

**Draft Resolution of the Cabinet of Ministers of Ukraine "On approval of the procedure for the labelling (marking) of foodstuff concerning the presence of genetically modified organisms"**

**CABINET OF MINISTERS OF UKRAINE**

**DECREE**

of 2011 •

Kiev

**On approval of the procedure for the labelling (marking) of foodstuff concerning the presence of genetically modified organisms**

In accordance with Article 20 of the Law of Ukraine "Concerning the Cabinet of Ministers of Ukraine", Article 15 of the Law of Ukraine "Concerning protection of the rights of consumers", Article 7 of the Law of Ukraine "Concerning the State system of bio-safety applicable to the production, testing, transportation and utilisation of genetically modified organisms" and Article 38 of the Law of Ukraine "Concerning the safety and quality of foodstuffs", the Cabinet of Ministers of Ukraine **hereby decides**:

1. to confirm the Procedure for the labelling (marking) of foodstuffs concerning the presence of genetically modified organisms, which is appended.

2. to recognise that the decrees of the Cabinet of Ministers of Ukraine of 13 May 2009 No 468 "Concerning confirmation of the Procedure for labelling foodstuffs containing genetically modified organisms or produced using them that are placed on the market" (Official Gazette of Ukraine, 2009, No 37, p 1 240) and of 1 July 2009, No 661 "Concerning the introduction of amendments to the decree of the Cabinet of Ministers of Ukraine of 13 May 2009 No 468" (Official Gazette of Ukraine, 2009, No 50, p 1688) are no longer valid.

3. to establish that farmers may make use of packaging materials and labels produced without taking account of the requirements of the Procedure confirmed by this decree for a period of 24 months following the date on which this decree enters into force.

4. foodstuffs, packaging materials and their labels produced without taking account of the requirements of the Procedure confirmed by this decree that are placed on the market within 24 months of the date on which this decree enters into force may remain in circulation on the Ukrainian market until the end of the use-by date of such products.

5. This decree shall come into force 6 months after its date of publication.

**PROCEDURE**  
for the labelling (marking) of foodstuffs concerning the presence of genetically modified organisms

1. This Procedure lays down the requirements concerning the labelling (marking) of foodstuffs that contain genetically modified organisms (hereinafter referred to as GMO) or do not contain GMO or are produced using them but do not contain them and are placed on the Market in Ukraine.

2. Definitions of terms used in this Procedure:

foodstuff containing GMO: foodstuff that is wholly composed of GMO or ingredients of which contain GMO;

foodstuff produced using genetically modified organisms: foodstuff that does not contain GMO but is wholly or partly produced using agricultural produce that has contained or contains GMO.

Other terms are used with the meanings to be found in the Laws of Ukraine "Concerning protection of the rights of consumers", "Concerning the safety and quality of foodstuffs" and "Concerning the State system of bio-safety applicable to the production, testing, transportation and utilisation of genetically modified organisms".

3. The labelling (marking) of foodstuffs containing GMO or produced using them shall be carried out by the producer (supplier) and shall bear the relevant information.

In the list of ingredients of a foodstuff, the words "(with GMO)" shall be placed after each ingredient that contains GMO or has been produced using them together with the name of the relevant organism, or a note to this effect shall be added for each such ingredient. These words shall be written in the same typeface as the list of ingredients.

In the case of foodstuffs comprising a single ingredient, the words "(with GMO)" with the name of the relevant organism shall be shown on the labelling in lettering of no less than 2 mm.

4. Labelling (marking) of foodstuffs containing GMO or produced using them that are not placed in packaging or are placed in packaging that does not have a surface area of at least 10 cm<sup>2</sup> shall take the form of labels bearing the appropriate wording according to section 3 of this Procedure placed by the seller alongside the name of the foodstuff in question or on packaging material in lettering of no less than 2 mm.

5. The labelling (marking) of foodstuffs that do not contain GMO and have been produced using agricultural produce that did not contain GMO shall bear the wording "without GMO" in lettering of no less than 2 mm.