

## **AGROCHEMICAL CERTIFICATION OF AGRICULTURAL LAND: THEORETICAL AND LEGAL ASPECTS**

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*This article analyzes some aspects of regulation agrochemical certification of agricultural land in Ukraine. Defined gaps in legislative regulation of agrochemical certification of land. Formed conclusions and proposals to improve regulation of agrochemical certification of agricultural lands.*

***Agricultural land, soil, agrochemical certification of agricultural land, agrochemical passport.***

In terms of today's realities of concern ecological status of any and all natural resources. Particularly acute problem of protection and rational use of land resources takes on agricultural land.

One of the measures to ensure the rational use and protection of agricultural land is of agrochemical certification of this category, which is a component institute monitoring soil.

Analysis of research and publications known jurists Ukraine indicates that a significant contribution to the study of legal issues of land, including agricultural land, made by such scholars as V.I. Andreytseva, G.I Baluk, P.F Kulinich, V.M Ermolenko, V.I Semchyk N.I Titov, N.V Shulga and others.

**The purpose** of this article is to study the legal aspects of regulation of relations in the field of agrochemical certification of agricultural land under the laws of Ukraine.

For determination of the quality of the soil, their changes induced by human activities, and conditions for rational use of mineral and organic fertilizers in farms of all types of ownership, conservation of contamination, reproduction fertility held agrochemical certification of agricultural land (para. 2.1 Procedure for conducting agrochemical passport field land).

The legal definition of agrochemical certification of agricultural land contained in the Law of Ukraine «On State Control over land use and protection». According to Art. 1 of the Act, the latter is a mandatory agrochemical soil survey of passport issuance agrochemical fields of land, which records the initial and current level to soil nutrients, their levels of pollution by toxic substances and radionuclides.

The first piece of legislation, which laid the basis of agrochemical certification of agricultural land was Decree of the President of Ukraine «On solid agrochemical certification of agricultural land» on December 2, 1995 № 1118/95, subsequently adopted the use of the State Budget of Ukraine for activities with solid agrochemical certification of agricultural land (Decree of the Ministry of Agrarian Policy of Ukraine and Ministry of Finance of Ukraine on February 27, 2002 № 59/137 [5] and Procedures for maintaining agrochemical passport of fields, land, approved by the Ministry of Agrarian policy and Food of Ukraine on October 11, 2011 № 536 [3]. State budget of Ukraine previous years (2012-2104) allocation of funds for agrochemical certification of agricultural land had been made.

We emphasize the Land Code of Ukraine does not contain any legal norms that regulate social relations would in agrochemical certification of land.

The result an agrochemical certification is passport agrochemical field Agrochemical passport of field, land is a document that contains data on characteristics agrochemical of soil, state pollution by toxic substances and (para. 1.2 Order of the passport Agrochemical field).

T.K. Overkovska notes that, despite the mandatory certification of agrochemical, the law does not have a coercive effect on the failure of such

claims and no passport agrochemical field, land and fails to form a perfect mechanism for controlling the functions of the relevant services in binding of the establishment and maintenance of agrochemical. Therefore it is necessary to amend the legislation on legal liability for failure to comply with and agrochemical certification in the area of agricultural land.

According to Art. 37 of the Law of Ukraine «On Land Protection», agrochemical certification of data used in the regulation of land relations under: transfer of ownership or renting, including rent, land; change of ownership of land or land user; monetary valuation of land; determining the size of the land tax; monitoring the state of soil fertility.

According to the conduct of passport agrochemical field land, the presence agrochemical passport is required as in the provision of a permit for the removal and transfer of soil covering (topsoil) land plot, conservation and reclamation land in other cases determined by law (para. 3.5).

The need for regulation of the procedure of agrochemical certification of causes of the relevant law that would establish the foundations event agrochemical certification of agricultural land and ensure protection and rational use of land. Moreover, there is already a draft law «On state agrochemical certification of agricultural land».

Based on the above, we do conclude that agrochemical certification of agricultural land is an important measure to ensure the rational use and protection of land and soil cover, which is mandatory. For proper regulation agrochemical certification of land, it is necessary to consider the appropriate changes to the law, the law «On state agrochemical certification of agricultural land» and providing public funding of agrochemical certification of agricultural land.