



20 September 2023

(23-6256)

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Committee on Technical Barriers to Trade

Original: English

## NOTIFICATION

### Revision

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 (Articles 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Ministry of Environmental Protection and Natural Resources 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> 35 Vasyl Lypkivskyi Street, Kyiv, 03035, Ukraine <a href="https://mepr.gov.ua">https://mepr.gov.ua</a>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [X], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], 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> Chemical products (substances, mixtures, explosive or pyrotechnical articles). All HS codes from Chapters 28 - 38 of Section VI of the Harmonized System excluding Chapter 30 - Pharmaceutical products.
<b>5. Title, number of pages and language(s) of the notified document:</b> Draft Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Technical Regulation on Safety of Chemical Products"; (249 page(s), in Ukrainian)
<b>6. Description of content:</b> The purpose of the draft Resolution is detailed implementation of framework provisions of the Law of Ukraine "On Ensuring Chemical Safety, Security and Management of Chemical Products" to ensure a high level of protection of human health and the environment, free circulation of chemical products on internal market, promotion of the use of alternative methods for assessment of hazards of chemical products and promotion innovations with a simultaneous increase in competitiveness, definition of basic requirements for ensuring chemical safety during the manufacture, placing on the market and use of chemical products by business entities. The introduced provisions establish the procedures for: <ul style="list-style-type: none"><li>- state registration of chemical substances before placing on the market according to which entities shall assess intrinsic hazardous properties of substances by testing and carrying out chemical safety assessment (10 t/y and more) using risk-oriented approach;</li><li>- data sharing with the aim of avoidance of unnecessary testing by entities in course of state registration of substances which shall be only common for identical substances;</li><li>- deep evaluation of chemicals by authorized central executive authority;</li></ul>

- provision of safety information by suppliers in format of safety data sheets (including exposure scenarios, if developed) down the supply chain;
- identification of particularly hazardous substances (EU analogue - SVHCs) and poisonous substances (acutely toxic and STOT) and formation of relevant lists;
- imposing of restrictions on the manufacture, placing on the market and use of certain chemical products which pose an uncontrolled risk to human health and/or the environment.

The draft Technical Regulation suggests implementing most of provisions of Regulation (EC) № 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) into Ukrainian legislation.

Technical Regulation on Safety of Chemical Products has been developed in Ukraine for the first time.

**7. Objective and rationale, including the nature of urgent problems where applicable:** Rationale and urge to improve the protection of human health and the environment from hazardous influence of chemicals through mentioned procedures that are being introduced in draft Technical Regulation comes from low level of chemical safety insurance according to current outdated national procedures (legislation) and Ukrainian policy on harmonization with EU legislation; Protection of human health or safety; Protection of the environment; Harmonization

**8. Relevant documents:** Laws of Ukraine "On Ensuring Chemical Safety, Security and Management of Chemical Products", "On Technical Regulations and Conformity Assessment".

**9. Proposed date of adoption:** To be determined

**Proposed date of entry into force:** The Resolution shall enter into force three months after its publication

**10. Final date for comments:** 60 days from notification

**11. Texts available from: National enquiry point [X] or address, telephone or fax numbers and email and website addresses, if available, of other body:**

Ministry of Economy of Ukraine  
Department for Trade Agreements and Export Development  
12/2 Hrushevskoho Str.  
Tel: +(38 044) 596 6839  
Fax: +(38 044) 596 6839  
Email: [ep@me.gov.ua](mailto:ep@me.gov.ua)  
Website: <https://www.me.gov.ua>

<https://mepr.gov.ua/proyekt-postanovy-kabinetu-ministriv-ukrayiny-pro-zatverdzhennya-tehnichnogo-reglamentu-shhodo-bezpechnosti-himichnoyi-produktsiy/>

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