STATE REGULATION AND FINANCING
OF THE UKRAINIAN VINOGRAUNDATION MARKET
IN THE CONDITIONS OF EURO INTEGRATION

Abstract. In the context of the globalization of the wine market and the European integration of Ukraine into the World Trade Organization, the International Organization of Vine and Wine, the study of modern mechanisms of state regulation and financing of the wine and wine industry and ways to diversify relevant activities to ensure its sustainable development and competitive position of domestic grape products on the world market. The paper conducted a comprehensive analysis of the current state of the regulatory support of Ukraine’s viticulture, the features of the organizational and legal status of the subjects of grape production and their state support in order to identify ways of economic and legal development and finance the viticulture and winemaking industry and increase investment attractiveness. It was determined that one of the important conditions for the further development of viticulture is the improvement of production and economic relations. Through the production of grape products by business entities of various forms of ownership on the basis of their integration and cooperation, it becomes possible to make rational use of the limited economic resources of viticulture, increase efficiency and productivity, ensure production stability and expand the boundaries of financing. Also, in conditions of economic instability and investment unattractiveness of the viticulture industry, given its specificity, stable and effective financial government support plays a very important role, which should be evenly aimed at creating new plantings and ensuring the stability of the production and sale of grape products.

Keywords: economic development, investment, production, grapes products, financing, profit.

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Державне регулювання і фінансування ринку виноградарства України в умовах євроінтеграції

Анотація. В умовах глобалізації ринку вина і вступу України до Світової організації торгівлі, Європейського Союзу та Міжнародної організації винограду і вина, актуальність набуло дослідження механізмів державного регулювання і фінансування виноградарсько-виноробної галузі та шляхів диверсифікації відповідної діяльності з метою забезпечення її сталого розвитку та зайняття конкурентоздатного становища вітчизняної виноградної продукції на світовому ринку. Проведено комплексний аналіз сучасного стану нормативно-правового забезпечення виноградарства України, особливостей організаційно-правового статусу суб’єктів виробництва виноградної продукції та їхньої державної підтримки для визначення шляхів фінансування галузі виноградарства і підвищення інвестиційної привабливості. Визначено, що однією із важливих умов подальшого розвитку виноградарства й виноробства є удосконалення виробничо-господарських зв’язків виробництва виноградної продукції в господарствах різних форм власності на основі їхньої інтеграції та кооперації, у результаті яких стає можливим раціональне використання обмежених фінансових ресурсів виноградарських господарств, підвищення ефективності та продуктивності праці, забезпечення стабільності виробництва і розширення шляхів інвестування. Також в умовах економічної нестабільності та інвестиційної непривабливості галузі виноградарства, ураховуючи її специфіку, дуже велику роль відіграє стабільна та ефективна державна підтримка, яка повинна бути рівномірно спрямована на створення нових насаджень, так і на забезпечення стабільності процесу виробництва і реалізації виноградної продукції.

Ключові слова: економічний розвиток; інвестування; виробництво продукції; виноградна продукція; фінансування; прибуток.

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Государственное регулирование и финансирование рынка виноградарства Украины в условиях евроинтеграции

Анотация. В условиях глобализации рынка вина и евроинтеграции Украины во Всемирную торговую организацию, Международную организацию винограда и вина, актуальность приобрело исследование современных механизмов государственного регулирования и финансирования виноградарско-винодельческой отрасли и путей диверсификации соответствующей деятельности с целью обеспечения ее устойчивого развития и занятия конкурентного положения отечественной виноградной продукции на мировом рынке. Проведен комплексный анализ современного состояния нормативно-правового обеспечения виноградарства Украины, особенностей организационно-правового статуса субъектов производства виноградной продукции и их государственной поддержки для определения путей экономико-правового развития и финансирования отрасли виноградарства и виноделия и повышения инвестиционной привлекательности. Определено, что одной из важных условий дальнейшего развития виноградарства является совершенствование производственно-хозяйственных связей. Путем производства
виноградной продукции субъектами предпринимательской деятельности различных форм собственности на основе их интеграции и кооперации становится возможным рациональное использование ограниченных экономических ресурсов виноградарских хозяйств, повышения эффективности и производительности труда, обеспечения стабильности производства и расширение границ финансирования. Также в условиях экономической нестабильности и инвестиционной непривлекательности отрасли виноградарства, учитывая ее специфику, очень большую роль играет стабильная и эффективная финансовая государственная поддержка, которая должна быть равномерно направлена как на создание новых насаждений, так и на обеспечение стабильности процесса производства и реализации виноградной продукции.

Ключевые слова: экономическое развитие; инвестирование; производство продукции; виноградная продукция; финансирование; прибыль.

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Introduction. The agro-food sector is the most powerful potential of Ukraine's economic development. One of the important and economically and financially attractive parts of this sector is the wine-growing and wine-growing industry, which at the time of its development provided significant revenues to the state budget, significantly influenced the level of socio-economic development of wine-growing regions and represented high-quality and competitive products on the world market. The study of the political and economic situation of the last decade in the country, which had a very negative effect on the development of viticulture and winemaking, the study of ways to diversify the activities in the current conditions to ensure its sustainable development has become relevant.

Analysis of research and problem statement. The purpose of this work is to provide a comprehensive analysis of the current state of the legal framework for viticulture and winemaking, the peculiarities of the legal status of vine producers and their state support for identifying ways of economic and legal development of the wine-growing and winemaking industry and enhancing investment attractiveness.

The study of the problems of the development of the wine-growing and wine-making industry of the agroindustrial complex of Ukraine is devoted to the work of scientists-economists such as AM Avidzb, S.G. Cheremisina, O.M. Garkusha, IG Matchina, Yu.V. Tintulov and others, but the consideration of these problems has not been given enough attention in the legal plane, so this research is urgent and necessary.

Research results. In the context of the European integration and globalization of the wine market and the accession of Ukraine to the World Trade Organization, the European Union and the International Organization of Vine and Wine, the development and implementation of mechanisms for economic development and financing of the wine-growing and wine-making sector has become very acute, since without this it is not possible to raise wine production from the crisis I will establish and establish a competitive position of domestic grape produce in the world market. The wine-growing and wine-making sector is a promising component for the systematic, sustainable and efficient development of the Ukrainian agrarian sector. Despite the exceptionally favorable soil and climatic conditions for the cultivation of grapes and the production of high-quality wines, there are adverse development trends that are associated in most cases with insufficient funding and imperfection of the current legislative framework: permanent reduction of areas under vineyards; reduction of grape processing in some regions of Ukraine; an increase in the price of purchases of grapes for processing as a result of rising prices for grapes; Reduced production of wines (Shumilo, 2006).

In order to achieve the corresponding socio-economic results of the development of viticulture within the scope of this work, it is advisable to investigate the peculiarities of the legal maintenance of the functioning of the wine-growing and wine-growing agro-food subcomplex of Ukraine, the peculiarities of the organizational and legal status of producers of grape produce and measures of state support for viticulture and winemaking, as well as highlighting urgent braking problems. domestic production of grape produce and restrain the investment attractiveness of the industry.

The regulation of relations in the field of the production of viticulture and winemaking in
Ukraine is carried out on the basis of the Laws of Ukraine «On grapes and grape wine» dated July 16, 2005 (Zakon, 2006), «On the state regulation of production and circulation of ethyl alcohol, cognac and fruit, alcoholic beverages and tobacco products» of 19 December 1995 (Zakon, 1995), the Land Code of Ukraine of 25 October 2001 (Land Code of Ukraine, 2001), the Commercial Code of Ukraine of January 16, 2003 (Economic Code of Ukraine, 2003) and a large number of subordinate legal acts, the share of which will be indicated as research relates. Thus, the specifics of the legal regulation of the aforementioned relations are the absence of a single special legal act despite the existence of the Law «On Grapes and Grape Wine», which would cover a sufficient range of relations for the organization of efficient functioning of the wine-growing and wine-making industry. First of all, this is due to the peculiarities of the legal regulation of viticulture as an agricultural activity. It is a multi-faceted process that cannot be unified at the same level due to the presence of a large array of special regulations, which are partly related to the regulation of the relevant sphere, such as: ensuring quality and safety of food products, the characteristics of organic production, the use of genetically modified organisms, insurance, taxation, state support, etc. The specified specificity due to inconsistency and a large amount of normative material causes the difficulties of displaying the peculiarities of the legal provision of the process of a single chain of production of grape and wine products «from the lawn to the table» and adversely affects the development of the industry.

The organizational and legal status of the subjects of relations, which are formed in the process of production of grape produce, within the scope of this work should be considered by the features of legal support for their activities depending on the type of products they produce, namely:

Proceeding from the content of the Law of Ukraine «On grapes and grape wine», the producers of grapes are legal and natural persons whose economic activity is aimed at the production of technical and table grape varieties that have registered their grape plantations in the central executive body on agrarian policy and food, which determines the allocation of in-kind zones of grape production, which regulates the varietal composition of grape cultivation in accordance with the specialization of the district of viticulture and zaya lennyh categories of wine.

Producer of the planting material of grapes in accordance with the Law of Ukraine «On Seeds and Planting Material» of December 26, 2002 (Zakon, 2002), actors of seedlings — entrepreneurs and legal entities who produce the planting material for its implementation, subject to the observance of rights the intellectual property of plant varieties according to the Law of Ukraine «On the Protection of the Rights of Plant Varieties» of April 21, 1993 (Zakon, 1993) and their inclusion in the Register of Seed and Plant Seed.

The production of winemaking products in Ukraine is carried out by the subjects of entrepreneurial activity, regardless of the forms of ownership in Art. 4 of the Law of Ukraine «On Grapes and Grape Wine». According to the production-technological specialization, they are classified into: a) enterprises of primary winemaking, processing grapes, production of wine materials, wort or canned juice, grape juice concentrate, and dealing with endurance of wine materials and waste utilization of winemaking; b) enterprises of secondary winemaking, which deal with endurance, processing of wine materials and bottling of wines, or only by bottling of wines in dishes according to normative documents; c) small-scale production of wine-making products - business entities engaged in the full cycle of production without the addition of alcohol production and bottling in consumer wares of grape wines or fruit wines in a volume not exceeding 10,000 decaliters per year from wine materials exclusively own production (not purchased), obtained by processing fruits, berries, grapes of own production.

The subjects of winemaking in accordance with the Law of Ukraine «On State Regulation of Production and Circulation of Ethyl, Cognac and Fruit Alcohol, Alcoholic Beverages and Tobacco Alcohol» of December 19, 1995 (Zakon, 1995) must meet the following requirements:

First, business entities, production workshops, sections, laboratories and other structural divisions that manufacture and control the production of alcoholic beverages, except for small wineries, are subject to obligatory certification in order to comply with the requirements established by the current legislative acts Ukraine regarding the provision of life and health of people, protection of the environment, as well as compliance with sanitary, fire, environmental norms and rules. Secondly, producers of wine products should be entered in the Uniform State Register of producers of ethyl alcohol, cognac and fruit, ethyl alcohol rectified grapes, ethyl alcohol rectified
fruit, distillate of grape alcohol, alcohol-raw fruit, alcoholic beverages and tobacco products which is maintained by the central body the executive power, authorized by the Cabinet of Ministers of Ukraine, and to the Uniform State Register of places of storage, which is conducted by the bodies of incomes and fees. Thirdly, entrepreneurs who produce wines, depending on the type of their statutory activities, must obtain appropriate licenses (for production alcoholic beverages, their export, import, for the right of wholesale or retail trade). A business entity that has received a license for the production of alcoholic beverages, in particular grape wines, and produces them from wine materials of its own production (not purchased), is entitled to carry out wholesale trade in said alcoholic beverages without obtaining a separate license for such wholesale trade.

Speaking about subjects, one of the important conditions for the further development of viticulture and winemaking is the improvement of production and economic relations of the production of grape produce in farms of different forms of ownership on the basis of their integration and cooperation. The grape producer is the subject of a production process that is subject to economic pressure on the part of representatives of the spheres of the wine industry, retailers, as well as producers and suppliers of means of production, which results in the distribution of income between the links of the grape and winemaking subcomplex does not correspond to the ratio of their contributions to obtaining the final product (Samsonova, 2011). Therefore, integration processes of grape production, its processing and realization are very important in viticulture, as a result of which rational use of limited economic resources of the wine-growing economy, increase of efficiency and productivity of labor, ensuring of stability of production and expansion of investment ways becomes possible. In the conditions of economic instability and investment attractiveness of the viticulture industry, taking into account its specificity, stable and effective state support is of great importance for development, the directions of which are defined in the Procedure for using the funds provided for in the state budget for the development of viticulture, horticulture and hoppers, approved by the decision of the Cabinet of Ministers of Ukraine July 15, 2005 No. 587 (Postanova, 2005). Thus, at the order of the Ministry of Agrarian Policy of March 12, 2018, No. 131 (Nakaz, 2018), in the current 2018, state support was provided to compensate for the cost of purchasing planting material of fruit and berry crops, grapes and hops (up to 80 percent of the current and previous budget years of expenses without taking into account amounts of value added tax). However, it should be emphasized that the most acute problem of the wine-growing industry is not the laying of new vineyards, but the maintenance of existing ones. Therefore, the priority types of state support for the next years in the direction of 2801350 should be those aimed at supporting the process of production (cultivation) and sale of grapes, the Government continued to support the industry in 2019 and foreseen for the financing of the program 400 million UAH (Budget 2019).

Conclusions. Summing up, we can draw the following conclusions. Among the ways and means of solving the problems existing in the investigated sphere of economic activity, provided by the Branch program of the development of viticulture and winemaking of Ukraine for the period up to 2025 (Nakaz, 2008), one of the priority directions was determined by the innovation-investment strengthening of the material and technical base of grape-winemaking and creation of organizational and legal conditions for the development of parity relations between the agrarian sector and other industries. Consequently, the main task of forming the sustainable development of the vine-wine industry and creating favorable conditions, namely, the attraction of financing and improvement of the mechanisms of state support in this area, especially in the field of innovation activity, and the development of promising organizational and legal forms of business entities on the basis of integration and cooperation, in particular through the creation of grape and wine-growing clusters.

Література
