffed or covered with products of animal origin (HS 1905 90); Short-term storage products under HS 1905 90 90*). Does not include bread, cakes, biscuits, waffles, waffle wrappers, crackers, as well as products that contain less than 20% of processed dairy or egg products and which meet conditions laid out in Part 11 Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"

Group 20

Preparations of Vegetables, Fruit, Nuts or other Parts of Plants

2001 90 65 00 *	Olive or olives	Only those, that contain fish ingredients exceeding 20% of the product by weight
542 2004 *	Other vegetables prepared or preserved without adding vinegar or acetic acid, ice-cream, excluding products classified under heading 2006	Only those containing products of animal origin
2005 *	Other vegetables prepared or preserved without the addition of vinegar or acetic acid, not frozen, other than products of the 2006 heading	Only those containing products of animal origin with exception of olives (HS 2005 70 00 00), the share of fish product in which is less than 20%
Group 21 Miscellaneous Edible Preparations		
2103 90 90 00 *	Soups and preparations thereof; mixed condiments and mixed seasonings; mustard powder and prepared mustard; others	Only those containing products of animal origin
2104 *	Soups and broths and preparations thereof; homogenized composite food preparation	Only those containing products of animal origin, including infant formulae in containers of a net weight of less than 250 grams. Excluding packed for the end consumers ready-made soups and broths, preparations for their cooking (HS 2104 10 00 00), homogenised composite food products (HS 2104 20 00 00), less than half made of fish oils, powders or extracts and that meet conditions set in Part 11, Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
2105 00 *	Ice cream and other edible ice; whether or not containing cocoa	Only those containing raw or processed milk
2106 10 *	Protein; concentrates and textured protein substances	Only those which are composite products that do not meet conditions set in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare." Does not include packaged dietary

		<p>supplements containing small amounts (less than 20% by weight) of processed animal product (including glucosamine, chondroitin and / or chitosan) other than meat product</p>
2106 90 92 00 *	<p>Food products not elsewhere specified, not containing milk fats, sucrose, isoglucose, glucose, starch or containing less than 1.5% by weight. Percentage of milk fat is less than 5% by weight. Percentage of sucrose or isoglucose is less than 5% by weight.</p>	<p>Only foods (for example, dietary supplements) containing animal products, such as whey protein isolate, chondroitin, glucosamine, chitosan, calcium carbonate, pasteurized salty liquid egg yolk, animal fats (for example, fish oil in capsules), with or without other substances.</p> <p>Does not include composite products that meet the conditions specified in Part 11, Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare," as well as dietary supplements packed for the end consumers containing small amount (less than 20% by weight) of processed animal product (including glucosamine, chondroitin and / or chitosan) other than meat product</p>
2106 90 98 *	<p>Food preparations not elsewhere specified or included, other</p>	<p>Only those (for example, dietary supplements, fondue cheese) containing products of animal origin, such as chondroitin, glucosamine, animal fats (for example, fish oil in capsules).</p> <p>Excluded composite products that comply with conditions specified in Part 11, Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare," as well as dietary supplements packed for the end consumer, containing small amounts (less than 20% by weight) of</p>

		processed animal product (including glucosamine, chondroitin and / or chitosan) other than meat product
<u>Group 22</u> Beverages, Spirits and Vinegar		
2202 90 91 *	Other non-alcoholic beverages, excluding fruit or vegetable juices of heading 2009 with content of fats derived from products under headings 0401 to 0404 less than 0.2% by weight	Those containing processed products of animal origin, for example, drinking yoghurts with cereal flakes, coffee or chocolate beverages. Excluded composite products that meet conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
2202 90 95 00 *	Other non-alcoholic beverages, excluding fruit or vegetable juices of heading 2009, with a content of fats derived from products under headings 0401 to 0404 over 0.2%, but less than 2% by weight.	Those containing processed products of animal origin, for example, drinking yoghurts with cereal flakes, coffee or chocolate beverages, but excluding composite products that meet conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
2202 90 99 00 *	Other non-alcoholic beverages, excluding fruit or vegetable juices of heading 2009, containing over 2% by weight of fats derived from products under headings 0401 to 0404	Those containing processed products of animal origin, for example, drinking yoghurts with cereal flakes, coffee or chocolate beverages. Excluded composite products that meet conditions specified in Part 11 of Article 41 of the Law of Ukraine "On State Control and Enforcement of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
2208 70 *	Liqueurs and sweet liqueurs	Liqueurs containing alcohols consisting of alcohol emulsions and products of animal origin such as egg yolk or cream, other than composite products, which meet conditions specified in Part 11, Article 41 of the Law of Ukraine "On State Control and Enforcement

		of Legislation on Safety of Food, Feeds, Animal Byproducts and Animal Health and Welfare"
<u>Group 23</u>		
Food Industries Residues and Wastes Thereof; Prepared Animal Fodder		
2301	Flours, meal and pellets, of meat or meat offal, of fish or of crustaceans, mollusks or other aquatic invertebrates, unfit for human consumption; greaves	All products under this heading
2309 *	Preparations of a kind used in animal feeding	Only those containing products of animal origin and not under headings HS 2309 90 20 and HS 2309 90 91

The product classified by the HS code marked by symbol "" in this List (for example, 0505 *), is subject to state control at designated border inspection posts only if it corresponds to the characteristic provided in the third column of this List.*