

THE LAW OF UKRAINE On Meat and Meat Products

The Law shall determine the legal and organizational framework of ensuring quality and security of meat and meat products for human life and health, environment at producing, processing, packaging, storing, transporting and selling meat and meat products as well as at exporting meat and meat products from Ukraine and importing them into Ukraine.

Article 1. Definition of Terms

In this Law terms shall be used in the following meaning:

Attestation of Production – a procedure of evaluation of sanitary-epidemiological, veterinary-sanitary status and technical capabilities of production of subject of economic activities aimed at ensuring stable turnout and supply of products in accordance with established security and quality requirements;

Commonly known names – names of the products regulated by national and international standards;

Marking – information regarding meat, raw meat and meat products applied to the packaging in accordance with the requirements of normative-legal acts and normative documents;

Meat – animal or poultry carcasses or their parts which represent the integrity of muscular, adipose, connective tissue and bones;

Meat of mechanical boning – meat mass obtained as a result of mechanical separation of meat from poultry carcasses (or their parts), beef, pork and mutton bones and lean mutton.

Meat Products – products are made of meat for at least 50 %;

Raw Meat – meat separated from bones in a class or special manner, by-products, pig skin, fat and other products resulted from animal slaughtering or hunting;

Packaging – measure or complex of measures aimed at ensuring protection of raw meat, meat and meat products from damage and contamination;

Meat Supplier – a legal entity of any form of ownership and an individual - subject of entrepreneurial activities engaged in purchasing, storing, selling, importing into and exporting from Ukraine meat and meat products;

Raw Materials intended for Meat Production – agricultural and wild animals, poultry and wild birds;

Spontaneous Market – a place used for unauthorized sale of food products with no veterinary sanitary control of quality and security of food products;

Subject of Economic Activities – a legal entity of any form of ownership or an individual – subject of entrepreneurial activities, engaged in supplying meat (meat supplier), breeding animals and poultry and supplying raw materials intended for meat production as well as in producing and processing meat, raw meat and meat products.

Article 2. Legislation on Meat and Meat Products

Legislation on meat and meat products shall include this Law and other normative-legal acts.

Article 3. State Regulation of Indicators associated with Quality and Security of Meat, Raw Meat and Meat Products.

The State shall regulate the indicators associated with quality and security of meat, raw meat and meat products by establishing such indicators in normative-legal acts, standards and other normative documents.

In the process of development, adoption, reviewing and amendment of the normative-legal acts, standards and other normative documents related to meat, raw meat and meat products the following requirement shall be considered:

it is prohibited to include mechanically boned meat, protein stabilizers, pig skin, edible starch, plant flour, groats, soybeans products as well as food additives (save for sodium nitrite, ascorbic acid, sodium ascorbate, phosphates) and spice mixtures composed of feed additives in extra class meat products;

it is prohibited to include mechanically boned meat, protein stabilizers, pig skin, soybeans products as well as food additives (save for sodium nitrite, ascorbic acid, sodium ascorbate) and spice mixtures composed of feed additives in infant nutrition and dietary use products;

it is allowed to include mechanically boned meat, pig skin, edible starch, plant flour, groats, hydrated soybeans products as well as spice mixtures composed of feed additives in first class meat products provided that their amount in product formula doesn't exceed 30 % of total amount of raw materials, in particular, the amount of mechanically boned meat doesn't exceed 10 %; in second class meat products - 40 and 20 % respectively; in third class meat products - 50 and 30 % respectively;

It shall be allowed to include mechanically boned meat, pig skin, edible starch, wheat flour, hydrated soybeans products as well as feed additives and spice mixtures composed of feed additives in canned and prepared meat provided that their amount doesn't exceed 25 % (in dough products – 40 %) of total amount of raw materials, in particular the amount of mechanically boned meat

doesn't exceed 10 %.

It shall be allowed to include protein stabilizers, pig skin and groats in extra class liver sausage and paste and to include groats in extra class black pudding.

Article 4. Ensuring Quality and Security of Meat, Raw Meat and Meat Products.

To ensure quality and security of meat, raw meat and meat products the subjects of economic activities shall be prohibited to accept agricultural or wild animals, wild and poultry birds for processing from unattested productions of subjects of economic activities, save for individuals not being subjects of entrepreneurial activities, and without accompanying veterinary documents pursuant to legislation.

It shall be prohibited to give commonly known names to new meat products as well as to add extra words to the commonly known names.

Meat products excluding prepared and canned meat (save for stewed beef) shall be produced based on class system.

It shall be prohibited to package meat products separately from general production cycle.

Packaging for meat, raw meat and meat products shall be manufactured from materials allowed for use by the central body of executive power on health protection issues.

Meat, raw meat and meat products shall be marked considering legislative requirements.

Production equipment, packaging, instruments and vehicles used for transportation and storing of meat, raw meat and meat products shall be manufactured from materials allowed for use by the central body of executive power on health protection issues

Meat, raw meat and meat products imported into the customs territory of Ukraine shall be subject to mandatory control pursuant to legislation.

It shall be prohibited to sell meat, raw meat and meat products at the spontaneous markets.

The law may establish other requirements as to ensuring quality and security of raw meat and meat products.

Article 5. Withdrawal of Low-Quality Meat, Raw Meat and Meat Products from Circulation and Further Disposal thereof.

Low-quality meat, raw meat and meat products which do not meet established requirements shall be withdrawn from circulation according to the procedure established by legislation.

Low-quality meat, raw meat and meat products which were withdrawn from circulation may be returned into circulation provided that these products are brought in compliance with the established requirements by means of industrial

processing, sorting, refinement, changing of intended use.

Low-quality meat, raw meat and meat products which may not be returned into circulation shall be subject to utilization or destruction according to the procedure established by legislation.

Article 6. Obligations of Subjects of Economic Activities engaged in Production, Processing and Sale of Meat, Raw Meat and Meat Products.

Subjects of economic activities engaged in production, processing and sale of meat, raw meat and meat products shall:

- ensure production of products according to the requirements of normative-legal acts and normative documents;

- ensure compliance with the requirements of sanitary-epidemiological and veterinary-sanitary norms and rules, as well as performance of the orders issued by the State Sanitary-Epidemiological Service and the State Service of Veterinary Medicine as to implementation of anti-epidemic and anti-epizootic measures to prevent spread of diseases common for humans and animals;

- maintain records attesting to quality and security of finished products according to the procedure established by legislation;

- provide access to the territory of the enterprise to representatives of the state controlling (supervising) bodies;

- provide information and documents necessary for carrying out state control (supervision), as well as meat samples, formula components, meat products for carrying out laboratory analyses in quantities envisaged by legal-normative acts;

- sell properly marked meat, raw meat and meat products accompanied by the necessary documents attesting to their quality and security pursuant to legislation;

Subjects of economic activities shall ensure continuous control of quality and security of products at their processing, storing, transporting and selling.

Article 7. Conformity Assessment of Quality and Security of Meat, Raw Meat and Meat Products

Conformity assessment of quality and security of meat, raw meat and meat products shall be carried out pursuant to requirements established by Law of Ukraine “On Conformity Assessment”.

Conformity assessment of quality and security of meat, raw meat and meat products shall be mandatory at their selling.

Article 8. Attesting of Productions of Subjects of Economic Activities

Productions of subjects of economic activities (save for individuals not being subjects of entrepreneurial activities) engaged in supplying raw materials for meat production, supplying of meat as well as production and processing of

meat, raw meat and meat products shall be subject to mandatory attestation for conformity with requirements established by legislation on environmental protection, sanitary, fire safety and ecological norms and rules of complete technological cycle established for production of specific type of products. It shall be prohibited to sell raw materials intended for meat production, raw meat and meat products supplied, produced or processed by unattested subjects of economic activities (save for individuals not being subjects of entrepreneurial activities).

The procedure of attesting subjects of economic activities and the form of production certificate shall be prescribed by the central body of executive power on agricultural policy issues, the central body of executive power on health protection issues and the central body of executive power on technical regulation and consumer policy issues.

Productions of subjects of economic activities shall be attested once every 5 years.

Article 9. Registry of Attested Productions of Subjects of Economic Activities

Attested production of subject of economic activities shall be entered to the Registry of attested productions of subjects of economic activities (hereinafter – the Registry) and awarded with the relevant serial number.

The central body of executive power on agricultural policy issues, the central body of executive power on health protection issues and the central body of executive power on technical regulation and consumer policy issues shall establish the procedure of the Registry maintenance.

The serial number of attested production of subject of economic activities shall be specified in documents accompanying meat, raw meat and meat products.

The central body of executive power on agricultural policy issues shall publish the Registry of attested productions of subjects of economic activities in mass media at least once every 6 months.

Article 10. Re-attesting of Productions of Subjects of Economic Activities

Re-attestation of productions of subjects of economic activities shall be carried out if:

- subject of economic activities changes its name (unless such change is related to its reorganization);
- subject of economic activities changes its location;
- subject of economic activities launches new activities;
- certificate issued to production of subject of economic activities expired.

Article 11. Suspending Certificate issued to Production of Subject of Economic Activities

The issuing body may suspend the certificate issued to production of subject of economic activities if the subject of economic activities violates the requirements of normative-legal acts and normative document regulating quality and security of food products and food raw materials.

Article 12. Canceling Certificate issued to Production of Subject of Economic Activities

Certificate issued to production of subject of economic activities may be cancelled if application and documents submitted to attestation contain inadequate data, the legal requirements in the field of food products production are severely violated or the orders issued by attesting body and related to correction of production violations are not performed.

Article 13. State Support and Provision of Economic Incentives in the area of Supplying Raw Materials for Production of Meat, Raw Meat and Meat Products.

State support and economic incentives in the area related to raising domestic animals and poultry and producing meat, raw meat and meat products shall be provided for by:

budget grants, credit and investment support of subjects of economic activities engaged in production, storage and processing of meat, raw meat and meat products;

establishing equal conditions for domestic producers, exporters and importers of meat, raw meat and meat products by development of customs tariff policies aimed at protection of domestic producers of meat, raw meat and meat products.

introducing favorable pricing policies for raw materials intended for meat production, meat, raw meat and meat products to increase market efficiency by carrying out financial and commodity interventions and providing state grants.

Article 14. Pricing at Purchasing Animals and Establishing Trading Margins

The pricing procedure in the area of raising agricultural and wild animals, birds and poultry as well as the level of trading margins shall be established by the Cabinet of Ministers of Ukraine.

Article 15. State Control (Supervision) in the field of Production, Processing and Sale of Meat, Raw Meat and Meat Products

Pursuant to this Law the following bodies shall carry out state control (supervision) in the field of production, processing and sale of meat, raw meat and meat products :

the institutions and establishments of the State Sanitary-Epidemiological Service shall control (supervise) the issues related to compliance with sanitary norms and rules, development of technical specifications for products, establishment of security indicators for launching new products and performing all production stages as well as supervising the use of equipment, packaging, vehicles;

the state institutions of veterinary medicine shall control (supervise) the issues related to compliance with veterinary-sanitary requirements at the time of carrying out continuous control (supervision) and monitoring research over indicators of animal security, product quality including in case of its sale directly from the enterprise, export and import, use of equipment, packaging, vehicles as well as control over product security indicators carried out by the enterprises;

the state bodies on technical regulation and consumer policy issues shall control (supervise) the issues related to development and registration by producer of requirements of normative documents related with product quality (save for security indicators and veterinary-sanitary requirements), requirement of periodic state metrological supervision and legal requirements in the field of protection of consumer rights;

the state control and supervision over quality and security of meat and meat products intended for export shall be carried out by the State Department of Veterinary Medicine and its territorial bodies according to the procedure approved by the Department.

Article 16. Liability for Violation of this Law

For violations of this Law the subjects of economic activities of all forms of ownership shall be subject to penalties: in case of carrying out of economic activities related to supplying meat, supplying raw materials for meat production as well as production and processing of meat, raw meat and meat products without production certificate or production of meat, raw meat and meat products violating security and quality requirements pursuant to this Law.

Subjects of economic activities engaged in production, processing and sale of meat, raw meat and meat products may incur other liability pursuant to this Law.

Article 17. International Cooperation in the Field of Ensuring Quality and Security of Meat, Raw Meat and Meat Products

International cooperation in the field of ensuring quality and security of meat, raw meat and meat products shall be provided for by:

participation in activities of international organizations;

conclusion of international treaties;

harmonization of normative documents, norms and rules with international standards, norms and rules which establish requirements to quality and security of meat, raw meat and meat products as well as harmonization with veterinary-sanitary requirements;

exchange of information related to measures implemented for ensuring quality and security of meat, raw meat and meat products.

Should a current international agreement of Ukraine, mandatory nature of which has been approved by the Verkhovna Rada of Ukraine, prescribe the rules other than those stipulated by this Law, the rules of the international agreement shall be prevail.

Article 18. Final Provisions

1. This Law shall come into force from the date of its publication.

2. Subjects of economic activities engaged in supplying raw materials for meat production as well as production and processing of meat, raw meat and meat products may carry out their activities while their productions are unattested and entered to the Registry for no longer than 1 year from the day of the Law effectiveness.

3. Subjects of economic activities engaged in production of meat, raw meat and meat products violating requirements of Articles 3, 4 of the Law may carry out their activities until the relevant changes are introduced to the normative documents but for no longer than 1 year from the day of the Law effectiveness.

4. The Cabinet of Ministers of Ukraine shall submit proposals as to amending the Laws of Ukraine affected by this Law for consideration of Verkhovna Rada of Ukraine and bring its normative-legal acts in compliance with the requirements of this Law within six month period from the day of the Law effectiveness.