

## **AGRICULTURAL PRODUCTS AS A CATEGORY OF AGRARIAN LAW OF UKRAINE**

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*The paper covers the issues of essence and content of agricultural products which is considered an agrarian-law category. The prospects of the named category legal determination are defined. The tendencies of doctrinal and legislative development of the agricultural products definition are certained. The essential features of agricultural products are distinguished; the concept of agricultural products is formulated.*

***Agrarian law, agrarian law categories, agricultural products, raw agricultural material, provisions.***

The description of agrarian law system requires, in particular, a certain revealing of agrarian-law categories essence. The latter are among the fundamentals of the agrarian law branch structure. It is considered that we should not only clarify the essence of agrarian-law categories, but also state their definitions. The research and improvement of definitions and categories are rather typical issues for the sake of agrarian law doctrine development and legal regulation of agrarian relationships improvement. We consider that the following agrarian-law categories are awaiting research: «agricultural activities», «agricultural products», «agricultural commodity producer» and «agricultural enterprise».

Within the framework of this particular paper me shall concentrate our attention upon the category of «agricultural products». Its position in the system of agrarian-law categories is determined by the following: 1)

agricultural products are among the main objects of agrarian legal relationships; 2) the «agricultural products» is mentioned while stating the definitions of other categories of agrarian law.

The legal issues of «agricultural products» category and criterion of leveling these or that material objects to the category of agricultural products have been researched by such scholars as O.M. Batygina, L.V. Bytsiura, S.I. Burlaka, Kh.A. Haidarzhy, V.M. Yermolenko, S.I. Marchenko, M.I. Palladina, V.Yu. Urkevych, V.I. Fedorovych and others.

This paper seeks to clarify the essence and concept content of agrarian-law category «agricultural products», to state a definition of this category, to reveal the prospect of legislative determination of «agricultural products» category.

The scholar community has no consensus of opinion about the essence and definition of the «agricultural products» category and about the classification of agricultural products. The Ukrainian legislation uses various definitions of «agricultural products» which are notable by differ content of notion and denotation. At the same time the legal acts mention that this or that definition is used only for purposes of this or that act. Such situation is inadmissible. The same legal category should not have differ content of notion and denotation, even though it is used in differ types of social relationships.

Recently the broad interpretation of «agricultural products» category has become more popular. According to this interpretation, «agricultural products» category involves not only agricultural products, but also the products of pisciculture and forestry, and also the products of primary processing of the mentioned raw stuff. Such interpretation is inherent in the Ukrainian legislation. The latter considers that raw material and products of primary processing are both enveloped by the «agricultural products» category. Ukrainian legislation state defines the enumeration of agricultural

products which is, on the whole, relevant to the legislative practice of the EU.

«Agricultural products» category is a legislatively defined enumeration of agriculture, pisciculture and forestry raw products and products of their primary processing.

«Agricultural products» category requires a unified legislative definition. Thus the real and prospective controversies of different legislative acts will be resolved. This will promote more efficient legal regulation of agrarian relationships and more efficient law-enforcement.