

HARMONIZATION OF NATIONAL LEGISLATION IN THE FIELD OF AQUACULTURAL FOOD SAFETY WITH EUROPEAN PRACTICE

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Food safety is a complex interdisciplinary problem affecting the health of the nation, economic, political, social, scientific, technical and organizational aspects. The creation of a national system of quality control and safety of the entire food chain is considered as the most important component of the country's food security. An effective food control system performs a dual function: it ensures the safety and quality of food, and also regulates trade relations, filling the domestic market with imported products and promoting exports.

The creation of a single European market involves the harmonization of food legislation, which will lead to the elimination of legal and technical barriers to exports, to the achievement of equivalence and mutual recognition in trade. The directions of harmonization are determined by the comparison of national and European food legislation (Table).

Table

Comparative assessments of national and European food legislation

National food law	European food law
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Formation features	
It was formed on the basis of the state standart system and state control of food production and is gradually adapting to the conditions of international trade.	Food law began to develop from the very beginning of the existence of the European Economic Community and formed into a separate area of law
System of legal acts	
It is enshrined in various regulatory legal acts: the Law of Ukraine "On the safety and quality of food products" (Verkhovna Rada of Ukraine, 1998).	In the EU legislation, several forms of legal documents have been adopted - regulations, directives and decisions. A regulation is a document of direct effect in all EU member states, i.e. it

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<p>The main legislative framework for ensuring food safety is represented by a number of fragmentary legislative acts that cannot serve as a basis for establishing and developing a unified food safety system.</p>	<p>becomes law from the moment they are adopted. Directives are obligatory, but come into force only when they become part of national legislation. The decision is binding on those to whom it applies. Recommendations and opinions are non-binding. The main EU Regulations governing food safety are: 178/2002, 852/2004, 853/2004, 854/2004 and 882/2004. (The European parliament and the council of the European Union, 2002, 2004abcd)</p>
Horizontal and vertical regulations	
<p>In Ukraine, horizontal regulations have been adapted, while vertical ones require the adoption of national standards for them.</p>	<p>Vertical acts refer to individual food products. They regulate all the constituent aspects of a product: raw materials, production process, ingredients, labeling, etc. Horizontal acts regulate the characteristics related to all food products or a group of products (hygiene, food additives, labeling, packaging).</p>
An integrated approach to the entire food chain from farm to fork	
<p>The law applies only to food products.</p>	<p>The scope of EU food law is somewhat broader. Regulation No. 178/2002 applies not only to food products and food raw materials, but also to feed ((The European parliament and the council of the European Union, 2002).</p>
Compliance with international standards	
<p>It is necessary to develop requirements for food safety. Ukraine has validated more than 250 food safety standards with European legislation. Otherwise, the indicated quotas will remain unfulfilled. The enterprises will be</p>	<p>Compliance with standards is seen as a constant exchange of information and action at the national or international level.</p>

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Traceability	
<p>upgraded to European quality and product safety standards. The work to ensure traceability throughout the food chain is just beginning. However, it is possible to find out where the raw materials came from and where the manufactured products are sent. The retailer must provide information about the manufacturer or importer without fail.</p>	<p>An approach to the production of safe food in the EU, called from farm to fork, is being provided, which guarantees transparency and traceability along the entire food production chain.</p>
Scope of food products	
<p>Food products are all substances or products that are intended for human consumption in a processed, partially processed or unprocessed form.</p>	<p>The European definition is somewhat broader and tries to cover as many cases as possible of the use of a particular substance or product as a food product.</p>
Risk Analysis	
<p>There is no risk analysis terminology, but the risk analysis system is gradually being introduced into national legislation. In the meantime, it is extremely difficult to guarantee the provision of official oversight of food safety.</p>	<p>The concept of risk analysis and assessment, risk management and risk communication is seen as an integral element of a science-based food safety policy.</p>
Precaution	
<p>There is no single independent body responsible for the quality and safety of food products in the country. In the present this is within the competence of the State Veterinary and Phytosanitary Service, the Sanitary Epidemiological Service, the State Inspectorate for the Protection of Consumer Rights.</p>	<p>In the EU, an independent organization, the European Food Safety Authority, has been established with responsibility for providing binding scientific advice, risk assessment and technical support for legal decisions in the field of food safety.</p>
Primary Responsibility of Food Business Operators	
<p>There is an obligation of legal</p>	<p>It is stipulated that food business</p>

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<p>entities and individual entrepreneurs engaged in the production and circulation of food raw materials and food products to carry out production control of the quality and safety of products manufactured in the manner prescribed by them, taking into account the definition of critical control points</p>	<p>operators are required to have a self-control system based on the principles of HACCP to ensure the safety of food products. paragraph 1 of Art. 5 of Regulation No. 852/2004 on food hygiene.</p>
<p>State regulation of the food business</p>	
<p>Lack of coordination and information exchange between all authorities involved in food safety processes leads to problems with communication and interruption of the flow of information.</p>	<p>It is carried out through the procedure of registration and approval of objects of production, processing or sale of food products, which are under the control of food business operators; (clause 2, article 6 of Regulation No. 852/2004), hygiene requirements are defined by Regulation No. 853/2004. (The European parliament and the Council of the European Union, 2004ab).</p>
<p>Turnover of food products</p>	
<p>Procedures such as registration or approval of facilities owned by food business operators are not singled out.</p>	<p>No permits are required (with the exception of non-processed food products of animal origin, the sale of which requires a veterinary examination).</p>

The objectives of the strategy in the field of food safety, especially aquaculture products, are: improvement of the legislative framework, ensuring greater consistency of legislation in the field of food safety; creation of a national authority in the field of food safety, performing the functions of strategic planning, regulation, administration, performance of representative functions; strengthening food safety control procedures, establishing national food safety control and inspection systems.

The scope of food safety legislation should cover: animal and plant welfare and health, contaminants, plant protection products, veterinary drugs and their residues; food products (including new ones), food additives and feed; GMOs; food and beverage production hygiene; contact materials;

monitoring of residual substances; risk assessment and management system; training.

Thus, the harmonization of national food legislation with the European one is not a simple copying of EU norms, but a process that takes into account the peculiarities and specifics of national regulation of this area. It is time-consuming, and therefore requires balance, consistency and stages of implementation.

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