



18 March 2024

(24-2367)

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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> The 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>
<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> controlled substances (ozone-depleting substances and fluorinated greenhouse gases), goods and equipment containing ozone-depleting substances and fluorinated greenhouse gases. The list of controlled substances, as well as goods and equipment, if they contain controlled substances, covered by the notified measure, is attached to this notification.
<b>5. Title, number of pages and language(s) of the notified document:</b> draft Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Approval of the Procedure for Labelling of Controlled Substances, Goods and Equipment"; (5 page(s), in Ukrainian)
<b>6. Description of content:</b> the draft Order provides for the approval of the Procedure for labelling of controlled substances, goods and equipment, which determines uniform requirements for information to be indicated when labelling them, the exact wording of the text for labelling of controlled substances intended for use for specific purposes, as well as requirements for placement, readability and durability of labelling. The labelling shall, in particular, indicate the following information: whether the good or equipment contains or utilizes controlled substances; the common industrial name and chemical name of the controlled substance contained or used; the actual or estimated quantity of controlled substances in the good measured in mass units, and the equivalent of ozone-depleting potential or global warming potential, global warming potential. In accordance with the Procedure the following goods/equipment are subject to mandatory labelling: refrigeration equipment; air-conditioning equipment; heat pumps; fire protection equipment; electrical switchgear; aerosol dispenser that contain fluorinated greenhouse gases, with the exception of metered dose inhalers for the delivery of pharmaceutical ingredients; all fluorinated greenhouse gas containers; fluorinated greenhouse gas-based solvents; organic Rankine cycles; foam materials and pre-blended polyols.

<p>The Procedure will apply to business entities - operators of controlled substances that import, export and place on the market ozone-depleting substances, fluorinated greenhouse gases, goods and equipment containing them.</p> <p>The draft Order is developed pursuant to part three of Article 3, Articles 12 and 13 of the Law of Ukraine "On Regulation of Economic Activities Involving Ozone Depleting Substances and Fluorinated Greenhouse Gases", which stipulate that goods and equipment containing ozone-depleting substances and fluorinated greenhouse gases may be placed on the market only if they are properly labelled. The information to be included in the labelling and the minimum requirements for labelling are set out in Articles 12 and 13 of the mentioned Law.</p> <p>The Procedure is also developed based on the requirements provided for in Article 12 of Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 and Commission Implementing Regulation (EU) 2015/2068 of 17 November 2015 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, the format of labels for products and equipment containing fluorinated greenhouse gases.</p>
<p><b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Consumer information, labelling; Prevention of deceptive practices and consumer protection</p>
<p><b>8. Relevant documents:</b></p> <p>Law of Ukraine "On Regulation of Economic Activity Involving Ozone Depleting Substances and Fluorinated Greenhouse Gases" No. 376 of 12 December 2019; Law of Ukraine "On Ensuring Chemical Safety and Management of Chemical Products" No. 2804 of 01 December 2022; Resolution of the Cabinet of Ministers of Ukraine No. 624 of 16 May 2002 "On Strengthening State Regulation of the Import and Export of Ozone Depleting Substances to and from Ukraine"; Resolution of the Cabinet of Ministers of Ukraine No. 1402 "On approval of the List of goods export and import of which is subject to licensing, and quotas for 2024" of 27 December 2023</p>
<p><b>9. Proposed date of adoption:</b> approximately May 2024</p> <p><b>Proposed date of entry into force:</b> in 6 months from the date of its official publication</p>
<p><b>10. Final date for comments:</b> 60 days from notification</p>
<p><b>11. 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>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: <a href="mailto:ep@me.gov.ua">ep@me.gov.ua</a>  Website: <a href="https://www.me.gov.ua">https://www.me.gov.ua</a></p> <p><a href="https://mepr.gov.ua/povidomlennya-pro-oprylyudnennya-proyektu-nakazu-ministerstva-zahystu-dovkillya-ta-pryrodnyh-resursiv-ukrayiny-pro-zatverdzhennya-poryadku-markuvannya-kontrolovanoh-rechovyn-tovariv-ta-obladnannya/">https://mepr.gov.ua/povidomlennya-pro-oprylyudnennya-proyektu-nakazu-ministerstva-zahystu-dovkillya-ta-pryrodnyh-resursiv-ukrayiny-pro-zatverdzhennya-poryadku-markuvannya-kontrolovanoh-rechovyn-tovariv-ta-obladnannya/</a> (revised text)</p> <p><a href="https://members.wto.org/crnattachments/2024/TBT/UKR/24_02072_00_e.pdf">https://members.wto.org/crnattachments/2024/TBT/UKR/24_02072_00_e.pdf</a>  <a href="https://members.wto.org/crnattachments/2024/TBT/UKR/24_02072_00_x.pdf">https://members.wto.org/crnattachments/2024/TBT/UKR/24_02072_00_x.pdf</a>  <a href="https://members.wto.org/crnattachments/2024/TBT/UKR/24_02072_01_x.pdf">https://members.wto.org/crnattachments/2024/TBT/UKR/24_02072_01_x.pdf</a></p>