



6 October 2017

(17-5390)

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Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>UKRAINE</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Ministry of Agrarian Policy and Food of Ukraine <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [X], 5.7.1 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Food, feed, feed additives, veterinary drugs produced from genetically modified organisms.
<b>5. Title, number of pages and language(s) of the notified document:</b> The Draft Law of Ukraine "On amendments to some laws of Ukraine on the traceability and labelling of genetically modified organisms and the circulation, traceability and labelling of food, feed and/or feed additives, veterinary drugs produced from genetically modified organisms" (hereinafter referred to as the Draft Law). (8 page(s), in Ukrainian)
<b>6. Description of content:</b> The Draft Law provides the following amendments: <ul style="list-style-type: none"><li>– definition of the terms, in particular, "traceability", "unique identifier", "operator", "the first stage of the placing on the market of the product", "pre-packaged products" etc;</li><li>– for pre-packaged products consisting of, or containing GMOs, operators shall ensure that the words "This product contains GMOs" or "This product contains genetically modified [name of organism(s)]" appear on a label; for non-pre-packaged products offered to the final consumer the words "This product contains GMOs" or "This product contains genetically modified [name of organism(s)]" shall appear on, or in connection with, the display of the product;</li><li>– exceptions from the appropriate labelling requirement of pre-packaged and non-pre-packaged products shall be granted to market operators only when traces of GMO in the products do not exceed the legally established thresholds (less than 0.9 %) provided that these traces of GMO are adventitious or technically unavoidable;</li><li>– adoption of the provision according to which the State Service of Ukraine for Food Safety and Consumer Protection carries out state supervision (control) in the field of safety and specific indicators of food quality over the observance of biological and genetic safety measures in respect of: food products, feed, feed additives produced from GMOs by the criterion of the presence in those of only registered GMO sources and agricultural plants and animals in creating, studying and practical using GMOs in open systems at enterprises, institutions and organizations irrespective of their subordination and ownership.</li></ul> The Draft Law applies to GMOs, food, feed and/or feed additives, veterinary drugs produced from GMOs, which have undergone state registration in accordance with the established procedure. Unregistered GMOs as well as food, feed and/or feed additives

	made from genetically modified organisms are not subject to this Draft Law and shall not be placed on the market. Labelling will not apply to food, feed and/or feed additives which comprise the material that contains, consists of or produced from GMOs in a proportion less than 0.9% of the food or feed ingredients, ingredients of feed additives considered individually or of food or feed consisting of a single ingredient, provided that the presence is adventitious or technically unavoidable.
7.	<p><b>Objective and rationale, including the nature of urgent problems where applicable:</b> The purpose of the Draft Law is to ensure that consumers are informed about registered GMOs, which food, feed and/or feed additives, veterinary drugs consist of or contain, to provide individuals with the opportunity to carry out economic activities related to production and circulation of food, feed and/or feed additives, veterinary drugs produced from GMOs.</p> <p>In this connection adaptation of Ukrainian legislation to the provisions of Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC will be carried out in this connection.</p>
8.	<p><b>Relevant documents:</b> Regulation (EC) No 1830/2003, Directive No 2000/13/EC, Regulation (EC) No 726/2004, Directive No 2001/18/EC.</p>
9.	<p><b>Proposed date of adoption:</b> To be determined.</p> <p><b>Proposed date of entry into force:</b> 6 months from the date of publication.</p>
10.	<p><b>Final date for comments:</b> 60 days from notification</p>
11.	<p><b>Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b></p> <p>The text of the Draft Law is available in Ukrainian on the official web-site of the Ministry of Agrarian Policy and Food of Ukraine: <a href="http://minagro.gov.ua/node/21518">http://minagro.gov.ua/node/21518</a></p>