



19 January 2016

(16-0361)

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Committee on Technical Barriers to Trade

Original: English

RUSSIAN FEDERATION – MEASURE AFFECTING IMPORT OF UKRAINIAN WALLPAPER

STATEMENT BY UKRAINE TO THE COMMITTEE ON TECHNICAL BARRIERS TO TRADE 4-6 NOVEMBER 2015

The following communication, dated 15 January 2016, is being circulated at the request of the delegation of Ukraine.

1. Ukraine would like to raise a new concern regarding the ban on imports of wallpaper produced by Ukrainian industry to the Russian Federation.
2. The ban was imposed on 13 April 2015 by the Federal Service on Customers' Rights Protection and Human Well-being Surveillance (Rospotrebnadzor) and affected major Ukrainian producers, which for many years have exported over 70% of their production to the Russian Federation market. The claimed ground for prohibition was alleged incompliance with sanitary and hygienic norms for emission of formaldehyde and styrene.
3. The measure was applied by the Russian Federation in a non-transparent and unpredictable manner. There was neither information on the official website of the Rospotrebnadzor, nor any notification to Ukraine's authorities or producers concerning the ban.
4. Shortly before the introduction of the ban, the wallpaper products in question were tested in specialized Russian and Ukrainian laboratories accredited by the Russian Federation accreditation body with regard to product quality and compliance with the sanitary and technical regulation requirements of the Russian Federation. Recent certificates of conformity were issued to the Ukrainian producers for the period March 2015 – March 2018 and confirmed compliance with technical regulations including requirements for compounds emission such as formaldehyde and styrene. (In particular, with Common Sanitary and Epidemiologic and Hygienic Requirements to Goods Subject to Sanitary and Epidemiologic Control, Custom Union Commission Decision No. 299).
5. Ukraine reminds the Russian Federation of its request for information and justification of the measure which was sent on 17 July 2015 to the Russian TBT/SPS EP in accordance with provisions of Articles 10 and 2.5 of the TBT Agreement. However, after more than 3 months there is still no response from the Russian TBT/SPS EP with regard to justification of the measure or any official results of examinations/tests provided in support of the alleged inconsistency of the Ukrainian products with the sanitary and technical regulation requirements of the Russian Federation.
6. Regretfully this measure follows many other bans on Ukrainian products imposed by the Russian Federation during the last two years. These bans are still in place – and without any justifications – even though these STCs have been repeatedly raised and discussed at TBT Committee meetings.
7. Ukraine believes that the import ban on wallpaper – as well as previous bans on Ukrainian products (confectionary, dairy, beer and juice products, salt, railway transport) – is not justified, applied in a non-transparent and unpredictable manner, discriminatory with regard to products of Ukrainian origin and with a view of creating unnecessary obstacles to trade. As such, this measure is inconsistent with provisions of the Articles 2.1, 2.2 and 5.1 of the TBT Agreement.

8. Ukraine calls upon the Russian Federation to immediately lift this trade ban in order to comply with the provisions of the TBT Agreement.
