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Feed Regulations Change

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Report Highlights:

In 2018, Ukraine adopted a new Law “On Safety and Hygiene of Feeds” which introduced additional requirements for feed imports, registration and labeling. It also introduces registration of feed exporting countries and exporting facilities with the State Service of Ukraine for Food Safety and Consumer Protection (SSUFSCP). Additional control procedures are similar to those introduced for food products and based on a risk assessment approach. The Law imposes additional financial burden on both importers and domestic feed producers, including the majority of small farms. The law (with a few exceptions) will enter into force two years after publication. The new Law will impact an estimated \$2.3 Million of U.S. exports.

Executive Summary

The Parliament of Ukraine adopted the Law 2264-19 “[On Safety and Hygiene of Feeds](#)” on December 21st, 2017. The President signed it into Law on January 17th, 2018. The Law was officially published and became a legally binding document on January 19th, 2018. According to the Law it will enter into full force on January 19th, 2020. The Law encompasses certain provisions of EU Directive [No 882/2004](#) on official controls performed to ensure the verification of compliance with feed and food laws, animal health and animal welfare rules; Regulation (EC) [No 183/2005](#) laying down requirements for feed hygiene; Directive [97/78/EC](#) laying down the principles governing the organization of veterinary checks on products entering the EU from third countries, REGULATION (EC) [No 767/2009](#) on the marketing and use of feeds, and some other Directives and regulations. Unlike scattered EU legislation, Ukrainian food law provides a one-source reference for businesses willing to export animal feeds to Ukraine.

Ukrainian Law imposes regulations for feeds and feed ingredients production and trade. A simplified set of regulations is imposed on feeds for non-productive animals (pets, fur animals, circus and zoo animals, etc.), agricultural animals for own consumption, direct sales of basic feeds (below established limits) and retail sales of pet food. Another stricter set of regulations is imposed on feeds for agricultural (productive) animals.

The law provides multiple definitions for feeds, feed additives, mixed feeds, feed hygiene, veterinary feeds, and circulation of feed products on the market. It introduces new to Ukraine definitions of feed product recall and consequent utilization procedures for feeds in cases when there are risks for animal and human safety.

The law prohibits sales of feeds containing feed additives not registered in Ukraine. It also prohibits sales of feeds produced on unregistered facilities.

The law requires HACCP procedures or simplified HACCP procedures to be introduced by all market operators. HACCP introduction must be accomplished by all market operators before law enters full force on January 19th, 2020.

The Law established “step forward” – “step back” traceability requirement for feeds.

The law also spelled-out existing requirements for registration of food additives. Previously the applicant needed to contact the [State Scientific-Research Control Institute of Veterinary Medicinal Products and Feed Additives](#) for registration procedures. A new simplified registration procedure is also established. It can be used if the feed additive is registered by countries or international organizations that use procedures recognized as equivalent to those implemented in Ukraine. (Note, since 2014 Ukraine accepts all food products, manufactured at EU-approved facilities to be equivalent to Ukrainian requirements).

Labeling

Feed labeling requirements are very detailed and mimic EU Directive 767/2009. For more information on this

EU Directive, please see FAS/Brussels USEU GAIN Reports [E50060](#) and [E70032](#). The label needs to contain feed type (full-ration feed, partial or full milk replacement, mineral feed, auxiliary feed, feed mix etc.), importer's contact information, batch number (if available), weight, moisture content (if known), and rationing. There are also separate requirements for bulk feeds, feed mixes, feeds for special dietary purposes, aroma mixes, feed additives and premixes (if sold separately) and feeds imported for scientific purposes. Retail pet food packaging needs to contain a free phone number or any other free of charge way to get additional information on food additives and food materials contained in the package.

1. **The State Catalog of Feed Materials** contains categories of feed materials, names and registration numbers of feed materials, their descriptions, composition and glossary of technological purposes. Introduction of feed material categories will allow showing these categories on the labels instead of specific materials.
2. **The State Register for Feed Trait Statements for Special Dietary Purposes** identifies feed purposes (dietary); feed declarations, list of species subject to intended use, feeding periods (durations) and other information. A special dossier is required from the feed originator to register a Statement (dietary claim) in the register.

All feed materials are subject to either labeling (compulsory declaration) as required for their specific feed material category, or to reference the proper record in the State Catalog of Feed Materials. The producer can waive some labeling requirements only on written consent of the buyer. All feed additives in feed materials are also subject to notification with ration levels, MRLs and shelf life restrictions.

All feeds that contain genetically engineered (GE) organisms or are made with GE organisms are subject to labeling if GE content in the feed exceeds 0.9 percent of total content. Any information that might inspire religious or ethical concerns needs to be indicated.

Labeling statements may include presence or absence of substances, feed characteristics and feed functions. Manufacturer need to make sure that such statements are clearly understood by consumers and can provide scientific evidence of their legitimacy to the competent authority upon its request.

The law defines the batch of feed as any quantity of feed with the same name and composition that is produced during the operator-defined period of time at the same production facility under the same production conditions. This way the law established new batch definition different from those introduced for food products (see page 15th, of [GAIN FAIRS Report](#) for more information). New definition somewhat liberalizes trade easing sampling and testing procedures.

Import of Feeds

Feeds of animal origin are allowed for import into the customs territory of Ukraine if they originate from the country and are produced in a facility that is included into the list of approved countries and facilities. That list is maintained by the SSUFSCP. Requirements set for such countries and facilities must not exceed those established for Ukrainian facilities.

All U.S. exporters need to ensure that their facilities and products are properly registered before January 19th, 2020. Although no countries or organizations are recognized by Ukraine as having equivalent feed monitoring and registration systems, the EU is likely to become the first such organization in the near future. This may simplify market access for U.S. suppliers that are qualified for export to the EU.

Exports of Animal Feed Preparations (HS 2309) from U.S. to Ukraine

| Commo- dity | Description | United States Dollars | | | % Share | | | % Change 2016/2015 |
|----------------|--|-----------------------|---------|---------|---------|-------|-------|-----------------------|
| | | 2014 | 2015 | 2016 | 2014 | 2015 | 2016 | |
| 2309 | Preparations Used in Animal Feeding | 2940012 | 2791124 | 2271853 | 100 | 100 | 100 | -18.6 |
| 230990 | Animal Feed Prep. Except Dog or Cat Food, Retail Packaging | 836863 | 1685083 | 1253510 | 28.46 | 60.37 | 55.18 | -25.61 |
| 230910 | Dog and Cat Food, Put up for Retail Sale | 2103149 | 1106041 | 1018343 | 71.54 | 39.63 | 44.82 | -7.93 |

Source: State Statistics Service of Ukraine via Global Trade Atlas