

Product Standardization – a Step towards EU

By the adoption of the Law of Ukraine on the technical regulations and conformity assessment procedures dated 15 February 2015, the Verkhovna Rada introduced a regulatory document that specifies elaboration, adoption and application of technical regulations and conformity assessment procedures in Ukraine. The adoption of this Law is influenced, first of all, by the necessity of adaptation of the national legislation in the area of technical regulations to the EU legislation.

The purpose of development of the technical regulations is to protect life and health of human beings, animals and plants, environment and natural resources, and to ensure energy efficiency, property protection and national security.

Elaboration, adoption and application of technical regulations will be based on principles specified in the Agreement on Technical Barriers to Trade which is annexed to the Marrakesh Agreement Establishing the World Trade Organization of 1994.

The Law defines the executive bodies authorized to implement the state policy in the area of technical regulation, their powers and procedures to be followed by these bodies, ranging from the elaboration of technical regulation drafts, approval, conformity assessment and publication of technical regulations, to the control over their compliance.

In addition, the Law envisaged a possibility of assigning the independent organizations, that would perform conformity assessment procedures, and accredited testing laboratories of manufacturers, that may be used for enterprise conformity assessment procedures, as specified in the relevant technical regulations.

It is worth mentioning that certain products listed in the technical regulations will be labeled with the mark of conformity with the relevant technical regulations. The form and features of such conformity mark shall be set by the Cabinet of Ministers of Ukraine.

Generally, it is worth noting that the process of harmonization of national legislation, norms, rules, regulations and standards is rather slow and difficult. Therefore, it is crucial to adopt the law aimed at ensuring stronger control over this process. This law sets out the rules for elaboration and application of technical regulations, organizations responsible for elaboration and adoption of technical regulations, and thus brings consistency into this complex process.

The adoption of the Law on the technical regulations and conformity assessment procedures will ensure performance of the Agreement on Conformity Assessment and Acceptance of Industrial Products with EU.

The Law will become effective on 10 February 2016.