

**Working Party on the
Accession of Ukraine**

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ACCESSION OF UKRAINE

Phytosanitary Standards

The Governmental Commission on Ukraine's Accession to the WTO has submitted the following information on compliance of the Ukrainian phytosanitary standards with the requirements of the WTO and the World Organization of Plant Protection, with the request that it be circulated to members of the Working Party.

Legislation on plant quarantine in Ukraine is based on the Constitution of Ukraine and includes the Ukrainian Law "On Plant Quarantine", the Charter of the State Service for Plants Quarantine and other legal acts adopted according to the above-mentioned law.

The State Service for Plant Quarantine includes the central specially authorized State body, i. e., the main State Inspectorate for Plant Quarantine of the Ministry of Agriculture and Food of Ukraine with the Central Scientific and Research Laboratory and the Central Fumigation Department; and other special bodies subordinated to the main State Inspectorate for Plants Quarantine. Other special bodies for plant quarantine are as follows:

- the border State inspectorate for plant quarantine in the Crimean Autonomous Republic;
- border State oblast and State oblast inspectorates for plant quarantine;
- State municipal inspectorates for plant quarantine;
- interdistrict and district points for plant quarantine;
- border points for plant quarantine on the State border of Ukraine;
- oblast quarantine laboratories and fumigation departments.

Plant quarantine is a legal regime that provides for system of State measures directed at the protection of plants, products of their processing, raw materials and some goods from quarantine objects.

The following materials are under quarantine: seeds and materials for planting, agricultural forest and decorative crops, plants and their parts (slips, onions, tubers and fruit, etc.) as well as other produce of vegetable origin which can be a carrier of vermin, plant diseases and weeds' seeds, cultures of alive mushrooms and bacteria; viruses, nematodes, ticks, insects, collections, herbariums, samples, agricultural machinery, soil cultivation implements, specific industrial goods, package and goods made of vegetable materials that may carry vermin, plants diseases and weeds' seeds; monoliths and samples of soils and vehicles coming from foreign countries and regions of Ukraine with special quarantine regime.

Main tasks of the State Service for Plant Quarantine are as follows:

- to protect the country's territory from quarantine objects that may be carried in or independently penetrate from abroad or a quarantine zone;
- timely detection, localization and liquidation of quarantine objects as well as prevention of their penetration into the country's regions where they are not present; and,
- conducting the State control over observance of the special quarantine regime and implementation of measures for plant quarantine while growing, procuring, exporting, importing, storing, processing, selling and using materials and objects under quarantine.

The following standards are applied in the activity of appropriate organizations for plant quarantine:

1. The list of dangerous vermin, plants' pathogens and weeds that have quarantine importance for Ukraine.
2. A phytosanitary certificate for export materials under quarantine and quarantine certificate for the vegetable produce that are exported from zones of quarantine limitation and are transported through the territory of Ukraine.

Approval of the first standard (the List of quarantine objects) is conducted once per five years. The List is developed on the basis of risk's evaluation of organism's harm and passes the following stages:

- (a) the List of harmful organisms that are under quarantine for members of the European Organization of Plants Protection is taken as the basis. Groups of experts, evaluating criteria of harm's risk, submit their proposals for each of harmful organisms;
- (b) conducting of joint consultations and adoption of the decision on the possibility to consider harmful organism as quarantine for Ukraine;
- (c) development of concrete recommendations on phytosanitary regulation taking into account harm, way of spreading, the country of harmful organism's origin, climatic conditions of Ukraine and the possibility of acclimatization in different climatic zones;
- (d) approval of the List of objects that have quarantine importance for Ukraine by the management of the Ministry of Agriculture and Food of Ukraine in agreement with the Ukrainian Academy of Agrarian Sciences.

On the basis of these developments and taking into account peculiarity of different materials under quarantine it is permitted their import into Ukraine with further legalization of quarantine licences for import by the main State Inspectorate of Ukraine for Plant Quarantine.

In order to receive a quarantine licence for import (transit), importing organizations should submit to the main State Inspectorate of Ukraine for Plant Quarantine an application on issuance of the quarantine licence for import or transit. It should be done not later than 5 days before importation or transit.

The second standard (a phytosanitary certificate for export) has an international form. The European Organization of Plant Protection has provided it to the main State Inspectorate of Ukraine

for Plant Quarantine and it accompanies all the materials under quarantine (vegetables, products of their processing and raw materials of vegetable origin) exported from Ukraine to other countries. Grounds to issue the phytosanitary certificate are as follows:

- (a) results of field researches during the vegetation period or inspections of storage places for materials under quarantine which prove that material is free from harmful organisms which are under quarantine for the importing country;
- (b) material is exported from zones free of harmful organisms which are under quarantine for the importing country;
- (c) results of quarantine laboratory expertise;
- (d) additional conditions to material under quarantine required by importing party or international agreements in the field of quarantine and plants protection.

Materials under quarantine that are exported from Ukraine shall meet conditions provided for by appropriate international agreements where Ukraine is a member, contracts and quarantine licences of the importing party.

Export of materials under quarantine outside Ukraine is conducted on the basis of phytosanitary inspection having the phytosanitary certificate for export with a form established by the International Convention of the European Organization of Plant Protection certified with a triangle stamp and issued for each vehicle.

Resolution No. 958 of the Cabinet of Ministers of Ukraine, dated 24 November 1993, approved fees for inspection of materials under quarantine, payable services for enterprises, organizations and individuals (taking into account VAT) adjusted for the inflation on the basis of the Statistics' Ministry petition as of 1 October 1996. Pursuant to these fees processing of phytosanitary documents is as follows:

Amount of material under quarantine	Fee for issuance of quarantine license for import or transit (Hryvnias)	Fee for issuance a phytosanitary certificate for export of material under quarantine (Hryvnias)
less than 50 tons	18.03	15.45
less than 100 tons	36.08	30.83
less than 1000 tons	72.13	61.40