TWINNING PROJECT FICHE

Project title: “Approximation of national legislation of Ukraine in the fields of state supervision (control) of GMOs in open systems, protection of plant variety rights, and seed and seedling production in line with EU norms and standards”

Beneficiary administration: State Service of Ukraine for Food Safety and Consumer Protection (SSUFSCP)

Twinning Reference: UA 19 ENI HE 01 20

Publication notice reference: EuropeAid/167889/DD/ACT/UA

EU funded project

TWINNING INSTRUMENT
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA</td>
<td>EU-Ukraine Association Agreement</td>
</tr>
<tr>
<td>BC</td>
<td>Beneficiary Country</td>
</tr>
<tr>
<td>DCFTA</td>
<td>Deep and Comprehensive Free Trade Area</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>GMO</td>
<td>Genetically Modified Organism</td>
</tr>
<tr>
<td>ISTA</td>
<td>International Seed Testing Association</td>
</tr>
<tr>
<td>CPB</td>
<td>Cartagena Protocol on Biosafety to the Convention on Biological Diversity</td>
</tr>
<tr>
<td>IFSSU</td>
<td>Improvement of Food Safety Control System in Ukraine</td>
</tr>
<tr>
<td>EPPO</td>
<td>European and Mediterranean Plant Protection Organisation</td>
</tr>
<tr>
<td>IPPC</td>
<td>International Plant Protection Convention</td>
</tr>
<tr>
<td>ISO</td>
<td>International Organisation for Standardisation</td>
</tr>
<tr>
<td>MDETA</td>
<td>Ministry for the Development of the Economy, Trade and Agriculture</td>
</tr>
<tr>
<td>MS</td>
<td>Member State of the EU</td>
</tr>
<tr>
<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
</tr>
<tr>
<td>PAO</td>
<td>Programme Administration Office</td>
</tr>
<tr>
<td>PL</td>
<td>Project Leader</td>
</tr>
<tr>
<td>PSC</td>
<td>Project Steering Committee</td>
</tr>
<tr>
<td>RTA</td>
<td>Resident Twinning Adviser</td>
</tr>
<tr>
<td>SOP</td>
<td>Standard Operating Procedure</td>
</tr>
<tr>
<td>SPS</td>
<td>Sanitary and Phytosanitary</td>
</tr>
<tr>
<td>SSUFSCP</td>
<td>State Service of Ukraine for Food Safety and Consumer Protection</td>
</tr>
<tr>
<td>STE</td>
<td>Short Term Expert</td>
</tr>
<tr>
<td>ToR</td>
<td>Terms of Reference</td>
</tr>
<tr>
<td>UPOV</td>
<td>International Union for the Protection of New Varieties of Plants</td>
</tr>
<tr>
<td>WG</td>
<td>Working Group</td>
</tr>
<tr>
<td>WTO</td>
<td>World Trade Organisation</td>
</tr>
</tbody>
</table>
1. Basic information


For applicants from the United Kingdom: Please be aware that eligibility criteria must be complied with for the entire duration of the grant. If the United Kingdom withdraws from the EU during the grant period without concluding an agreement with the EU ensuring in particular that British applicants continue to be eligible, you will cease to receive EU funding (while continuing, where possible, to participate) or be required to leave the project on the basis of Article 12.2 of the General Conditions to the grant agreement.

1.2 –Twinning sector: Health and Consumer Protection

1.3 EU funded budget: EUR 1.1 million.

2. Objectives

2.1 Overall objective
Contribute to address shortcomings in the sphere of state supervision (control) of compliance with safety measures and spread of GMOs in open systems, protection of plant variety rights and seed and seedling production.

2.2 Specific objective
Approximation of national legislation in line with EU Directives and Regulations with regard to state supervision (control) in the sphere of GMOs in open systems, protection of plant variety rights, and seed and seedling production and improvement of relevant state supervision (control) systems according to EU standards.

The action would thereby ensure a regulatory framework for:
State supervision (control) of uncontrolled use of GMOs, the circulation of seeds and planting material, including protection against the inflow of substandard (counterfeit) seed and planting material;
Property and individual non-property relations arising from acquisition, exercise and protection of intellectual property rights in plant varieties;
International cooperation in the sphere of genetic engineering activities and GMO handling in open systems.

2.3 The elements targeted in strategic documents i.e. National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans – Contribution to implementation of the EU-Ukraine Association Agreement
Ukraine is an EU partner within the European Neighbourhood Policy framework under which the EU has invited Ukraine to enter into intensified political and cultural relations and enhanced cross-border co-operation. This includes trade liberalisation, integration and progressive participation in its internal market in the SPS sphere, providing Ukraine attains agreed reforms, including aligning with relevant EU standards and legislation.

The political chapters of the EU-Ukraine Association Agreement (AA) were signed on 21 March 2014 and by EU Heads of State and Government and Ukrainian President Petro Poroshenko in
Brussels on 27 June 2014. The AA was simultaneously ratified by the Verkhovna Rada (Parliament of Ukraine) and the European Parliament on 16 September 2014. The AA replaced the EU-Ukraine Partnership and Cooperation Agreement as the legal basis and framework for EU-Ukraine relations.

Title 4 of the AA, which established a Deep and Comprehensive Free Trade Area (DCFTA) came into force on 1 January 2016. Implementation of the AA, including the DCFTA, is bringing opportunities for sustainable economic development and prosperity to all regions of Ukraine. The DCFTA offers Ukraine a framework for modernising its trade relations and for economic development by the opening of markets, in particular the progressive removal or reduction of customs tariffs, and the increase of certain quotas, and by an extensive approximation of legislation and standards in various trade-related sectors, creating the conditions for aligning key sectors of the Ukrainian economy to those in the EU.

In January 2019 exports of Ukrainian agricultural products increased year-on-year by 22% (USD 1.7 billion). This growth in exports to EU markets is in line with the long-term trend that has seen agricultural exports to the EU expand by 50% over the three-year period since the advent of free trade within the framework of the AA. During this period, the value of annual Ukrainian agricultural exports to the EU has risen from EUR 3.7 billion to EUR 5.6 billion.

This demonstrates that Ukrainian businesses are gradually adapting to EU standards. Chapter 1 of the DCFTA will foster trade development by lifting or reducing import tariffs. This will save Ukrainian exporters EUR 487 million per annum. On the other part, the lifting of Ukrainian import tariffs will generate EUR 391 million annual savings for EU exporters. The agrarian sector of Ukraine will benefit most from reduced import tariffs (EUR 330 million for agricultural products). EU market opportunities and implementation of industry-led production standards will spark investments, facilitate modernisation of agriculture, and improve working conditions.

Chapter 4 of the DCFTA deals with sanitary and phytosanitary measures (SPS) and aims to facilitate trade in SPS related goods including plants and plant products, whilst safeguarding the level of protection for consumers and the environment. Relevant Ukrainian legislation therefore needs to be aligned with that of the EU.

The entire process covers:

- Ukraine’s commitment to align its legislation in the sphere of supervision (control) in seed and seedling production, protection of plant variety rights, GMOs in open systems to the EU legislation;
- Respect for the principles of the World Trade Organisation SPS Agreement;
- Ukrainian commitment to align its SPS legislation to the legislation of the EU;
- Setting up a rapid consultation mechanism to solve “trade irritants” in SPS related goods;
- Setting up a rapid alert and early warning system for crises and emergencies in the SPS sphere.

Chapter 5 of the DCFTA envisages cooperation in customs matters related to fighting fraud, prevention of use of counterfeit seed and planting material and spread of GMOs. The parties will exchange information needed for investigations, excluding the involvement of officials in administrative investigations on the territory of the party concerned.

Chapter 9 of the DCFTA includes, inter alia, the provisions on trademark and associated rights, control of the use of non-registered plant varieties and GMOs, which supplement and update the WTO Agreement as regards the intellectual property rights and are related to trade.

Ukraine has also recognised that Public Administration Reform (PAR) is a necessary pre-condition for successful implementation of the Economic Reforms Programme. The first phase of the Public
Administration Reform was launched by the Presidential Decree of 9 December 2010 “On optimisation of the system of the central executive bodies”. According to that Decree, central Government would operate through ministries and five types of central executive bodies: services, agencies, inspections, regulatory bodies and bodies with special status.

Therefore, the SSUFSCP was established by Governmental Decision based on Resolution of the Cabinet of Ministers of Ukraine No. 442 of 10 September 2014 “On optimisation of the system of central executive bodies” (hereinafter – Resolution) by reorganising other central executive bodies. The SSUFSCP has been established under the Ministry of Agrarian Policy and Food, but after the merger of this ministry in the Ministry of Economic Development and Trade, it is now under the responsibility of the newly created Ministry for the Development of Economy, Trade and Agriculture (MDETA).

Therewith, by liquidating the State Agricultural Inspection in accordance with sub-paragraphs 2 and 5 of that Resolution, the SSUFSCP was commissioned to implement state supervision (control) in the sphere of seed and seedling production, protection of plant varieties rights, compliance with biosafety and genetic safety in relation to agricultural plants during development, research and practical use of Genetically Modified Organisms (GMOs) in open systems at holdings, institutions and organisations in agri-business irrespective of their governance and form of incorporation.

Sub-paragraphs 4, 5 and 12 of paragraph 4 of the Regulation on the SSUFSCP, which was adopted by Resolution of the Cabinet of Ministers of Ukraine No. 667 of 2 March 2015 also stipulate that within its legal authority the SSUFSCP organises and implements state supervision (control) of compliance with legal requirements in the sphere of seed and seedling production, protection of plant varieties rights, compliance with biosafety and genetic safety in relation to agricultural plants during development, research and practical use of GMOs in open systems at holdings, institutions and organisations in agri-business irrespective of their governance and form of incorporation.

In accordance with the decision of the OECD Council of 16 November 2009, Ukraine joined the OECD Schemes for cereals, maize and sorghum and therefore can participate in global seed trade using the OECD labels. This decision was enshrined in the Law of Ukraine No. 3019-IV of 15 February 2011 “On accession of Ukraine to the Scheme for varietal certification of cereals, Scheme for varietal certification of maize and sorghum of the Organisation for Economic Co-operation and Development”. Ukraine joined the Scheme for crucifers and other oil or fibre species by decision of the OECD Secretariat No. C(2014)154 of 19 December 2014.

One of the Ukrainian Government’s objectives since ratifying the AA has been the modernisation of its trade relations with the EU and the opening-up of markets by both parties. It is anticipated that through the approximation of legislation and standards in various trade-related sectors, conditions will be created for aligning key sectors of the Ukrainian economy to EU standards.

3. Description

3.1 Background and justification

In general, Ukraine has made good progress in approximating its SPS legislation in line with the EU acquis according to the SPS Strategy with the exception of phytosanitary matters where progress is behind schedule. Previous Twinning projects in the phytosanitary sector improved the situation in the area of plant health, plant quarantine and plant protection, but progress in the spheres of GMOs, seed and seedling production and protection of plant variety rights still require some effort and dedication. The SSUFSCP has therefore expressed their interest and commitment to align within this Twinning project two GMO-related acts, five acts in the area of seed and seedling production, and three acts in the sphere of protection of plant variety rights (see Annex 5).
Further implementation of the newly drafted and adopted phytosanitary acts will require good understanding and specific skills of the SSUFSCP staff, particularly that of the Office of Control in the Sphere of Seed and Seedling Production within the Department of Phytosanitary Security, Control in the Sphere of Seed and Seedling Production, which consists of 12 persons. The Office performs the following functions:

1. Exercises supervision (control) of compliance with intellectual property rights in plant varieties; availability (marketing) of seed and planting material grown for the purpose of entry into the Register of seed and seedling objects; compliance by legal entities and natural persons with legislative requirements for the protection of plant variety rights in the sphere of production, use, storage, marketing and propagation of plant varieties; undertaking primary seed production by intellectual property right owners and patent owners in plant varieties; importation into Ukraine of planting material (seed) of plant varieties that are not registered in Ukraine; protection of plant variety rights in the sphere of production, use, storage, marketing and propagation of plant varieties;

2. Authorises and/or rejects importation into and exportation from Ukraine of seed and planting material samples of plant varieties not entered into the Register of plant varieties of Ukraine and/or the OECD List of plant varieties for selection, research and exhibitions purposes;

3. Organises and takes part in ensuring state policy implementation in the field of GMO control;

4. Controls the amounts of produced and/or marketed GMO-based agricultural plant varieties;

The phytosanitary sector of the SSUFSCP was created along with the SSUFSCP itself in 2016 and is still in the process of settling-in to its new institutional environment. This Twinning project will review parts of the institutional setup and, if necessary, make recommendations that will result in structural reform. Typically, for all state institutions, the Department demonstrates high employee turnover, which leads to sustainability issues. This project will take this into account in its reviews and recommendations.

The issue of compliance with intellectual property rights for plant varieties is dependent on the effectiveness of the legislation in each country. Ukraine needs to achieve the recognition of a seed certification system equivalent to the EU requirements for the export of its own seeds to EU countries and other international markets. Development of normative legal acts for the full implementation of seed certification according to OECD schemes in Ukraine is overdue.

In the sphere of SPS Ukraine inherited the system from the Soviet period, which was based on the prescriptive approach and focused on the end product, certification and standardisation. The synergy of an adequate legislative background, modern supervision (control) approach, and application of modern laboratory techniques and methods will allow Ukraine to increase exports of phytosanitary products.

In this context, the project should assist the Beneficiary Country to:

- Approximate normative legal acts of Ukraine with EU norms and standards in the field of economic activity related to agricultural plants during the creation, research and practical use of GMOs in open systems at enterprises, institutions and organizations of the agro-industrial complex;

- Improve the national legislation in accordance with the EU Directives and Regulations in the field of state supervision (control) in the spheres of GMOs in open systems, protection of plant variety rights, and seed and seedling production, modern system of professional examination of employees;

- Improve the structure, procedures and methods of work in the relevant field in accordance with EU norms and standards;
 ✓ Improve the system of professional training of specialists of the Administration of Control in Seed and Seedling Production in accordance with EU norms and standards in the field of State supervision (control) of GMOs in open systems, protection of plant variety rights, and seed and seedling production, and methods of control in accordance with EU norms and standards;

 ✓ Improve the technical and scientific capacities of the phytosanitary laboratories involved in GMOs and seed and seedlings analysis to reach EU standards and achieve national priorities;

 ✓ Improved documentation of activities leading to improved traceability in order to fulfill the requirements for accreditation, and

 ✓ Risk-based process for decision making.

3.2 Ongoing reforms

The ongoing Twinning project “Approximation of Ukrainian legislation with the EU in the field of plant protection products and plant health and strengthening associated inspection and laboratory services” is working predominantly, but not exclusively, with the Plant Protection Administration (see organogram in Annex 3). The lessons learned from this project so far are as follows (recommendations):

• Principles of the state supervision (control) should be changed in the areas of plant protection and plant health; supervision (control) in these areas should be risk based, at appropriate frequencies and without prior notices. This is important to ensure a high level of food and feed safety for the human health and the environment protection.

• The rights of the inspector should be reviewed. Inspectors should have the rights to enter and carry out supervision (control) regarding plant protection and plant health in all places, associated with the performance of activities in these areas, for example, agricultural land, greenhouses, forests, public areas, stores, market places, storages, warehouses, etc.

• It is recommended to bring the Ukrainian procedure for plant protection products authorization in line with EU Acquis for authorisation (registration) and labelling – EU Regulation No. 1107/2009/EC and EU Regulation No. 547/2011/EC.

• It is recommended that all authorised plant protection products and their label information should be placed on the official internet website of the responsible authority – Ministry of Ecology and Natural Resources of Ukraine, or inspectors of SSUFSCP, involved in control of PPP distribution and use, should be provided with an online access to this information.

• Import control of plant protection products, entering Ukraine, should be re-established. This would substantially decrease the amount of illegal plant protection products that enter the Ukrainian market.

• Restoring the supervision (control) of distribution and use of plant protection products (which is currently suspended) is recommended. Ukraine needs to ensure the supervision (control) of plant protection products at other stages of their life cycle – manufacturing, re-packing, transportation, transit etc.

• It is recommended to implement label supervision (control) for plant protection products, which is one of the conditions for limiting counterfeit PPPs on the market.

• It is essential that the amount of penalties, foreseen for breach of plant protection and plant health rules, is raised significantly to ensure compliance with Ukrainian legislation in these areas. These penalties should be effective, proportionate and dissuasive. It should be also taken into account the economic advantage, the increase of the turnover of the business entity through the infringement (Regulation No. 2017/625, Article 139, Paragraph 2).

• It is recommended that the authorities (SSUFSCP, etc.) involved in state supervision (control) of PPPs, should conclude cooperation agreements, that would provide:
- Cooperation and rapid exchange of information in the field of monitoring of the circulation of plant protection products;
- Protection of the legitimate interests of producers and consumers of plant protection products to prevent as far as possible the placing of counterfeit and non-proprietary plant protection products on the market.

- SSUFSCP needs to restore or introduce plant protection product sampling for their quality control, which is one of the measures to limit illegal plant protection products on the market. Not only the composition (nominal content of active substances) of plant protection product, but also other quality indicators are important for the analysis, such as:
  - Physical and chemical properties;
  - pH of 1% aqueous solution;
  - Relative density;
  - Persistence of foaming, etc.

- A modernization and investments in new equipment of the State Border Control and Toxicological Laboratories, and Units of Analyzes of Pesticides and Agrochemicals of Phytosanitary laboratories are strongly recommended.

- Directive No. 2009/128/EU says that Member States shall provide necessary conditions for the implementation of integrated pest management. Monitoring of harmful organisms within the agricultural land is an essential component of integrated pest management. Therefore, harmful organism monitoring system in Ukraine should be strengthened:
  - Monitoring specialists must be provided with the necessary equipment: service cars, traps, pheromones, coloured sticky sheets, yellow water traps, loups, quick lateral tests for diseases, microscopes etc.;
  - It is also recommended to consider development of online data collection system and development of central database to significantly improve data collection and processing as well as analysis of available data.

This will reduce significantly the time of monitoring and will save human and time resources, benefits are the increasing of the effectiveness and precision of monitoring, confidence and number of users.

- Ukrainian experts need to familiarize themselves in detail with plant passport system of EU and to develop the strategy for implementation of plant passport system in Ukraine.

- It is important that SSUFSCP already starts to assess which harmful organisms would have to be regulated as protected zones organisms in Ukraine after joining the EU.

- It is important to create a network of Reference laboratories in plant health area in Ukraine, which will take part in laboratory specialist training in all disciplines including – bacteriology, virology, entomology, mycology, nematology and herbology, organizing proficiency testing, maintaining and sharing the reference material and cultures.

The completed Twinning project “Supporting Ukraine in approximating its phytosanitary legislation and administration with the EU standards” helped to bring Ukrainian plant quarantine legislation into line with EU legislation and to increase the technical and academic capacity of phytosanitary laboratories.

It will therefore be very important to build on the achievements of these two Twinning projects, and the Member State(s) implementing this new Twinning project must rapidly become familiar with previous outputs and results.

Objectives of on-going reforms in the field of safety of the food chain include:

- Approximation of Ukrainian legislation with the EU acquis;

- Development and operation of an effective institutional and policy framework;
• Training of state officials to enforce the new legislation using working methods of a modern control service, and

• Supporting openness, accountability, transparency and stakeholders’ involvement in the development of policy and legislation.

This Twinning project will contribute to the further approximation of Ukrainian legislation with the EU *acquis*, a commitment given by Ukraine when it signed and ratified the AA; and to practical capacity building of state officials of the SSUFSCP Department of phytosanitary safety, control in the sphere of seed production and seedling and the network of phytosanitary laboratories to familiarise them with the new legislation and methods of enforcement.

Target groups which will benefit directly or indirectly from the activities envisaged by this project include:

- SSUFSCP staff in the Department of Phytosanitary Safety, Control in the Sphere of Seed and Seedling Production, Kyiv (potentially 18 staff);
- SSUFSCP staff in the Office on Control in the Sphere of Seed and Seedling Production, Kyiv (potentially 12 staff);
- SSUFSCP staff in territorial bodies, notably the Head offices in the regions (potentially 300 staff);
- Staff in state institutions of SSUFSCP, notably regional phytosanitary laboratories, divisions for determining the sowing qualities of seeds and commercial qualities of planting material (potentially 300 staff);
- Staff of other Government Line Ministries such as the Ministry for the Development of the Economy, Trade and Agriculture (MDETA), the Ministry of Energy and Environment Protection, Ministry of Health, Ministry of Education and Science etc.;
- Other stakeholders such as farmers, business operators, and consumers.

The main beneficiary of the project is the SSUFSCP.

The State Veterinary and Phytosanitary Service of Ukraine (SVPSU) was established on 1 January 2013, directed by the Cabinet of Ministers through the Minister of Agrarian Policy and Food. The SVPSU was reorganised on the basis of Cabinet of Ministers of Ukraine Resolution No. 442 of 10 September 2014 which merged three former services, namely the SVPSU, the State Inspectorate for the Protection of Consumer Rights and the State Sanitary and Epidemiological Service. The new institution is the SSUFSCP, which combines most of the functions of the three previous services. According to Cabinet of Ministers of Ukraine Resolution No.942 of 18 November 2015, the SSUFSCP is subordinated to the Minister of Agrarian Policy and Food.

### 3.3 Linked activities (other international and national initiatives)

The completed Twinning project “Supporting Ukraine in Approximating its Phytosanitary Legislation and Administration with EU Standards” (UA11/ENP-PCA/HE/32) was implemented in Ukraine between August 2012 and September 2014. That project helped to approximate Ukrainian plant quarantine legislation with the legislation of the EU, and to increase the technical and scientific potential of phytosanitary laboratories.

Major achievements of the project include:

- Changes to the draft Law of Ukraine “On plant quarantine” were prepared;
- The draft List of regulated articles prohibited for import into Ukraine was developed;
• The procedure for the import of harmful organisms for scientific and research purposes was developed;

• Drafts of special requirements and conditions were developed, which are to be performed during the import of plants and plant products to the territory of Ukraine;

• Inquiry books and instructive-methodological materials for the Department of phytosanitary safety and its territorial units were elaborated;

• Presentation booklets about the importance of the plant quarantine service were developed and published for the general public;

• Changes to the Phytosanitary regulation for import, transportation within the country, export and production of wood packaging material were elaborated (approved by the Ministry of Agrarian Policy and Food Order No. 318 of 22 May 2013)

• Changes to the procedure for conducting surveys, analysis, fumigation (disinfection) and inspection (execution of phytosanitary and quarantine certificates) of regulated articles in the field of plant quarantine (document was submitted for approval to relevant ministries);

• Instructions on detection, containment and eradication of separate regulated pests of potato were elaborated;

• 30 Workshops for phytosanitary inspectors and specialists of phytosanitary laboratories were conducted;

• 15 scientific and technical trainings for specialists of phytosanitary laboratories were carried out;

• 16 Ukrainian trainers underwent 14 study courses in the laboratories of EU MSs;

• 5 study visits to phytosanitary services in EU countries were conducted;

• 2 study courses on inspection quality systems were carried out in an EU MS;

• Ukrainian specialists took part in working groups of core international organisations;

• Specialists of phytosanitary laboratories practiced in the laboratories of EU MSs;

• Specialists from phytosanitary laboratories were trained on the quality management system according to ISO IEC 17025:2006 (2017) “General requirements for the competence of testing and calibration laboratories”.

The results of that Twinning project have or will be used by Ukrainian partners in the following areas:

• Promotion of the changes to the draft Law of Ukraine “On plant quarantine” where it is planned to include several new terms; to amend the existing list of regulated quarantine organisms; to include special requirements and to list the prohibited consignments – these changes will bring the law close to the EU Directive No. 2000/29/EC;

• Further implementation / maintenance of the handbooks for the central and regional Phytosanitary administration as well as for Phytosanitary inspectors following the drafts and recommendations developed during the project.

Following the training of trainers’ concept:

• Further training of SSUFSCP staff on improved inspections based on the recommendations of Short Term Experts (STEs);
Further training of SSUFSCP Phytosanitary laboratory staff on different scientific disciplines with a quality management approach.

It was considered very important that the further implementation of the recommendations made by STEs should be reinforced by maintaining the participation of Ukrainian experts in relevant EPPO panels for the benefit of all Ukrainian laboratories (demonstration of the competence of Ukrainian laboratories during discussion, update of knowledge, expansion of scientific network, etc.). Moreover, improvement of knowledge of the English language is a key point to facilitate access to international databanks, conference meetings, literature and to enable exchanges between Ukrainian partners and foreign colleagues.

The EU-funded Project “Improvement of Food Safety Control System in Ukraine” (IFSSU) aims at facilitating the production of safe food in Ukraine, increasing the confidence of Ukrainian consumers in the safety of Ukrainian products and increasing opportunities for export of Ukrainian products to the EU and wider global markets.

The EU is assisting the SSUFSCP to improve the system of ensuring safe food “from farm to fork” in Ukraine. With a budget of almost EUR 6.5 million, the IFSSU project is helping to approximate relevant Ukrainian legislation with corresponding legislation of the EU, establish and implement a regulatory environment that facilitates the production of safe food and feed, as well as increase export opportunities for Ukrainian products.

The IFSSU project started in March 2014 and will end in September 2019. The end result of the technical assistance is foreseen to be a high level of protection of public health and consumers' rights, a sustainable reduction in incidence of food-borne infection, and increased acceptance of Ukrainian products on domestic and international markets.

Ukraine’s Comprehensive Strategy and Action Plan for Agriculture and Rural Development 2015 – 2020 was approved by the National Reforms Council on 4th December 2015 and contains several references to phytosanitary issues and pesticides. This strategy and action plan is targeted at complying with and implementing Ukraine’s commitments under the AA.

Another EU-funded project aimed at the "Support to Agriculture and Food Policy Implementation" (SAFPI) is currently ongoing and will last until at least April 2020. The SAFPI Project is notably working on the approximation of Ukrainian legislation in the field of GMOs and close coordination with this project is strongly recommended.

A Public Administration Reform (PAR) is currently ongoing in Ukraine, but address reform needs of only 10 Ministries – including the central body of the Ministry of Agrarian Policy and Food, which has recently established a Directorate General for SPS policies development – and 2 Executive Agencies. The SSUFSCP is therefore not yet benefitting for the horizontal PAR, but as other Executive Agencies of Ministries undergoing such a reform, it should benefit from similar support in the coming years. The EU is launching in September 2019 a 4-year project entitled "Improvement of legislation, control and awareness in food safety, animal health and welfare in Ukraine", and which should prepare the SSUFSCP in addressing institutional changes in the fields of Food Safety and Animal Health services.

3.4 List of applicable Union acquis/standards/norms

GMOs:
Commission Recommendation No. 2010/2001/01 of 13 July 2010 on guidelines for the development of national co-existence measures to avoid the unintended presence of GMOs in conventional and organic crops.


**Protection of plant variety rights:**


Commission Decision No. 2004/842/EC of 1 December 2004 concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant species or vegetable species has been submitted.

Commission Directive No. 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties.

Commission Directive No. 2009/145/EC of 26 November 2009 providing for certain derogations, for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions and for marketing of seed of those landraces and varieties.


**Seeds and planting materials:**


Commission Decision No. 97/125/EC of 24 January 1997 authorising the indelible printing of prescribed information on packages of seed of oil and fibre plants and amending Decision 87/309/EEC authorising the indelible printing of prescribed information on packages of certain fodder plant species.
**Other Regulations:**


### 3.5 Components and results per component

The Twinning project is organised around three components. The objectives of the Twinning project should be achieved by implementing the activities within the three components, and delivering one mandatory result for each component. The specific activities within the three components are not settled at this stage but are to be crystallised during negotiation of the contract and work plan, although an indicative framework is outlined below.

**Mandatory result 1 / Component 1:** Ukrainian legislation in the sphere of state supervision (control) in GMOs in open systems, protection of plant variety rights and seed and seedling production is reviewed, and assistance is given to the SSUFSCP to update, revise, or prepare new drafts as necessary through the preparation of concept notes, options analyses and draft impact assessment papers to facilitate this process.

The indicative priority list of EU legislation to be approximated by the Ukrainian authorities with the assistance of this project is provided in Annex 5. The list will be finalised by the SSUFSCP and the successful MS Twinning team during the contract negotiation phase according to the analysis of the situation and priority needs of the beneficiary at that time. An increased ability of the SSUFSCP to tackle the illegal circulation of seeds and planting materials will be important for food safety, trade and environmental reasons. An indicative list of Ukrainian laws, decrees, resolutions and Ministerial orders is given in Annex 2.

In the context of Mandatory Result 1, as a minimum the following sub-results will be achieved:

1. Production of assessment report and gap analysis on Ukrainian legislation with regard to supervision (control) in GMOs in open systems, protection of plant variety rights and seed and seedling production as for its compliance with the EU legislation.

2. Development of priority list and action plan for legal approximation by the project with reference to the SPS Strategy (items 66, 69, and 70 of Section 3).

3. Preparation and finalisation of concept notes, options analyses and draft impact assessment papers related to the legislative drafts according to the identified priority list.

4. Capacity building of the beneficiary in legislation development through the introduction of international examples, detailed explanation of proposed texts etc.

5. Preparation of an awareness-raising system targeted at economic legal entities engaged in production, harvesting, preparation and placing on the market of seeds and planting materials, about the risks and dangers of the spread of counterfeit seeds, un-registered plant varieties, including using GMOs in open systems and compliance with intellectual property rights.
Mandatory result 2 / Component 2: SSUFSCP organisational and operational review of control and supervision functions is completed, control and supervision concept prepared, and recommendations for modernisation and optimisation made.

Assistance will be provided to the SSUFSCP to review the current state supervision (control) system operating in Ukraine in the sphere of GMOs in open systems, protection of plant variety rights, and seed and seedling production, and this will provide a baseline assessment of what functions the 1,850 staff (including 261 specialists in the divisions of control in the sphere of seed and seedling production) working in the Head SSUFSCP offices (24 local offices and 1 Central office) throughout Ukraine are performing at present. There is an acknowledgement by the beneficiary that the SSUFSCP head offices need to be modernised in line with that of EU MSs and focus their efforts on improving the efficiency and effectiveness of their actions.

A significant input into the training of trainers within the SSUFSCP is also envisaged within this mandatory result whereby at least one member of SSUFSCP staff per region (but preferably two, due to staff turnover and for sustainability purposes) will be trained in Ukraine by the Twinning project team, and in an EU MS country. Training of Ukrainian trainers will allow them to cascade the information to other staff within their regions as it will not be possible for STEs to visit every region of Ukraine within this Component. This approach will ensure the sustainability of project inputs.

Precise training topics will be elaborated by the SSUFSCP and the successful MS during the preparation of the contract and work plan but several have already been tentatively identified by the beneficiary, and are summarised below.

In the context of Mandatory Result 2, as a minimum the following sub results will be achieved:

1. Review of the existing institutional structure, operational procedures and methodologies of the SSUFSCP performing functions of state supervision (control) in the spheres of GMOs in open systems, protection of plant variety rights and seed and seedling production, with clear, realistic recommendations for optimisation and modernisation, and increasing operational efficiency in accordance with the EU model.

2. Review and report with recommendations, and associated training for relevant staff of the SSUFSCP (as well as via a Study Visit and/or internship in an EU MS) and mentoring on modernising the methodology for monitoring and supervision (control) in the sphere of GMOs in open systems, protection of plant variety rights and seed and seedling production, as well as detection of sources of counterfeit and illegal seeds/planting material and sampling seed and planting material, the presence of GMOs and use of non-registered plant varieties.

3. Review and report with recommendations to the management of the SSUFSCP and the MDETA on the upgrading of existing and/or preparation of new contingency plans.

4. Developing a strategy for implementation by the SSUFSCP of quality assurance measures and future accreditation according to relevant international standards, and measures for improving operational efficiency in the central and regional administrations for state supervision (control) system in the sphere of GMOs in open systems, protection of plant variety rights and seed and seedling production, to ensure that only genuine seeds/planting material are on the market and used, and reduce the quantity of fake seeds/planting material and illegal GMOs entering the country and being used.

5. Developing a strategy for communication (exchange of information) between the SSUFSCP, public society (economic entities) and EU on state supervision (control) in the spheres of GMOs in open systems, protection of plant variety rights, and seed and seedling production.

6. Training for relevant staff of the SSUFSCP in modern EU-compliant methodologies and procedures in the field of State supervision (control) of the economic activity of entities engaged
in the production, circulation, and sale of seeds and planting material, as well as control and supervision in the spheres of GMOs and protection of plant variety rights on the national level.

**Mandatory result 3 / Component 3:** Organisational and operational review of phytosanitary laboratories is completed, lists of essential new equipment and consumables required are prepared, and a strategy and action plan are developed with concrete recommendations for modernisation and optimisation of phytosanitary laboratories.

The SSUFSCP will be assisted to undertake an organisational and operational review, which should include recommendations on preparation for accreditation of laboratories for issuance of ISTA certificates, and to ISO standard 17065 “Conformity assessment – Requirements for bodies certifying products, processes and services” for issuance of quality certificates for seeds and planting material and detection of GMOs’ presence in plants according to international standard ISO IEC 17025:2006 (2017).

**Indicative list of laboratories where training could be organised:**

1. Lviv oblast phytosanitary laboratory (including personnel from Ivano-Frankivsk, Zakarpattya oblast phytosanitary laboratories);
2. Volyn or Rivne oblast phytosanitary laboratories (including personnel from Ternopil oblast phytosanitary laboratory);
3. Khmelnytsk oblast phytosanitary laboratory (including personnel from Chernivtsi, Vinnytsya oblast phytosanitary laboratories);
4. Mykolaiv oblast phytosanitary laboratory (including personnel from Odesa, Kherson oblast phytosanitary laboratories);
5. Central testing state laboratory of SSUFSCP in Kyiv oblast and the City of Kyiv (including personnel from Zhytomyr, Chernihiv oblast phytosanitary laboratories);
6. Kirovograd or Cherkasy oblast phytosanitary laboratory (including personnel from Dnipropetrovsk oblast phytosanitary laboratory);
7. Kharkiv oblast phytosanitary laboratory (including personnel from Sumy, Poltava oblast phytosanitary laboratories);
8. Zaporizhya oblast phytosanitary laboratory (including personnel from Donetsk, Luhansk oblast phytosanitary laboratories).

The review of the phytosanitary laboratories in Ukraine will be carried out, using appropriate documents from the previous Twinning projects (and others) as well as conducting meetings and site visits to a representative selection of these laboratories. This will then provide a baseline assessment of what functions the staff working in these laboratories are performing at present.

A significant input into the training of trainers in the SSUFSCP is also envisaged within this mandatory result whereby up to two personnel from each SSUFSCP phytosanitary laboratory will be trained in an appropriate laboratory in Ukraine by STEs, as well as up to two personnel from each SSUFSCP phytosanitary laboratory being trained in an EU MS country (following the same approach as under mandatory result 2).

Precise training topics will be elaborated during the preparation of the work plan.

**In the context of Mandatory Result 3, as a minimum the following sub-results will be achieved:**

1. Delivery of a review report of the organisational and operational structures and methodologies of the network of phytosanitary laboratories in Ukraine with clear, realistic recommendations for optimisation and modernisation.
2. Delivery of a strategy and action plan with adequate recommendations, including preparation for accreditation of laboratories for issuance of ISTA certificates, and to the ISO standard 17065 (cf. above) and lists of required equipment and consumables.

3. Laboratory personnel trained to use and validate internationally recognised standard methods of analyses using their existing laboratory equipment. Two members of staff at each phytosanitary laboratory should be nominated to be the main contact points for training; these persons will be supported by STEs to ensure the further cascading of all training received to appropriate colleagues at the laboratory.

   Training on GMO detection, quality of seeds and propagating material, protection of plant variety rights.

4. Traceability of laboratory measurements and test results effectively implemented according to international procedures for the purpose of achieving laboratory accreditation

   Training should follow the training of trainer’s concept; it should cover different scientific disciplines and have a quality system management approach.

5. Further training, mentoring and preparation of written documented procedures (Standard Operating Procedures, SOPs) associated with accreditation of phytosanitary laboratories for issuance of ISTA certificates, and to ISO17065 and specific areas of ISO 17025 (exact laboratories to be specified) in order to build on the work started in this area during the previous Twinning project.

3.6 Means / input from the EU Member State Partner Administration(s)

The project will be implemented in the form of a Twinning contract between the Beneficiary Country and EU Member State(s). The implementation of the project requires one Project Leader (PL) with responsibility for the overall coordination of project activities and one Resident Twinning Adviser (RTA) to manage implementation of project activities, Component Leaders (CL) and pool of short-term experts within the limits of the budget. It is essential that the team has sufficiently broad expertise to cover all areas included in the project description.

Proposals submitted by Member State shall be concise and focused on the strategy and methodology and an indicative timetable underpinning this, the administrative model suggested, the quality of the expertise to be mobilised and clearly show the administrative structure and capacity of the Member State entities. Proposals shall be detailed enough to respond adequately to the Twinning Fiche, but are not expected to contain a fully elaborated project. They shall contain enough detail about the strategy and methodology and indicate the sequencing and mention key activities during the implementation of the project to ensure the achievement of overall and specific objectives and mandatory results/outputs.

The interested Member State(s) shall include in their proposal the CVs of the designated Project Leader (PL) and the Resident Twinning Advisor (RTA), as well as the CVs of the potentially designated Component Leaders-(CLs).

The Twinning project will be implemented by close co-operation between the partners aiming to achieve the mandatory results in a sustainable manner.

The set of proposed activities and indicators will be further developed with the Twinning partners when drafting the initial work plan and successive rolling work plan every three months, keeping in mind that the final list of activities will be decided in cooperation with the Twinning partner. The components are closely inter-linked and need to be sequenced accordingly.
3.6.1. Profile and tasks of the PL

The Member State PL will manage the project team of selected Member State(s) experts and supervise and co-ordinate the implementation of project activities.

**Qualifications, skills and experience:**

- Proven contractual relation to a public administration or mandated body responsible for the management and control of GMOs, protection of plant variety rights and seed and seedling production in an EU Member State;
- University degree in phytosanitary issues, preferably in the management and control of GMOs, protection of plant variety rights and seed and seedling production, or additional 5 years (to the required below) of specific professional experience;
- Fluent written and spoken English;
- At least 3 years of specific experience in the areas of management and control of GMOs, protection of plant variety rights and seed and seedling production;
- Previous experience in project management and/or as a team leader will be considered an asset;
- Knowledge of EU legislation in the sphere of GMOs in open systems, protection of plant variety rights, and seed and seedling production will be considered an asset.

**Tasks:**

- Overall management and coordination of the project with MS(s), key institutions, other partners and stakeholders;
- Project reporting;
- Ensuring backstopping and financial management of the project in the MS;
- Ensuring timely, effective and efficient implementation of the project and achievement of results, through proposed and agreed activities;
- Coordination of deployment of short-term experts with the RTA;
- Coordination (with the RTA), from the MS side, of the PSC meetings, which will be held in Ukraine on a quarterly basis;
- Participation in each PSC meeting.

3.6.2. Profile and tasks of the RTA

The RTA is expected to be a civil servant of a MS partner administration, with a minimum of 3 years of experience in the field of GMOs, protection of plant variety rights and seed and seedling production. The RTA will stay for the entire implementation period in Ukraine and work full-time for the project. During the implementation of this project, the RTA will be positioned in the Office of seed and seedling production control, 7 Koloskova St., Kyiv.

**Qualifications, skills and experience:**

- University degree in phytosanitary issues, preferably in the management and control of GMOs, protection of plant variety rights and seed and seedling production, or additional 5 years (to the required below) of specific professional experience;
- Fluent written and spoken English;
- At least 3 years of specific professional experience in the field of GMOs, protection of plant variety rights and/or seed and seedling production in a MS administration;
• Experience in the implementation of official supervision (control) systems applied to GMOs, protection of plant variety rights and seed and seedling production, and/or experience in the organisation and operation of inspection services and/or experience/knowledge of the organisation and operation of official laboratories;
• Familiarity with current EU policies and legislation in the field of GMOs, protection of plant variety rights and/or seed and seedling production;
• Knowledge of the role of key international institutions and conventions (OECD, ISTA, ISO, UPOV, UPOV Convention, CPB, IPPC);
• Proven experience in project management and team working skills;
• Previous international project management experience will be considered an asset;
• Previous experience in approximation of national legislation to EU legislation will be considered an asset;
• Previous experience in administration/service reform will be considered an asset;

RTA’s main tasks:
• Day-to-day coordination and implementation of project activities in Ukraine
• Preparation of Terms of Reference (ToR) for STE missions
• Ensuring continuity of the project
• Liaison with the BC PL and RTA Counterpart
• Liaison with the EU Delegation and the Programme Administration Office (PAO) in Ukraine;
• Reporting to the MS PL;
• Management of the RTA Assistant and Language Assistant;
• Provision of own expertise wherever his / her expertise is relevant.

In addition to the above, 2 assistants shall be appointed to assist the RTA, one RTA Assistant and one Language Assistant. Allowance for this must be made within the project budget. Furthermore, the assistant and translator will facilitate the training activities. It is expected that legislation that is prepared with the assistance of experts from the Member State(s) will be further formatted according to Ukrainian legal drafting conventions by the RTA Assistant or the Language Assistant employed locally in Ukraine. This requirement will be strictly enforced by the EU Delegation to Ukraine and must be taken fully into account when their recruitment takes place.

Where necessary (for example, during training activities, translation of project documents/reports and materials) the project will hire an additional translator with costs covered by the project.

3.6.3 Profile and tasks of Component Leaders
The MS Component Leaders and Beneficiary Component Leaders will provide support to the RTA in day-to-day coordination and implementation of project activities.

3.6.3.1 Member State Component Leaders

Recommended Qualifications, skills and experience:
• University degree in relevant fields, or additional 5 years (to the required below) of specific professional experience;
• Training and mentoring skills;
• At least 3 years of professional experience in the field of one or several of the following indicative areas: seed and seedling production; protection of plant variety rights; GMOs; phytosanitary laboratory management and standardization; legislation in the field of GMOs, protection of plant variety rights and seed and seedling production; Sustainable Use Directive; preparation of national action plan on GMO use in open systems; laboratory equipment, consumables and associated laboratory analyses in the field of GMOs, protection of plant variety rights and seed and seedling production;

• Familiarity with current EU policies and legislation in the field of GMOs, or protection of plant variety rights or seed and seedling production;

• Depending on specific requirement, other specific experience in the following areas could be requested and will be considered an asset: inspection services (border, inland, regulated objects, national monitoring / surveys), phytosanitary laboratory activities and services in the field of seed and seedling production, protection of plant variety rights, GMOs, knowledge in the area of accreditation according to ISTA rules and ISO 17065 and ISO IEC 17025:2006 (2017) etc.

• Previous international project experience will be considered an asset.

**Component Leaders' main tasks:**

• Coordination of the work of all STEs of the Component and reporting on any issues to the RTA;

• Interface as the main point of contact with all counterparts of the Component;

• Provision of their specific expertise;

• Know-how transfer according to ToR prepared by the RTA and BC partners;

• Support the drafting of legislation, SOPs, guidelines, checklists etc.

• Reporting on their missions.

**3.6.3.1 Beneficiary Component Leaders**

**Recommended Qualifications, skills and experience:**

• University degree in relevant fields, or additional 5 years (to the required below) of specific professional experience;

• At least 3 years of professional experience in the field of one or several of the following indicative areas: seed and seedling production; protection of plant variety rights; GMOs; phytosanitary laboratory management and standardization; legislation in the field of GMOs, protection of plant variety rights and seed and seedling production within the Beneficiary institution;

• Previous international project experience will be considered an asset.

**Component Leaders' main tasks:**

• Coordination of the work of all STEs of the Component and reporting on any issues to the RTA;

• Interface as the main point of contact with all counterparts of the Component.

**3.6.4. Profile and tasks of other short term experts (STEs)**

STEs will provide specialised knowledge, skills and experience for achieving the Mandatory Results in this project. The pool of experts (civil servants/staff members of an EU MS institution) should have relevant professional qualifications and the knowledge, skills and experience gained from working in a MS administration to deliver the outputs expected from this Twinning project.
The STEs will take responsibility for the implementation of specific parts of the project during missions to Ukraine and the achievement of the associated results. STEs will also prepare the required reports and other outputs described in their specific Terms of Reference for each mission. Detailed profiles and tasks of short term experts, including the duration of their assignments, will be provided in the Twinning Work Plan, depending on the methodology proposed by the selected EU MS Institution(s).

**Recommended Qualifications, skills and experience:**

- University degree in relevant fields, or additional 5 years (to the required below) of specific professional experience;
- Training and mentoring skills;
- At least 3 years of professional experience in the field of the following indicative areas: seed and seedling production; protection of plant variety rights; GMOs; phytosanitary laboratory management and standardization; legislation in the field of GMOs, protection of plant variety rights and seed and seedling production; Sustainable Use Directive; preparation of national action plan on GMO use in open systems; laboratory equipment, consumables and associated laboratory analyses in the field of GMOs, protection of plant variety rights and seed and seedling production;
- Familiarity with current EU policies and legislation in the field of GMOs, protection of plant variety rights and/or seed and seedling production;
- Depending on specific requirement, other specific experience in the following areas could be requested: inspection services (border, inland, regulated objects, national monitoring / surveys), phytosanitary laboratory activities and services in the field of seed and seedling production, protection of plant variety rights, GMOs, knowledge in the area of accreditation according to ISTA rules and ISO 17065 and ISO IEC 17025:2006 (2017) etc.
- Previous international project experience could be considered an asset.

**STEs main tasks:**

- Provision of their specific expertise;
- Know-how transfer according to ToR prepared by the RTA and BC partners;
- Support the drafting of legislation, SOPs, guidelines, checklists etc.
- Reporting on their missions.

4. **Budget**

The total maximum budget available for this grant is EUR 1.1 million.

5. **Implementation arrangements**

5.1 **Implementing Agency responsible for tendering, contracting and accounting**

The Delegation of the European Union to Ukraine will be responsible for tendering, contracting and accounting.

The person in charge of this project at the Delegation of the European Union to Ukraine is:

Mr Christian Ben Hell
Attaché / Sector Manager for Agriculture, Food Safety and Land Reform
Operational Section for Human and Local Development
The Programme Administration Office (PAO) under the State Agency for Civil Service of Ukraine is the administration responsible for the coordination of the preparation of Twinning projects and support for their implementation. The PAO also provides advisory and methodological support to public authorities during the preparation and implementation of twinning projects.

The Director of the PAO in Ukraine is:
Maryna Kanavets
15 Prorizna Street
Kyiv 01601
Tel: +380 (44) 278-36-44
Email: maryna.kanavets@center.gov.ua

The person in charge of this Twinning at the PAO in Ukraine is:
Sofiia Zvarych
15 Prorizna Street
Kyiv 01601
Tel: +380 (44) 278-36-44
Email: sofiia.zvarych@center.gov.ua

5.2 Institutional framework

Annex 3 shows an organogram of the SSUFSCP and Annex 4 shows an organogram of the Department of Phytosanitary Safety, control in the sphere of seed and seedling production within the SSUFSCP, including staff numbers. All Twinning project activities will be carried out with staff from within the Department of Phytosanitary Safety, supervision (control) in the sphere of seed and seedling production, protection of plant variety rights, GMOs. The previous Twinning project worked with the Phytosanitary Security Office whereas this Twinning will work with the Plant Protection Administration, plus other relevant external institutions, such as the Ministry of Agrarian Policy and Food of Ukraine and its SPS Directorate General in particular, the Ministry of Ecology and Natural Resources of Ukraine, the Ministry of Health of Ukraine, State Fiscal Service and the Ministry of Education and Science etc.

As can be seen from Annex 3, there are 1,240 staff employed in the various laboratories within the SSUFSCP. Ukraine consists of 27 regions, which are twenty-four oblasts (regions) and one Autonomous Republic (Crimea). Additionally, the cities of Kiev, the capital, and Sevastopol (in Crimea), both have a special legal status. However, since the temporary and illegal occupation in 2014, Crimea and Sevastopol are currently occupied territory. As a result, there are now 24 phytosanitary laboratories for GMOs in open systems, plant varieties, seed and planting material within the SSUFSCP.

The Ministry for the Development of the Economy, Trade and Agriculture of Ukraine ensures policy making in the sphere of protection of plant varieties rights, state registration of new plant varieties fit to be spread in Ukraine, inclusive of plant varieties derived from GMOs, and issues approval for the import of test specimens for the purpose of examination (notification regarding acceptance of application for review and importation of test specimens).
The Ministry of Energy and Ecology of Ukraine not only ensures the development of state policy in the sphere of environmental protection, but also carries out state registration of GMOs, and deals with protection of land, water and forests, and has its own Inspection Service. It is also involved in drafting GMO-related legislation. The SSUFSCP and the Ministry conduct joint meetings and round tables on GMO circulation.

The Ministry of Health of Ukraine deals with the development of risk assessment criteria for the potential impact of GMOs on human health on the basis of scientific principles and international experience.

The Ministry of Education and Science of Ukraine ensures the development of scientific and technical potential in the area of genetic engineering, develops safety criteria for handling GMOs and genetic engineering activities in closed systems, develops and improves the control system for compliance of safety rules of genetic engineering activity.

It will be extremely important that this Twinning project establishes contact with all relevant stakeholders, particularly personnel of the Ministry of Energy and Ecology, Ministry of Health, and Ministry of Education and Science to explain the purpose of this Twinning project and to gain their support.

The BC PL will be crucially important in helping make these introductions and establish cooperation for everyone’s mutual benefit.

5.3 – Counterparts in the Beneficiary administration
The SSUFSCP has nominated three main counterparts to the EU MS PL and RTA.

5.3.1. Contact person
The BC Contact on Project Implementation is:
Mr. Viktor Stetskivskyi
Deputy Director of Department of Phytosanitary Safety
7 Koloskova Str., Kyiv 03138

5.3.2. PL counterpart
The BC Project Leader will be:
Mr. Andrii Zhuk
First Deputy Head of the SSUFSCP
1 B.Grinenko St., 01001, Kyiv

5.3.3. RTA counterpart
The BC Counterpart of the RTA is:
Ms. Svitlana Lakhtionova
Main specialist of SSUFSCP division for supervision in seed and seedling production of the Office for control in the sphere of seed and seedling production
7 Koloskova Str., Kyiv 03138

6. Duration of the project
The project’s implementation period (official duration) is 24 months. This period includes the implementation period (work plan) of 21 months, plus 3 months for the starting up and closure of the Action.
7. Management and reporting

7.1 Language
The official language of the project is the one used as contract language under the instrument (English / French). All formal communications regarding the project, including interim and final reports, shall be produced in the language of the contract.

7.2 Project Steering Committee (PSC)
A project steering committee (PSC) shall oversee the implementation of the project. The main duties of the PSC include verification of the progress and achievements via-à-vis the mandatory results/outputs chain (from mandatory results/outputs per component to impact), ensuring good coordination among the actors, finalising the interim reports and discuss the updated work plan. Other details concerning the establishment and functioning of the PSC are described in the Twinning Manual.

7.3 Reporting
All reports shall have a narrative section and a financial section. They shall include as a minimum the information detailed in section 5.5.2 (interim reports) and 5.5.3 (final report) of the Twinning Manual. Reports need to go beyond activities and inputs. Two types of reports are foreseen in the framework of Twinning: interim quarterly reports and final report. An interim quarterly report shall be presented for discussion at each meeting of the PSC. The narrative part shall primarily take stock of the progress and achievements via-à-vis the mandatory results and provide precise recommendations and corrective measures to be decided by in order to ensure the further progress.

8. SUSTAINABILITY
The sustainability of the project will be achieved through the professional implementation of all project activities, including advice provided, documents prepared, submitted and uploaded / archived for future use / reference, training delivered and the continued availability and employment of trained personnel in the SSUFSCP headquarters and territorial offices and laboratories.

Towards the end of the project, a series of recommendations for the improvement of the SSUFSCP structure and operating procedures in line with their revised duties and responsibilities will have been agreed with SSUFSCP senior management. These recommendations will have taken account of the resources available from the State budget to finance it and will therefore, by definition, be sustainable.

All Twinning Project activities will be undertaken jointly between the MS and the BC. It is anticipated that Working Groups (WGs) will be formed early in the project implementation period and these will comprise Ukrainian and EU experts. Members of the Working Groups will meet as and when required to share information, discuss technical issues and ensure project outputs are relevant and realistic for current Ukrainian circumstances. The fact that Ukrainian experts within SSUFSCP will have worked closely with counterpart EU experts during the implementation of project activities will form a valuable human resource and it is hoped that these Ukrainian experts will cascade the information to colleagues, using the “train the trainers” approach. Therefore, the progress, development and success of the Twinning project will be the joint responsibility of the EU MS partner and the BC.
The dissemination of project results, training materials and all project outputs will be freely available to all relevant SSUFSCP staff. Consideration will be given to uploading appropriate materials to the SSUFSCP and MoAPF websites. All materials will be available electronically and distributed to relevant SSUFSCP and MDETA (SPS Directorate General) staff via e-mail.

9. CROSSCUTTING ISSUES

9.1 Equal Opportunity
The dimension of equal opportunity and gender equality will be integrated into all levels of the project. The project will promote non-discrimination and treat males and females equally. The EU MS partner administration(s) will lead by example during the implementation of all project activities and all project reporting must take account of gender (e.g. lists of training course participants must be disaggregated by gender).

9.2 Environment
This project is directly related to environmental issues, the protection of the environment and strengthening environmental aspects of the Ukrainian legal framework by ensuring that only PPPs with minimal environmental impact are approved after conducting proper risk assessments according to EU requirements.

Other environmental aspects, such as promoting electronic communication tools and e-based systems (exchange and dissemination of information, training materials, etc.) will ultimately benefit the environment, by reducing the amount of paper used during printing. Similarly, video-conferencing may be used during training events, to reduce the need for SSUFSCP staff to travel from regional offices / laboratories to Kyiv to participate in WG meetings and / or project training activities. This would obviously save “down-time” (regional staff travelling to and from Kyiv, plus associated travel and subsistence costs) but it would also reduce the use of vehicle fuel and the amount of associated emissions (widely associated with climate change).

9.3 Good Governance
The project will promote and advocate the professionalisation of the SSUFSCP in line with best EU practices at every appropriate opportunity, thus building an increasingly service-oriented administration based on standard operating procedures and ethical norms and standards.

By promoting an institutional culture of openness, accountability and transparency, the project will increase the level of credibility and integrity among Government Departments and Agencies, thus decreasing accusations of corruption and other negative practices. The project will act as an example of positive administrative reform.

10. CONDITIONALITY AND SEQUENCING

As existing national legislation may require further alignment with the EU acquis, tables of concordance of existing national legislation relating to supervision (control) in the field of GMOs in open systems, protection of plant variety rights, and seed and seedling production will be made as part of the gap analysis of Ukrainian legislation. A needs assessment for the amendment of existing legislation or the creation of new Ukrainian legislation will be prepared on the basis of those tables of concordance (Component 1).

Based on the result of the needs assessment, amendments of existing national legislation or new Ukrainian legislation relating to supervision (control) in the field of GMOs in open systems,
The protection of plant variety rights and seed and seedling production will be drafted, submitted to the SSUFSCP, and revised and finalised according to consultation feedback.

The successful implementation of the Twinning project requires the full commitment and participation of the senior decision-makers in the SSUFSCP and Ministry for the Development of the Economy, Trade and Agriculture responsible for supervision (control) of seed and seedling production, protection of plant variety rights, and GMOs in open systems.

It is crucially important that a sufficient number of employees within the SSUFSCP and other relevant institutions are involved in the implementation of this project in order to achieve the project’s Mandatory results.

11. INDICATORS FOR PERFORMANCE MEASUREMENT

The logical framework, including the indicators will be revisited during the formulation of the initial rolling work plan of the project. The work plan which will be prepared in collaboration between the MS and the Partner Administration will further refine and specify the indicators.

The main indicators for performance are proposed as follows:

Project purpose: Approximation of national legislation in line with EU Directives and Regulations with regard to state supervision (control) in the sphere of GMOs in open systems, protection of plant variety rights, and seed and seedling production and improvement of relevant state supervision (control) systems according to EU standards

- Number of EU legal acts approximated in related fields [target: totally 10 acts – two GMO related acts, five acts in the area of seed and seedling production, and three acts in the sphere of protection of plant variety rights];
- Number of beneficiary administration staff trained in state supervision (control) in various fields [target: a minimum of 200 staff trained];
- Status of Ukrainian state supervision (control) in related fields according to EU standards [target: full approximation].

Component 1 - Ukrainian legislation in the sphere of state supervision (control) in GMOs in open systems, protection of plant variety rights and seed and seedling production is reviewed, updated and revised or new drafts prepared as necessary.

- Number of gap analysis and functional review reports prepared [target: totally 10 gap analysis as per number of legislation];
- Status of a priority list and Action plan for legal approximation [target: adopted];
- Status of the multi-annual monitoring programme for quality indicators of seed and planting material, use of non-registered plant varieties, monitoring of prevention and detection of counterfeit and fake seeds and planting material in line with the EU approach [target: tested and adopted];
- Status of “Methodological recommendations for sampling seed and planting material for the detection of presence of GMOs” for the purpose of clear and transparent mechanism for GMOs detection [target: drafted and adopted];
✓ Number of awareness materials (leaflets, posters etc.) prepared by the twinning partner with support of BC counterpart about the risks and dangers of the spread of counterfeit seeds, unregistered plant varieties, including using GMOs in open systems [target: 10,000];
✓ Number of media outlets in agrarian media on relevant topics [target: at least three].

Component 2 - SSUFSCP organisational and operational review of control and supervision functions is completed, control and supervision concept prepared, and recommendations for modernisation and optimisation made.
✓ Status of existing institutional structure, operational procedures and methodologies [target: reviewed and recommendations made and submitted];
✓ Number of up-to-date methodologies, state supervision (control) plans, contingency and crisis control plans, guidelines and standard operational procedures on various related fields prepared and submitted [target: at least ten];
✓ Status of strategies for implementation of quality assurance measures and future accreditation and communication [target: drafted, submitted and adopted];
✓ Status of measures for improving operational efficiency in the central and regional administrations for state supervision (control) system in the sphere of GMOs in open systems, protection of plant variety rights and seed and seedling production [target: developed and adopted];
✓ Number of SSUFSCP staff (trainers) trained in supervision (control) in the spheres of GMOs in open systems, protection of plant variety rights, and seed and seedling production, as well as monitoring and detection of sources of counterfeit seeds, planting materials and GMOs, plant varieties of conventional selection and GMOs in open systems, including sale of illegal seeds via online channels and Internet network, training on relevant methodology in accordance with international standards [target: a minimum of 50 SSUFSCP staff trained];
✓ Number of staff (trainers) trained in modern EU-compliant methodologies and procedures in the field of State supervision (control) of the economic activity of entities engaged in the production, circulation, and sale of seeds and planting material, as well as control and supervision in the spheres of GMOs and protection of plant variety rights on the national level [target: a minimum of 50 staff trained];
✓ Number of study visits or internship in EU MS organised and SSUFSCP staff (trainers) participating on supervision (control) and methodologies and procedures in relevant spheres [target: at least ten].

Component 3 - Organisational and operational review of phytosanitary laboratories is completed, lists of essential new equipment and consumables required are prepared, and a strategy and action plan are developed with concrete recommendations for modernisation and optimisation of phytosanitary laboratories
✓ A review report of the organisational and operational structures and methodologies of the phytosanitary laboratories [target: developed and submitted];
✓ Status of a strategy and action plan with recommendations for optimisation and modernisation of phytosanitary laboratories [target: developed and submitted];
✓ Status of lists of essential equipment and consumables required for phytosanitary laboratories [target: developed and submitted];
✓ Number of laboratory personnel (trainers) trained on application and validation of international standard methods of analysis, GMO detection, quality of seeds and propagating material, protection of plant variety rights [target: at least 50];
✓ Status of Standard Operating Procedures (SOPs) and Quality Manual [target: drafted/updated, submitted and adopted];
✓ Status of traceability of laboratory measurements and test results [target: developed and effectively implemented];
✓ Number of laboratory personnel (trainers) trained on preparation of documented procedures associated with future accreditation of phytosanitary laboratories [target: a minimum of 40 laboratory staff trained].

12. FACILITIES AVAILABLE

For the project implementation period the RTA and two assistants will be provided with office space in the premises of the SSUFSCP Department for Phytosanitary Safety, Control in the Sphere of Seed and Seedling Production located at 7 Koloskova Street. This is in the Kyiv suburbs, and a shuttle bus is organised between the office and Demiivska metro station.

The office space is renovated and equipped with an air-conditioner, telephone line, and internet. The working place will include individual desks and chairs, computers and a filing cabinet. The building has 24-hour security.

A meeting room for up to 30 persons on the first floor of the building will be available for meetings and other events (the room has relevant equipment, including projector, screen, and white-board). The conference-hall in the premises of the Institute of Plant Protection of National Academy of Agrarian Sciences of Ukraine (4th floor, 33 Vasylkivska Street, Kyiv) and the conference hall in the premises of the State Service of Ukraine for Food Safety and Consumer Protection (3rd floor, 1 Borysa Hrinchenka Street, Kyiv) may be used for larger events.
ANNEXES

Annexes to project Fiche

1. Logical framework matrix
2. Normative and legal documents relevant to this Twinning project
3. Organogram of the SSUFSCP
4. Organogram of Department of Phytosanitary Safety, Seed and Seedling Production Control of the SSUFSCP
5. The indicative priority list of EU legislation to be approximated within the frame of this project
Annex 1 – Logical Framework Matrix

Title of the Twinning project: “Approximation of national legislation of Ukraine in the fields of state supervision (control) of GMOs in open systems, protection of plant variety rights, and seed and seedling production in line with EU norms and standards”

Beneficiary: The State Service of Ukraine for Food Safety and Consumer Protection (SSUFSCP)

Total budget: EUR 1.1 million

<table>
<thead>
<tr>
<th>Description</th>
<th>Indicators (with baseline and target data)</th>
<th>Sources of Verification</th>
<th>Risks</th>
<th>Assumption</th>
</tr>
</thead>
</table>
| Overall objective | Contribute to address shortcomings in the sphere of state supervision (control) of compliance with safety measures and spread of GMOs in open systems, protection of plant variety rights and seed and seedling production. | • Status of the Ukrainian regulatory framework for supervision (control) of uncontrolled use of GMOs, the circulation of seeds and planting material, including protection against the inflow of substandard (counterfeit) seed and planting material.  
• Status of the Ukrainian regulatory framework for property and individual non-property relations arising from acquisition, exercise and protection of intellectual property rights in plant varieties.  
• Status of the Ukrainian regulatory basis for international cooperation in the sphere of genetic engineering activities and GMO handling in open systems | • Project Reports;  
• Project steering committee minutes;  
• Official Reports of the MoAPF and SSUFSCP  
• “FVO” audit reports;  
• Statistics on state control. | | |

<table>
<thead>
<tr>
<th>Specific objective</th>
<th>Indicators (with baseline and target data)</th>
<th>Sources of Verification</th>
<th>Risks</th>
<th>Assumption</th>
</tr>
</thead>
</table>
| Approximation of national legislation in line with EU Directives and Regulations with | • Number of EU legal acts approximated in related fields | • MS STE mission reports;  
• Project Reports; | • No major national and international | • Readiness and commitment of Ukrainian |
regard to state supervision (control) in the sphere of GMOs in open systems, protection of plant variety rights, and seed and seedling production and improvement of relevant state supervision (control) systems according to EU standards.

| Number of beneficiary administration staff trained in state supervision (control) in various fields [target: a minimum of 200 staff trained]; |
| Status of Ukrainian state supervision (control) in related fields according to EU standards [target: full approximation]. |

| Websites of the Verkhovna Rada, MDETA and SSUFSCP. |
| policy or political change affecting project implementation |
| Parliament for the adoption of the new legislation; |
| Sufficient political will and support for the reorganisation of structures and services; |
| Openness of the Ministry for the introduction of new legislation, policies and guidelines related to seed and seedling production, protection of plant variety rights and GMOs. |

**Mandatory Result # 1**

<table>
<thead>
<tr>
<th>Indicators (with baseline and target data)</th>
<th>Sources of Verification</th>
<th>Risks</th>
<th>Assumption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ukrainian legislation in the sphere of state supervision (control) in GMOs in open systems, protection of plant variety rights and seed and seedling production is reviewed,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Number of gap analysis and functional review reports prepared [target: totally 10 gap analysis as per number of legislation].</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Status of a priority list and Action</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• MS STE mission reports;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Project Reports;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• SPS Strategy under the</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• No interference by State Fiscal Service Customs, Police and other State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Commitment of Ukrainian counterparts to amend existing legislation within</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

updated and revised or new drafts prepared as necessary. | plan for legal approximation [target: adopted];
- Status of the multi-annual monitoring programme for quality indicators of seed and planting material, use of non-registered plant varieties, monitoring of prevention and detection of counterfeit and fake seeds and planting material in line with the EU approach [target: tested and adopted];
- Status of “Methodological recommendations for sampling seed and planting material for the detection of presence of GMOs” for the purpose of clear and transparent mechanism for GMOs; | DCFTA;
- Websites of the Verkhovna Rada, MDETA and SSUFSCP. | Institutions during the awareness-raising campaign on fake seeds, unregistered plant varieties and GMOs. | timescale of project;
- Support, agreement and commitment of key stakeholders and other line Ministries who are not the direct beneficiaries of this project (e.g. Ministry of Ecology and Natural Resources with GMOs registration; Ministry of Health with risk assessment criteria development for GMOs);
detection [target: drafted and adopted];
- Number of awareness materials (leaflets, posters etc.) prepared by the twinning partner with support of BC counterpart about the risks and dangers of the spread of counterfeit seeds, unregistered plant varieties, including using GMOs in open systems [target: 10,000];
- Number of media outlets in agrarian media on relevant topics [target: at least 3].

<table>
<thead>
<tr>
<th>Mandatory Result # 2</th>
<th>Indicators (with baseline and target data)</th>
<th>Sources of Verification</th>
<th>Risks</th>
<th>Assumption</th>
</tr>
</thead>
</table>
| SSUFSCP organisational and operational review of control and supervision functions is completed, control and supervision concept prepared, and recommendations for modernisation and optimisation made. | - Status of existing institutional structure, operational procedures and methodologies [target: reviewed and recommendations made and submitted].  
- Number of up-to-date methodologies, state supervision (control) plans, contingency and crisis control plans, guidelines and standard operational procedures on various related fields prepared and submitted [target: at least 10];  
- Status of strategies for implementation of quality assurance measures and future accreditation and communication | - MS STE mission reports;  
- Project Reports;  
- Training workshop and Seminar evaluation questionnaires;  
- Lists of participants attending training, study visits or internships.  
- Training materials. | - There is no impediment to the availability of Ukrainian staff and beneficiary co-financing to enable staff (Trainers) to travel to Kyiv (or other locations) to be trained by EU STEs. | - Commitment of Ukrainian counterparts to amend existing structures and procedures within timescale of project;  
- Commitment from senior management within SSUFSCP and MDETA to implement ISO 9001; |
| Status of measures for improving operational efficiency in the central and regional administrations for state supervision (control) system in the sphere of GMOs in open systems, protection of plant variety rights and seed and seedling production | [target: developed and adopted]; |
| Number of SSUFSCP staff (trainers) trained in supervision (control) in the spheres of GMOs in open systems, protection of plant variety rights, and seed and seedling production, as well as monitoring and detection of sources of counterfeit seeds, planting materials and GMOs, plant varieties of conventional selection and GMOs in open systems, including sale of illegal seeds via online channels and Internet network, training on relevant methodology in accordance with international standards | [target: a minimum of 50 staff trained]; |
| Number of staff (trainers) trained in modern EU-compliant methodologies and procedures in the field of State supervision |
(control) of the economic activity of entities engaged in the production, circulation, and sale of seeds and planting material, as well as control and supervision in the spheres of GMOs and protection of plant variety rights on the national level [target: a minimum of 50 staff trained];

- Number of study visits or internship in EU MS organised and SSUFSCP staff (trainers) participating on supervision (control) and methodologies and procedures in relevant spheres [target: at least 10].

<table>
<thead>
<tr>
<th>Mandatory Result # 3</th>
<th>Indicators (with baseline and target data)</th>
<th>Sources of Verification</th>
<th>Risks</th>
<th>Assumption</th>
</tr>
</thead>
</table>
| Organisational and operational review of phytosanitary laboratories is completed, lists of essential new equipment and consumables required are prepared, and a strategy and action plan are developed with concrete recommendations for modernisation and optimisation of phytosanitary laboratories. | A review report of the organisational and operational structures and methodologies of the phytosanitary laboratories [target: developed and submitted].
- Status of a strategy and action plan with recommendations for optimisation and modernisation of phytosanitary laboratories [target: developed and submitted];
- Status of lists of essential equipment and consumables required for phytosanitary laboratories [target: developed and submitted]; | MS STE mission reports;
- Project Reports;
- Training workshop and Seminar evaluation questionnaires;
- Lists of participants attending training, study visits or internships. | There is no impediment to the availability of Ukrainian staff and beneficiary co-financing to enable staff (Trainers) to travel to other laboratories to be trained by EU STEs. | Commitment of Ukrainian counterparts to amend existing structures and procedures within timescale of project; Commitment from senior management within SSUFSCP and MDETA to implement quality management |
| **submitted;** | **Training materials.** | **procedures;** |
| Number of laboratory personnel (trainers) trained on application and validation of international standard methods of analysis, GMO detection, quality of seeds and propagating material, protection of plant variety rights [target: at least 50]; | Accreditation strategy and action plan (“roadmap”); | New and/or updated Standard Operating Procedures (SOPs) produced |
| Status of traceability of laboratory measurements and test results [target: developed and effectively implemented]; | | |
| Number of laboratory personnel (trainers) trained on preparation of documented procedures associated with future accreditation of phytosanitary laboratories [target: a minimum of 40 staff trained]; | | |
Annex 2 – Normative and legal documents relevant to this Twinning project

- Law of Ukraine “On basic principles of state supervision (control) in the field of economic activity” No 877-V of 5 April 2007
- Law of Ukraine “On authorisation system in the field of economic activity”
- Law of Ukraine “On State market supervision and control of non-food products” No 2735-VI of 02.12.2010
- Law of Ukraine “On amendments to the Customs Code of Ukraine and certain other laws of Ukraine as regards the introduction of “single window” mechanism and optimisation of control procedures during the movement of goods through the customs border of Ukraine” No 2530-VIII of 6 September 2018
- Law of Ukraine “On state biosafety system for the creation, testing, transportation and use of genetically modified organisms” No 1103-V of 31 May 2007
- Law of Ukraine “On basic principles of state supervision (control) in the field of economic activity” No 877-V of 5 April 2007
- Law of Ukraine “On seed and planting material” No 411-XV of 30 June 2016
- Law of Ukraine “On protection of plant variety rights” No 3116 of 21 April 1993
- Customs Code of Ukraine
- Code of Ukraine on Administrative Infringements
- Resolution of the Cabinet of Ministers of Ukraine No 960 of 24.10.2018 “On certain aspects related to official controls of goods entering the customs territory of Ukraine (inclusive of transit purpose)”
- Resolution of the Cabinet of Ministers of Ukraine No 23 of 16 January 2019 “On adoption of the criteria for the assessment of risk level associated with economic activity in the field of seed and seedling production and determining the frequency of planned state supervision (control) measures by the SSUFSCP”
- Resolution of the Cabinet of Ministers of Ukraine No 24 of 16 January 2019 “On adoption of the criteria for the assessment of risk level associated with economic activity in the field of protection of plant variety rights and determining the frequency of planned state supervision (control) measures by the SSUFSCP”
- CMU Resolution No 1280 of 31.10.2007 “On adoption of product sampling Procedure to determine its quality parameters and of model product sampling act”
- CMU Resolution No 200 of 21.03.2018 “On adoption of the criteria for the assessment of risk level associated with economic activity in the field of protection of plant variety rights and determining the frequency of planned state supervision (control) measures by the SSUFSCP”
- CMU Resolution No 615 of 18.08.2017 “On adoption of the Procedure for arbitration (expert) evaluation of seed and planting material’s quality and application Procedure for arbitration (expert) evaluation of seed and planting material’s quality”
- CMU Resolution No 507 of 12.07.2017 “On adoption of the criteria for the assessment of risk level associated with economic activity in the field of seed and seedling production and determining the frequency of planned state supervision (control) measures by the SSUFSCP”
• CMU Resolution No 97 of 21.02.2017 “On adoption of the Procedure for certification, issuance and revocation of certificates for seed and/or planting material and of model certificates for seed and/or planting material”

• CMU Resolution No 1031 of 28.12.2016 “On adoption of the Procedure for issuance, revocation, suspension and of model certification auditor (agronomist-inspector) certificate”

• CMU Resolution No 979 of 21.12.2016 “On adoption of the Procedure for the maintenance of Register of certificates for seed and/or planting material”

• CMU Resolution No 916 of 07.12.2016 “On adoption of the Procedure for the maintenance of Register of compliance verification authorities”

• CMU Resolution No 882 of 30.11.2016 “On adoption of the procedure the maintenance of State register of economic entities in seed and seedling production”

• CMU Resolution No 881 of 30.11.2016 “On adoption of the Procedure for the maintenance of Register certification auditors (agronomist-inspectors)”

• CMU Resolution No 762 of 26.10.2016 “On adoption of the Procedure for importation to the territory of Ukraine and exportation therefrom of seed and planting material of varieties that are not included into the State register of plant varieties fit for dissemination in Ukraine but included into the Register of plant varieties of the Organisation for Economic Cooperation and Development of agricultural plants under variety certification schemes that Ukraine is a member of”

• CMU Resolution No 691 of 05.10.2016 “On adoption of the Procedure for issuance or rejection of issuance, re-issuance, issuance of duplicates, revocation of confirmation for importation into Ukraine and exportation from Ukraine of seed and planting material samples which are not included into the State register of plant varieties fit for dissemination in Ukraine and/or the Register of plant varieties of the Organisation for Economic Cooperation and Development for selection, research activities and exhibitions”

• CMU Resolution No 700 of 11.07.2013 “On adoption of Regulation on the network of test laboratories to detect the presence of genetically modified organisms”

• CMU Resolution No 919 of 12.10.2010 “On ensuring implementation of article 7 of the Law of Ukraine “On state biosafety system for the creation, testing, transportation and use of genetically modified organisms”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 18 of 16.01.2018 “On adoption of Methodology for the conduct of plot (soil) and laboratory variety control (POST-control)”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 348 of 10.07.2017 “On adoption of the Procedure for labelling and packaging of seed batches and of model label”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 246 of 17.05.2017 “On certain aspects related to ensuring the identification of variety qualities of seed and planting material”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 88 of 24.02.2017 “On certain aspects related to ensuring certification in the field of seed and seedling production”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 7 of 19.01.2017 “On certain aspects related to ensuring certification in the field of seed and planting material”
• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 366 of 07.10.2016 “On adoption of the Procedure for preparation and conduct of certification auditor (agronomist-inspectors) qualification exam and of model application for taking this exam”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 365 of 07.10.2016 “On adoption of the Procedure for approval of seed planting locations”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 362 of 06.10.2016 “On adoption of the Procedure for the development of competence of certification auditors (agronomist-inspectors)”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 257 of 26.07.2016 “On adoption of the Procedure for proficiency testing and requirements for compliance verification authorities in the field of seed and seedling production”

• ORDER OF THE MINISTRY OF AGRARIAN POLICY AND FOOD OF UKRAINE No 198 of 13.06.2016 “On adoption of model application forms submitted for inclusion to the State register of economic entities in the field of seed and seedling production and for amendments to details contained in this register”
Annex 3 - Organigramme of SSUFSCP
Annex 5 - The indicative priority list of EU legislation to be approximated within the frame of this project

In the sphere of control of GMOs:


In the sphere of control of seed and seedling production:


In the sphere of protection of plant variety rights:

