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Infectious Animal Disease Control Act¹

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RT I 1999, 57, 598

Entered into force in accordance with § 65

Amended by the following acts

Passed	Published	Entry into force
16.12.1999	RT I 1999, 97, 861	01.01.2000
11.10.2000	RT I 2000, 82, 526	02.11.2000
13.12.2000	RT I 2001, 3, 4	01.07.2001
17.10.2001	RT I 2001, 88, 531	01.07.2002
14.11.2001	RT I 2001, 93, 566	01.01.2002
Consolidated text in paper version of Riigi Teataja		
19.06.2002	RT I 2002, 61, 375	01.08.2002
19.06.2002	RT I 2002, 63, 387	01.09.2002
06.11.2002	RT I 2002, 96, 566	01.01.2003
17.03.2004	RT I 2004, 19, 135	01.04.2004, in part01.05.2004
22.04.2004	RT I 2004, 34, 236	01.05.2004
16.06.2005	RT I 2005, 37, 286	01.07.2005
26.10.2005	RT I 2005, 61, 477	01.12.2005
20.04.2006	RT I 2006, 21, 162	01.06.2006
06.12.2006	RT I 2007, 1, 1	01.02.2007
24.01.2007	RT I 2007, 12, 66	01.01.2008
14.02.2007	RT I 2007, 22, 114	01.07.2007
13.12.2007	RT I 2007, 70, 428	01.01.2008
13.12.2007	RT I 2007, 70, 428	01.04.2008
18.12.2008	RT I 2009, 3, 15	01.02.2009
10.06.2009	RT I 2009, 34, 224	01.01.2010
15.06.2009	RT I 2009, 39, 262	24.07.2009
30.09.2009	RT I 2009, 49, 331	01.01.2010
26.11.2009	RT I 2009, 62, 405	01.01.2010
09.12.2009	RT I 2009, 64, 422	01.01.2010, in part01.01.2011
22.04.2010	RT I 2010, 22, 108	01.01.2011, will enter into force on the date specified in the decision of the Council of the European Union concerning abrogation of the derogation established with regard to the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Decision No. 2010/146/EU of the Council of the European Union of 13 July 2010 (OJ L 196, 28.07.2010, pp. 24-26).
17.02.2011	RT I, 02.03.2011, 1	04.03.2011
23.02.2011	RT I, 25.03.2011, 1	01.01.2014; date of entry into force amended01.07.2014 [RT I, 22.12.2013, 1]

08.12.2011	RT I, 29.12.2011, 1	01.01.2012 in part 01.01.2014 and 01.11.2014; date of entry into force amended 01.07.2014 [RT I, 22.12.2013, 1]
05.12.2012	RT I, 18.12.2012, 2	01.01.2013
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
12.06.2014	RT I, 29.06.2014, 2	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the ministers' official titles have been replaced on the basis of subsection 107 ³ (4) of the Government of the Republic Act.
10.12.2014	RT I, 30.12.2014, 1	01.01.2015
18.02.2015	RT I, 23.03.2015, 5	01.07.2015
11.06.2015	RT I, 30.06.2015, 4	01.09.2015, the words 'Ministry of Agriculture' have been replaced with the words 'Ministry of Rural Affairs' on the basis of subsection 1074 (2) of the Government of the Republic Act.
18.11.2015	RT I, 04.12.2015, 1	14.12.2015, in part 01.01.2017
08.06.2016	RT I, 16.06.2016, 3	26.06.2016

Chapter 1 GENERAL PROVISIONS

§ 1. Scope of application of Act

(1) This Act provides measures for infectious animal disease control and regulates the application of such measures and payment of compensation for damage caused by infectious animal diseases.

(2) The purpose of measures for infectious animal disease control is to prevent and eradicate infectious diseases of animals and protect humans against diseases which are common to both animals and humans or which are spread by animals.

(3) The provisions of the Administrative Procedure Act apply to the administrative proceedings laid down in this Act, taking account of the specifications provided for in this Act.

(3¹) The Law Enforcement Act applies to the state supervision exercised on the basis of this Act, taking account of the specifics of this Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) The Government of the Republic or the minister responsible for the field may establish, within the limits of their competence, legislation for implementation of infectious animal disease control measures in matters which, in accordance with the legislation of the European Union, a Member State has the right to decide.

[RT I 2005, 37, 286 – entry into force 01.07.2005]

§ 2. Animal

[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

(1) For the purposes of this Act, the terms 'animal', 'products of animal origin', 'handling of products of animal origin' and 'animal waste' are used as defined in § 2 of the Veterinary Activities Organisation Act.

[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

(2) The provisions of this Act concerning domestic animals apply to all animals living in artificial conditions (including wild animals kept in artificial conditions), and the provisions concerning wild animals apply to animals living freely in the wild.

(3) For the purposes of this Act, 'slaughter animal' means an animal designated for slaughter for the purposes of producing meat or meat products.

(4) For the purposes of this Act, 'animal by-products' means animal by-products as defined in Article 3(1) of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as

regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (OJ L 300, 14.11.2009, pp. 1-33).
[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

(5) For the purposes of this Act, ‘derived products’ means derived products as defined in Article 3(2) of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.
[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

§ 3. Infectious animal disease

(1) An animal disease is deemed to be an infectious animal disease if it is caused by biological pathogens which, either directly or through the environment, may be transmitted from one animal to another or from an animal to a human or vice versa. For the purposes of this Act, widespread animal diseases which are caused by non-transmissible agents are also deemed to be infectious animal diseases.

(2) [Repealed – RT I 2005, 37, 286 – entry into force 01.07.2005]

(3) For the purposes of this Act, an infectious animal disease is deemed to be especially dangerous if it is caused by a pathogen which is likely to spread rapidly in animal populations, cause widespread outbreaks of disease and high mortality rates or may cause significant financial loss, or if the infectious animal disease constitutes a serious threat to human life or health.

§ 4. Keeper of animals

For the purposes of this Act, a keeper of an animal is a person who owns an animal (the owner of an animal) or who, on the basis of a commercial lease or another relationship with the owner of the animal, is engaged in keeping an animal.

[RT I 2002, 96, 566 – entry into force 01.01.2003]

§ 5. State veterinary supervision

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) State supervision over the compliance with the requirements arising from this Act and legislation established on the basis thereof (hereinafter *state supervision*) is exercised in accordance with the procedure provided for in the Veterinary Activities Organisation Act, unless otherwise provided by this Act.

(2) State supervision over the compliance with the requirements of the relevant legislation of the European Union, this Act and legislation established on the basis of this Act is exercised by the Veterinary and Food Board.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 6. Rights and obligations of veterinarians

(1) A veterinarian holding the professional activity licence of a veterinarian (hereinafter *veterinarian*) is required to direct the attention of keepers of animals and handlers of products of animal origin, animal by-products and derived products to violations of the requirements arising from the legislation of the European Union, this Act and legislation established on the basis of this Act, and make proposals for elimination of deficiencies.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

(2) In the event of the outbreak of an especially dangerous infectious animal disease, a veterinarian is required to cooperate with the law enforcement authority in order to prevent the spread of and eradicate the infectious animal disease.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) If the Veterinary and Food Board requires the assistance of a veterinarian for the purpose of an activity aimed at controlling an infectious animal disease, the Board will indicate it on its website, describing the activity aimed at controlling the disease. A veterinarian will be remunerated for participating in the activity aimed at controlling the disease.

(4) The rates of and the procedure for remuneration of veterinarians participating in activities aimed at controlling infectious animal diseases will be established by the minister responsible for the field.

[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

Chapter 2

PREVENTION OF INFECTIOUS ANIMAL DISEASES

Division 1 Keeping of Animals

§ 7. Veterinary requirements for keeping animals

(1) The locations, designs, technology and microclimate of livestock buildings and facilities and of areas which are enclosed for the keeping of animals must comply with veterinary requirements. Designs involving new construction works and fundamental technological restructuring must be approved by the Veterinary and Food Board.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(1¹) A place is deemed to be a livestock building or facility or an area enclosed for keeping animals if the purposes of keeping animals therein are the following:

- 1) production of products of animal origin;
- 2) breeding;
- 3) intermediation for sale and for delivery in any other manner for a charge or without charge;
- 4) forming of consignments of animals;
- 5) display to the public, or other entertainment purposes aimed at the public;
- 6) preservation of a species;
- 7) scientific research.

(2) Veterinary requirements for livestock buildings and facilities and for areas which are enclosed for keeping animals, and for keeping animals therein will be established by the minister responsible for the field. The requirements for breeding fish, molluscs (phylum *Mollusca*) and crustaceans (class *Crustacea*) and the requirements for activities relating to animals and the reproduction of animals, such as the production and incubation of hatching eggs, the collection of semen, the collection and transplantation of embryos and other similar activities, are also deemed to be veterinary requirements for keeping animals.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(2¹) A person who has competent staff (hereinafter *embryo collection team*) equipped with a laboratory where embryos can be handled in compliance with the requirements and with other necessary equipment may engage in the collection, treating and storage of embryos and *in vitro* fertilisation of ova (hereinafter *handling embryos*). The embryo collection team consists of a veterinarian (hereinafter *veterinarian of an embryo collection team*) competent to handle embryos in accordance with the requirements and one or several specialists trained by the veterinarian of the embryo collection team in the use of the methods and practices that comply with the requirements.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(2²) Embryos may be handled by the veterinarian of an embryo collection team or by a specialist under the supervision of the veterinarian of the embryo collection team. The embryo collection team must maintain records concerning handling embryos. The requirements for the maintenance of records concerning handling embryos, for persons engaged in handling embryos and for embryo collection teams will be established by the minister responsible for the field.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(2³) [Repealed – RT I 2004, 19, 135 – entry into force 01.04.2004]

(2⁴) [Repealed – RT I 2004, 19, 135 – entry into force 01.04.2004]

(2⁵) [Repealed – RT I 2004, 19, 135 – entry into force 01.04.2004]

(2⁶) [Repealed – RT I 2004, 19, 135 – entry into force 01.04.2004]

(3) [Repealed – RT I 2009, 64, 422 – entry into force 01.01.2010]

(4) [Repealed – RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 7¹. Biosafety measures

(1) For the purpose of preventing an infectious animal disease, a keeper of animals will take the following biosafety measures:

- 1) organisation of the movement of persons and means of transport;
- 2) denial of third party access to livestock buildings and facilities and to areas enclosed for keeping animals;

- 3) with regard to a person who has arrived from a foreign state, denial of access to livestock buildings and facilities and to areas enclosed for keeping animals until 48 hours have passed from the arrival of the person in Estonia from the foreign state;
- 4) keeping an animal to be included in the herd separately from other animals based on the animal's disease status;
- 5) separating a sick animal from healthy ones;
- 6) organisation of handling feedingstuffs, litter and other materials that possibly carry infections, and regular cleaning and disinfection of the materials;
- 7) regular rodent and insect control;
- 8) restriction of wild and domestic animal access to livestock buildings and facilities and to areas enclosed for keeping animals, and other relevant measures that are necessary for controlling the spread of animal diseases.

(2) In the event and within the time provided for in the infectious animal disease control rules, the keeper of animals draws up a biosafety plan regarding the biosafety measures to be taken in a livestock building and construction works and in an area enclosed for keeping animals.

(3) The biosafety plan must specify the biosafety measures taken in a livestock building and construction works and in an area enclosed for keeping animals and keep account of the application of the measures at all times. The biosafety plan is preserved for a term of two years after the expiry of the obligation to implement it.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

§ 8. Medical examination of persons involved in keeping of farm animals or handling of products of animal origin

[RT I 2007, 1, 1 - entry into force 01.02.2007]

The Communicable Diseases Prevention and Control Act applies to medical examination of persons involved in the keeping of farm animals and handling products of animal origin.

[RT I, 04.12.2015, 1 - entry into force 01.01.2017]

§ 9. Obligations of keepers of animals

A keeper of animals must:

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

1) inform a veterinarian immediately of the death of bovine animals over 24 months of age and ovine and caprine animals over 18 years of age, a widespread outbreak of an animal disease or the widespread death of animals;

1¹) inform an authorised veterinarian servicing the area or a local office of the Veterinary and Food Board of a slaughter for personal use of bovine animals over 24 months of age and ovine and caprine animals over 18 years of age not later than twenty-four hours in advance;

2) inform the law enforcement authority or an authorised veterinarian if an animal belonging to the keeper has been attacked by a wild animal;

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

3) comply with requirements arising from this Act and legislation established on the basis thereof for the prevention and control of infectious animal diseases as well as observe the restrictions established due to the occurrence of an animal disease.

[RT I 2005, 61, 477 – entry into force 01.12.2005]

Division 2 Identification and Registration of Animals

§ 10. Methods of identification

(1) The methods of animal identification include the marking of animals, description of animals or determination of ownership of animals.

(2) The marking of an animal is the marking thereof with a permanent and unique artificial feature which permits identification of the animal.

(3) The description of animals for identification purposes is used for animals whose marking is impossible or impractical.

(4) If it is impossible or impractical to mark animals and if a description cannot be prepared due to the close external similarity of the individuals of the animal species, the animals will be identified based on ownership.

(5) For the purposes of identification based on ownership, an animal is deemed to belong to the person in whose possession, including in whose enclosed territory, or in a structure or facility belonging to whom the animal is, unless a person interested in ownership of the animal proves otherwise.

§ 11. Identification of domestic animals and register of farm animals

(1) Owners of animals are required to guarantee the identifiability of their domestic animals in accordance with § 10 of this Act. The equipment for identification will be issued at the expense of the keeper of animals. Keepers of animals are required to maintain records concerning the farm animals kept and register the animals in the state register in accordance with the procedure provided for in this Act and legislation established on the basis thereof. Local authorities will organise the maintenance of records concerning dogs and, where necessary, of other household pets.

(2) The list of species of farm animals that are subject to identification, the method and procedure for the identification and registration of such animals, the manners of and procedure for registration of the data of farm animals, the procedure for issue of registration certificates and the format of cattle passports and the rules of accounting farm animals will be established by the minister responsible for the field.
[RT I 2009, 64, 422 – entry into force 01.01.2010]

(2¹) Bovine animals are identified and registered in accordance with Regulation No. 1760/2000/EC of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (OJ L 204, 11.08.2000, pp. 1–10).

(2²) Ovine and caprine animals are identified and registered in accordance with Regulation (EC) No. 21/2004 of the European Parliament and of the Council establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC (OJ L 5, 09.01.2004, pp. 8–17).
[RT I 2009, 64, 422 – entry into force 01.01.2010]

(3) The register of farm animals is a state register founded in accordance with the Databases Act on the proposal of the minister responsible for the field.
[RT I 2007, 12, 66 – entry into force 01.01.2008]

(4) The chief processor of the register of farm animals is the minister responsible for the field and the authorised processor is the Agricultural Registers and Information Board.

(5) Information submitted by a keeper of animals regarding farm animals subject to registration as well as regarding livestock buildings, livestock facilities and areas enclosed for keeping animals, where the animals specified in subsection (1) of this Act are kept, are registered in the register of farm animals. An official of the authorised processor will submit to the register the geographical coordinates of the livestock building and facility and of the area that is enclosed for keeping animals, which are to be entered in the register.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(5¹) The Agricultural Registers and Information Board will refuse to make an entry to the register of farm animals if a person has knowingly given false information or if, in accordance with § 65 of the Animal Protection Act, a person has been deprived of the right to keep such species of farm animals.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(6) If the relevant service has been made available in the data exchange layer of the information systems of the state, no digital signature needs to be added to an application for entry or amendment of data in the register of farm animals submitted to the Agricultural Registers and Information Board via the data exchange layer of the information systems of the state.
[RT I 2007, 70, 428 – entry into force 01.01.2008]

(7) The provisions of the General Part of the Economic Activities Code Act regulating registers apply to the register of farm animals, taking account of the specifics provided for in this Act.
[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

§ 11¹. Entry in register of farm animals of information concerning slaughterhouses and establishments or plants where animal by-products and derived products are handled

(1) In addition to the information specified in subsection 11 (5) of this Act, information on the approved slaughterhouse of an operator that has received an activity licence and on the establishment or plant handling animal by-products and derived products, which belongs to an operator that has submitted a notice of economic activities, is entered in the register of farm animals. The Veterinary and Food Board will submit the information to the authorised processor without delay. The authorised processor will determine the geographical coordinates of the establishment or plant and enter them in the register.
[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(2) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(3) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(4) The submitter of information is responsible for the correctness of the information specified in subsection 11 (5) of this Act and subsection (1) of this section. If information entered in the register changes, the submitter thereof will promptly apply for amendments in the register.
[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

§ 12. Domestic animals without owner and loose domestic animals

(1) An unidentified domestic animal whose owner cannot be ascertained is deemed to be a domestic animal without an owner.

(2) An animal which, without the attendance of the owner or person responsible for the animal, is outside the territory which belongs to the keeper of the animal or is at the disposal thereof is deemed to be a loose domestic animal.

(3) Local authorities organise the capture, keeping and killing of domestic animals without an owner in accordance with the Animal Protection Act. The capture of a loose domestic animal will be organised by the keeper of the animals. If the capture of a loose domestic animal was organised by the local authority, expenses related to the capture and keeping of the domestic animal will be covered by the owner of the animal.

Division 3 Veterinary Requirements for Movement of Animals and for Organisation of Animal Exhibitions, Competitions, Fairs, Auctions and Other Public Events Involving Bringing Animals Together

[RT I 2009, 64, 422 - entry into force 01.01.2010]

§ 13. Movement of farm animals

[RT I 2004, 19, 135 – entry into force 01.04.2004]

(1) For the purposes of this Act, ‘movement of farm animals’ means the temporary or permanent change of the location of farm animals upon transfer of the animals or for another reason that causes animals to be taken from one herd to another.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(2) It is prohibited to remove animals from an area or herd in which restrictions on the movement of animals have been established due to the suspicion or occurrence of an infectious animal disease.

(3) For the purposes of this Act, a farm animal or a group of farm animals that are kept in one establishment or plant as an epidemiological unit is deemed to be a herd. If more than one herd is kept in one establishment or plant, each herd will form a separate epidemiological unit that has the same animal health status.

(4) Only clinically healthy animals which have been identified and registered in accordance with the procedure established on the basis of § 11 of this Act and which comply with the requirements provided for in this Act and legislation established on the basis thereof are permitted to be removed from a herd.

(4¹) Upon removal of a bovine animal from the herd, the animal will be accompanied by a cattle passport, which sets out the details of the animal, such as veterinary procedures performed on the animal, the movement of the animal and the keeper of the animal. Information concerning the movement of a bovine animal and the keeper of the animal will be entered in the cattle passport by the keeper of the animal if the animal is removed from or moved to the herd. Information on veterinary procedures performed on the animal will be entered in the cattle passport by an authorised veterinarian.

(5) The minister responsible for the field will establish the procedure for moving animals from one herd to another and for sending animals to a slaughterhouse and the veterinary requirements regarding such animals.

(6) [Repealed – RT I 2004, 19, 135 – entry into force 01.04.2004]

§ 13¹. Non-commercial movement of pet animals

(1) For the purposes of this Act, ‘non-commercial movement of pet animals’ means the activity specified in Article 3(a) of Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003 (OJ L 178, 28.06.2013, pp. 1–26).

(2) The non-commercial movement of pet animals between the Member States of the European Union and from a country or territory located outside the customs territory of the European Union to Estonia takes place in accordance with the requirements of Regulation (EU) No 576/2013 of the European Parliament and of the Council.

(3) For the purposes of Regulation (EU) No 576/2013 of the European Parliament and of the Council, the competent authority is the Veterinary and Food Board, except in the events specified in Articles 11 and 33–35 of the same Regulation, whereby the Tax and Customs Board is the competent authority.

(4) The non-commercial movement of pet animals to Estonia from a country or territory located outside the customs territory of the European Union, which is not included in the list drawn up in accordance with Article 13(1) or Article 15 of Regulation (EU) No 576/2013 of the European Parliament and of the Council takes place via a border inspection post located on the external border of the European Union and opened for international traffic, including travellers, on the basis of the State Borders Act.

(5) The non-commercial movement of pet animals that comply with the conditions set out in Article 7(1) and Article 11(1) of Regulation (EU) No 576/2013 of the European Parliament and of the Council to Estonia is permitted on the conditions established in Article 7(2) and Article 11(2) of the Regulation.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

§ 13². Identification document of pet animal

(1) In the events specified in Regulation (EU) No 576/2013 of the European Parliament and of the Council, the pet animal must, upon the non-commercial movement of the pet animal, be accompanied by an identification document issued by a veterinarian, which complies with the requirements of the Regulation.

(2) For the purposes of Article 3(g) of Regulation (EU) No 576/2013 of the European Parliament and of the Council, ‘authorised veterinarian’ means a veterinarian specified in subsection 1 (3²) of the Veterinary Activities Organisation Act.

(3) The Veterinary and Food Board organises the printing and issuing of blank pet animal identification documents and keeping account thereof.

(4) The person who issued blank pet animal identification documents keeps accounts that indicate the number of the blank document in accordance with Article 21(3) of Regulation (EU) No 576/2013 of the European Parliament and of the Council and the name and contact details of the veterinarian whom the blank document was issued.

(5) The veterinarian issuing pet animal identification documents preserves the data specified in Article 21(1)(a)-(c) and Article 21(3) of Regulation (EU) No 576/2013 of the European Parliament and of the Council and the person issuing blank identification documents preserves the data specified in subsection (4) of this section for at least ten years as of the issue of the pet animal identification document or the blank thereof.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

§ 14. Veterinary requirements for organisation of animal exhibitions, competitions, fairs, auctions and other public events involving bringing animals together

(1) Clinically healthy animals which comply with the veterinary requirements may be brought to an animal exhibition, competition, fair, auction or another public event involving bringing animals together (hereinafter *event*). The organiser of the event will involve a veterinarian who will examine the health status of the animal brought to the event, the animal’s compliance with the veterinary requirements and the animal’s wellbeing during the event.

(2) Upon taking an animal from an event to the permanent place of keeping the animal, the keeper of animals will take the relevant biosafety measures set out in § 7¹ of this Act.

(3) The Veterinary and Food Board in whose supervisory territory an event is to take place will be informed thereof by the organiser of the event not later than ten days before the start of the event.

(4) The notice of an event must set out the following information:

- 1) the type of the event (animal exhibition, competition, fair, auction or another public event involving bringing animals together);
- 2) the start and end dates of the event;
- 3) the place of the event;

- 4) the types of the animals to be brought to the event;
- 5) the country and region of origin of the animals to be brought to the event;
- 6) the name and contact details of the veterinarian who is to check the health status of the animal and the compliance of the animal with the veterinary requirements at the event and the wellbeing of the animal during the event;
- 7) the name and contact details of the organiser of the event.

(5) The local office of the Veterinary and Food Board will keep account of events organised in its supervisory territory, registering valid notices that have been submitted within the prescribed term. Information about events will be public and it will be preserved for three years as of the date of registration of the event.

(6) The Veterinary and Food Board may prohibit the bringing together of certain species of animals or their use in an event if the risk of the spread of an infectious animal disease has become evident following a risk analysis.

(7) The Veterinary and Food Board will immediately inform the organiser and, if necessary, the public via the mass media, of the prohibition on bringing animals of a certain species together or on using them at the event. After learning of the prohibition on bringing the animals together or on using them at the event, the organiser will inform the participants thereof.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 15. Persons trading in farm animals and veterinary requirements for trading in animals

(1) A person trading in farm animals (hereinafter *dealer*) is a natural or legal person who directly or indirectly buys and sells bovine animals, swine, ovine and caprine animals for commercial purposes, earns permanent turnover from trading in the specified animals and resells the acquired animals within up to 29 days or places animals from the establishment or plant of the seller to the establishment or plant of another keeper of animals, and complies with the requirements established to the person.

(2) The requirements for the establishments or plants of dealers of farm animals will be established by the minister responsible for the field.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

Division 4

Veterinary Requirements for Animals, Products of Animal Origin, Animal By-products and Derived Products

[RT I, 02.03.2011, 1 - entry into force 04.03.2011]

§ 16. Veterinary requirements for transportation

(1) Farm animals and products of animal origin must be transported using means of transport prescribed or adapted for such purpose. Upon transportation of animals, pollution of the environment with animal droppings must be avoided. After each transportation of farm animals or, if necessary, before the next transportation of animals, if goods which may be harmful to the health of animals have been transported by a means of transport, the means of transport must be cleaned and disinfected with a disinfectant included in the list published on the website of the Veterinary and Food Board. A disinfectant not included in the list may be used with the permission of the law enforcement authority.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) Animals affected or suspected of being affected by a disease will be transported as a separate load under the supervision of a veterinarian. If an animal falls ill during transportation, the carrier will immediately inform the veterinarian thereof.

(3) The carrier will ensure the cleaning and disinfection of the means of transport and the stacking of used litter.

(4) The carrier will keep account of the date, time and place of loading and unloading farm animals, the species and number of the farm animals transported, the consignor and consignee of the animals, the details of the consignment documents, and the time and place of cleaning and disinfecting the means of transport. In the event of transportation of aquaculture animals, the carrier will also keep account of the exchange of water in the course of transportation, indicating, among other things, the place where the water was exchanged. These documents will be preserved for at least three years.

[RT I, 02.03.2011, 1 – entry into force 01.01.2011]

Division 5

Handling Products of Animal Origin, Animal By-products and Derived Products

[RT I, 02.03.2011, 1 - entry into force 04.03.2011]

§ 17. [Repealed – RT I 2004, 19, 135 - entry into force 01.05.2004]

§ 17¹. Veterinary requirements for slaughter animals, products of animal origin and handling thereof

(1) A handler will ensure that the veterinary requirements for handling slaughter animals and products of animal origin are complied with in slaughterhouses and establishments or plants handling products of animal origin.

(2) Animals may be slaughtered and products of animal origin may be handled in accordance with the requirements established by Council Regulation (EC) No. 1099/2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, pp. 1-30) and Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin (OJ L 139, 30.04.2004, pp. 55-205), provided that the animals and the products have been inspected in accordance with the requirements of Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L 139, 30.04.2004, pp. 206-320).

[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(3) In the events specified in Articles 1(3)(d) and (e) of the Regulation (EC) No. 853/2004 of the European Parliament and of the Council, an animal may be slaughtered and products of animal origin may be handled in accordance with the requirements established on the basis of subsection 26 (3) of the Food Act and Article 1(4) of the Regulation (EC) No. 853/2004 of the European Parliament and of the Council.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

(4) There must not be any suspicion of an animal disease regarding an animal to be sent to a slaughterhouse, except for an aquaculture animal, and the animal must originate from a herd on which no restriction of movement has been imposed due to the occurrence or suspicion of an animal disease has been imposed. An aquaculture animal to be slaughtered must not show any clinical signs of an animal disease.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

(5) The veterinary requirements for products of animal origin and handling thereof will be established by the minister responsible for the field. These requirements do not apply to products of animal origin originating from diseased or suspect animals and to the handling thereof.

(5¹) The veterinary requirements of establishments or plants engaged in slaughtering aquaculture animals to be slaughtered for the purpose of animal disease control will be established by the minister responsible for the field.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(6) In the event of the outbreak of an infectious animal disease, persons engaged in slaughtering or killing animals and handling products of animal origin are required to take, in their area of handling in accordance with a precept of the Veterinary and Food Board, the measures applied for the control of the infectious animal disease, e.g. slaughtering or killing diseased or suspect animals or handling products of animal origin originating from such animals in the prescribed manner.

§ 18. [Repealed – RT I 2004, 19, 135 – entry into force 01.04.2004]

§ 18¹. Veterinary requirements for handling animal by-products and derived products

(1) Animal by-products and derived products must be handled in accordance with the veterinary requirements provided for in Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.

(2) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(3) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(4) The Veterinary and Food Board is the competent authority provided for in Article 3(1) of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.

(5) With the permission of the Veterinary and Food Board and in accordance with Article 19 of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council, specifications regarding handling animal by-products and derived products may be established.

(6) In the event of outbreak of an animal disease, persons engaged in handling animal by-products and derived products will participate in eliminating the consequences of the animal disease in their area of handling in accordance with a precept of the Veterinary and Food Board.

[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

§ 18². [Repealed – RT I, 02.03.2011, 1 - entry into force 04.03.2011]

§ 18³. [Repealed – RT I, 02.03.2011, 1 - entry into force 04.03.2011]

§ 18⁴. Veterinary requirements for storing product of animal origin, which is used for non-food purposes and does not comply with requirements established by legislation of European Union

(1) A product of animal origin, which is used for non-food purposes and does not comply with the requirements established by the legislation of the European Union (hereinafter *non-compliant non-food animal product*) is stored in a free zone, free warehouse or customs warehouse in accordance with the requirements of the Trade in, Import and Export of Animals and Animal Products Act.

(2) The building and room used for storing a non-compliant non-food animal product must comply with the following requirements:

- 1) depending on the type and kind of the stored animal product, the building must be suited for storing the particular animal product;
- 2) the building has, depending on the type and kind of the stored animal product, a separate room for storing the non-compliant non-food animal product;
- 3) the building has a separate room for veterinary supervision officials and is equipped with means of communication such as the telephone and fax;
- 4) the building is located in a closed territory that has an entrance and exit that is permanently controlled by the person in charge or, in the case of a warehouse located in a free zone, the entire zone is closed and under permanent customs control.

(3) A non-compliant non-food animal product may be stored in the same room with a compliant animal product only if the non-compliant animal product is kept separately in the locked part of the same room.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

Division 6

[Repealed – RT I 2004, 19, 135 – entry into force 01.05.2004]

Division 6¹

Licence Obligation and Notification Obligation of Keeper of Animals

[RT I, 25.03.2011, 1 - entry into force 01.07.2014 (entry into force amended - RT I, 22.12.2013, 1)]

§ 19¹. Authorisation obligation

(1) An operator must hold an activity licence for using the following establishments and plants:

- 1) the establishment or plant of an embryo collection team or the establishment or plant of an operator trading in farm animals;
- 2) an establishment or plant engaged in slaughtering aquaculture animals to be slaughtered for the purpose of animal disease control;
- 3) an establishment or plant engaged in handling animal by-products and derived products, which operates in a field of activity specified in Article 24(1) of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council;

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

4) an establishment engaged in storing a non-compliant non-food animal product in a free zone, free warehouse or customs warehouse.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

(2) An establishment or plant engaged in the following must hold an activity licence:

- 1) collection and conservation of the sperm of horses, swine or bovine animals for marketing purposes;
- 2) breeding poultry and producing hatching eggs and day-old chicks for marketing purposes;
- 3) temporary keeping of farm animals originating from different herds before their conveyance;
- 4) prophylactic quarantine of farm animals, except day-old chicks;
- 5) keeping or breeding of apes (*simiae* and *prosimiae*) for commercial or non-commercial purposes for their public display and public education, preservation of the species, and for fundamental or applied research, including for breeding apes for such research.

(3) An activity licence is required if the establishment or plant keeps an aquatic animal that belonging to the superclass *Agnatha* and to the classes *Chondrichthyes* and *Osteichthyes*, to the *Phylum Mollusca* or to the *Subphylum Crustacea* (hereinafter *aquatic animal*) for the purpose of placing it on the market, except where:

- 1) the aquatic animal is kept in a put and take fishery that is restocked with aquatic animals originating from a registered construction works;
- 2) The aquatic animal kept is placed on the market exclusively as food in accordance with Article 1(3)(c) of Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin (OJ L 139, 30.04.2004, pp. 55–205).

(4) An activity licence may be issued to an operator also for keeping animals in an establishment or plant where other animals besides the apes specified in clause 5) of subsection (2) of this section are kept within the meaning set out in Article 2(1)(b) of Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC (OJ L 268, 14.09.1992, pp. 54–72).

(5) An activity licence gives the operator the right to commence and pursue economic activities only in or with regard to the establishment or plant specified in the activity licence.
[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

§ 19². Applying for activity licence

(1) An application for an activity licence is decided by the Veterinary and Food Board by way of granting or refusing to grant the activity licence not later than within 90 days following the date of submission of the application.

(2) In addition to the information required in the General Part of the Economic Activities Code Act, an application for an activity licence must contain the following data and documents:

- 1) the animal species to be kept;
- 2) the name and contact details of the person in charge of organising the operations of the establishment or plant;
- 3) the site map along with the layout of the outdoor water supply and sewerage lines;
- 4) the layout of the rooms along with the layout of the equipment and indoor water supply and sewerage lines;
- 5) information on the finishing materials used;
- 6) the cleaning and disinfection plan that contains information on the measures taken and substances used for cleaning and disinfecting the means of transport, equipment and rooms;
- 7) the pest control plan along with information on the control measures taken;
- 8) in the case of an embryo collection team, the field of activity (collection or *in vitro* production of embryos or both) that the team may engage in;
- 9) in the case of an embryo collection team, information on the laboratory used, which describes its compliance with the requirements of the regulation established on the basis of subsection 7 (2²) of this Act.

(3) In the case of an establishment or plant engaged in keeping an aquatic animal, the information specified in clauses 5) to 7) of subsection (2) does not need to be given in the application and, in addition to the information specified in subsection (2), the following information must be submitted:

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

- 1) the purpose of production;
- 2) the type of the aquaculture system or equipment;
- 3) the maximum production capacity;
- 4) the species of the water animals bred.

(4) In the case of an establishment or plant specified in clause 19¹(2) 5) and in subsection 19¹(4) of this Act, the application must, in addition to the information required in the General Part of the Economic Activities Code Act, also contain such information that describes the compliance of the establishment or plant with the veterinary requirements set out in Annex C to Council Directive 92/65/EEC.

(5) In addition to the information required in the General Part of the Economic Activities Code Act, the following data and documents must be submitted in an application for an activity licence on an establishment or plant handling animal by-products:

- 1) the details of the means of transport;
- 2) the site map along with the layout of the outdoor water supply and sewerage lines;
- 3) the layout of the rooms along with the layout of the equipment and indoor water supply and sewerage lines;
- 4) information on the finishing materials used in the handling rooms;
- 5) the technological scheme of the handling process along with a technical specification of the equipment used;
- 6) information on the designed and the planned or actual production or processing capacity;
- 7) information on the capacity of the warehouses and the estimated production volume;
- 8) the cleaning and disinfection plan that contains information on the measures taken and substances used for cleaning and disinfecting the equipment and rooms;
- 9) the pest control plan along with information on the control measures taken;
- 10) a description of the treatment of generated waste water;
- 11) a description of the cleaning of the means of transport of raw material and products.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(5¹) In addition to the information required in the General Part of the Economic Activities Code Act, the information specified in clauses 2) to 7) of subsection (2) of this section must be submitted on the room used for storing the non-compliant animal product in the case of an establishment engaged in storing a non-compliant non-food animal product in a free zone, free warehouse or customs warehouse.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

(6) In addition to the information required in the General Part of the Economic Activities Code Act, the following information must be submitted in an application for an activity licence of an establishment or plant engaged in slaughtering aquatic animals to be slaughtered for the purpose of animal disease control:

- 1) information on the waste water treatment system of the establishment or plant;
- 2) the names of the species of the aquatic animals to be slaughtered for the purpose of animal disease control.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(7) The information specified in subsections (2) to (6) of this section is entered in the register of farm animals.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(8) The operator does not have to pay a state fee for the reviewing of an application for the activity licence specified in subsections 19¹(1) to (4) of this Act.

[RT I, 30.12.2014, 1 – entry into force 01.01.2015]

§ 19³. Object of inspection of activity licence

The operator will be granted an activity licence if its livestock building or facility, the area enclosed for keeping animals, the embryo collection team, the establishment or plant of the person trading in farm animals or the establishment or plant slaughtering aquatic animals to be slaughtered for animal disease control purposes or the establishment or plant engaged in handling animal by-products or derived products or the establishment storing a non-compliant non-food animal product in a free zone, free warehouse or customs warehouse complies with the requirements of this Act, the legislation established on the basis of this Act and the legislation of the European Union.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

§ 19⁴. Specifics of suspension and revocation of activity licence

(1) An economic administrative authority may partly or fully suspend or revoke an activity licence if the requirements of this Act, the legislation established on the basis of this Act and the legislation of the European Union, which do not constitute the object of inspection of the activity licence, have been violated.

(2) The activity licence of an establishment or plant specified in clause 19¹(2) 5) and subsection 19¹(4) of this Act will be suspended in part or in full, revoked or its validity will be restored on the grounds and in accordance with the procedure provided for in point 6 in Annex C to Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC (OJ L 268, 14.09.1992, pp. 54–72).

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 19⁵. Obligation to forward records to European Commission

Based on the records kept, the Veterinary and Food Board submits the data of the establishments and plants of operators to whom an activity licence has been granted to the European Commission and to the Member States in accordance with the requirements provided for in the legislation of the European Union.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

§ 19⁶. Notification obligation

(1) A notice of economic activities must be submitted to the Agricultural Registers and Information Board in the event of keeping animals in livestock buildings and facilities as well as in areas enclosed for keeping animals (hereinafter *establishment or plant*), which is engaged in:

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

- 1) keeping farm animals, including farm game;
- 2) collecting and conserving the sperm of farm animals;
- 3) keeping and breeding poultry as well as producing hatching eggs and day-old chicks for marketing purposes;
- 4) temporary keeping of farm animals originating from different herds before their conveyance;
- 5) prophylactic quarantine of farm animals;

6) breeding aquatic animals in a farm or mollusc farming area, whereby the technology developed for increasing the output of these aquatic animals above the environment's natural production capacity (hereinafter *aquaculture*) is used, except in an establishment or plant where aquatic animals are kept for decorative purposes and where there is no direct contact to a natural water body or that is equipped with a waste water treatment system that prevents the spread of the pathogen to a natural water body;

7) apiculture;

8) breeding fur animals for marketing purposes;

9) keeping farm animals, including farm game, for a permanent public display, preservation of the animal species or research purposes, including for the purpose of breeding the animals related to research;

(2) In addition to the information required in the General Part of the Economic Activities Code Act, a notice of economic activities must contain the following information:

1) the name and contact details of the person in charge of organising the operations;

2) the field of activity that the establishment or plant engages in, indicating the animal species and, in the case of apiculture, the number of beehives;

3) the coordinates of the geographical location of the establishment or plant.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(3) A person engaged in an activities specified in subsection (1) of this section in livestock buildings and facilities and in an area enclosed for keeping animals for a purpose other than economic activities must submit the information specified in subsection (2) of this section to the Agricultural registers and Information Board. The obligation to submit the information specified in this section is not the notification obligation for the purposes of the General Part of the Economic Activities Code Act.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(3¹) The person specified in subsection (3) of this section must submit to the Agricultural Registers and Information Board the information specified in subsection (2) of this section before commencement of the operations specified in subsection (1).

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

(4) A notice of economic activities must be submitted to the Agricultural Registers and Information Board regarding an establishment or plant engaged in handling animal by-products and derived products, which operates in a field of activity specified in Article 23(1)(a) of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(5) The information specified in subsections (2) to (4) of this section is entered in the register of farm animals. No. state fee needs to be paid for entering the information in the register.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(6) The person specified in subsection (3) of this section must inform the Agricultural Registers and Information Board about a change of the information specified in subsection (2) of this section within seven days as of the change of the information.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

Division 7

[Repealed – RT I 2004, 34, 236 – entry into force 01.05.2004]

Division 8

[Repealed – RT I 2007, 70, 428 – entry into force 01.01.2008]

Division 9

Zoonoses and Food-Borne Outbreaks

[RT I 2005, 37, 286 - entry into force 01.07.2005]

§ 29¹. Zoonosis

(1) 'Zoonosis' means any disease or infection which is naturally transmissible directly or indirectly between animals and humans. The provisions concerning infectious animal diseases apply to zoonoses.

(2) 'Zoonotic agent' means any virus, bacterium, fungus, parasite or other biological entity which is likely to cause a zoonosis.

[RT I 2005, 37, 286 – entry into force 01.07.2005]

§ 29². Monitoring of zoonoses

(1) ‘Monitoring of zoonoses’ means a system of collecting, analysing and disseminating data on the occurrence of zoonoses, zoonotic agents and drug resistance related thereto.

(2) For the purposes of this Act, ‘drug resistance’ means the ability of microorganisms of certain species to survive or even to grow in the presence of a given concentration of an antimicrobial agent, which is usually sufficient to inhibit or kill microorganisms of the same species.

[RT I 2005, 37, 286 – entry into force 01.07.2005]

§ 29³. Organisation of monitoring zoonoses

(1) The Veterinary and Food Board will organise the monitoring of zoonoses.

(2) Upon organisation of monitoring zoonoses, the Veterinary and Food Board will cooperate with the Health Board concerning the epidemiology of zoonoses transmissible between humans.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

(3) The requirements for organisation of monitoring zoonoses will be established by the minister responsible for the field.

§ 29⁴. Food-borne outbreaks

(1) For the purposes of this Act, ‘food-borne outbreak’ means an incidence, observed under given circumstances, of two or more human cases of the same disease or infection, or a situation in which the observed number of cases exceeds the expected number and where the cases are linked, or are probably linked, to the same food source.

(2) Epidemiological investigation of food-borne outbreaks will be conducted by the Health Board on the basis of the Communicable Diseases Prevention and Control Act and the Veterinary and Food Board on the basis of this Act and the Food Act.

[RT I 2009, 49, 311 – entry into force 01.01.2010]

(3) The Health Board will prepare a summary report on the results of epidemiological investigations of food-borne outbreaks conducted during the previous calendar year and will submit the report to the Veterinary and Food Board by March 31 each year.

[RT I 2009, 49, 311 – entry into force 01.01.2010]

(4) The list of information contained in the report specified in subsection (3) of this section will be established by the minister responsible for the field.

(5) The epidemiological investigation of a food-borne outbreak will provide data on the epidemiological profile, the foodstuffs potentially implicated and the potential causes of the outbreak. The epidemiological investigation of a food-borne outbreak must include, as far as possible, adequate microbiological studies.

(6) The minister responsible for the field may establish more specific requirements for the investigation of food-borne outbreaks.

[RT I 2005, 37, 286 – entry into force 01.07.2005]

§ 29⁵. Obligations of food business operators

(1) For the purposes of monitoring, food business operators will carry out investigations for the presence of zoonoses and zoonotic agents in accordance with the requirements established on the basis of subsection 29³(3) of this Act, keep the investigation results, arrange for the preservation of any relevant isolated zoonotic agents (hereinafter *isolate*) for a specified period, and communicate investigation results or provide isolates to the relevant authority specified in subsection 29³(2) of this Act on request.

(2) If a handler submits to the law enforcement authority information in accordance with Article 19(3) of Regulation No. 178/2002/EC of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 031, 01.02.2002, pp. 1–24), the handler will conserve the relevant food or a sample thereof in order to allow for investigating it in a laboratory or for the epidemiological investigation of a food-borne outbreak.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) For the implementation of subsection (1) of this section, the minister responsible for the field may establish more specific requirements for food business operators for the conducting of investigations, for the preservation of the results thereof as well as isolates and for presentation of the results and isolates to the relevant authority. [RT I 2005, 37, 286 – entry into force 01.07.2005]

§ 29⁶. Taking of samples

The law enforcement authority may take samples at the expense of the person upon inspection of a movable. If the inspected movable is no longer fit for ordinary use following the inspection, the cost of the movable or the cost of restoring the movable for ordinary use will not be compensated to the person. [RT I, 13.03.2014, 4 – entry into force 01.07.2014]

Chapter 3 LABORATORY TESTING OF INFECTIOUS ANIMAL DISEASES

§ 30. Agencies engaged in laboratory testing of infectious animal diseases

(1) Laboratory diagnosis of infectious animal diseases and the testing of samples taken during state supervision is permitted in laboratories authorised under subsection 34¹(3) of the Veterinary Activities Organisation Act. [RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(2) The Veterinary and Food Laboratory will ensure that the laboratory tests prescribed in the National Infectious Animal Disease Control Programme are carried out to the extent and within the terms set out by the Veterinary and Food Board.

(3) In the event of suspicion or an outbreak of an infectious animal disease, the Veterinary and Food Laboratory will, on the basis of an order of the Veterinary and Food Board, ensure that laboratory tests are carried out, and will dispatch specialists.

§ 31. Isolating and cultivating pathogens of animal disease for research purposes

(1) A pathogen causing a certain animal disease may be isolated or cultivated for research purposes by a research or development institution that complies with the Research and Development Organisation Act, uses a laboratory corresponding to the requirements of the biosafety category of the pathogen and holds the relevant license.

(2) The minister responsible for the field will decide the granting of a license to isolate and cultivate a pathogen causing an animal disease (hereinafter *license*). In order to obtain the license, a research and development institution will submit an application to the minister responsible for the field along with the relevant information and documents.

(3) The list of the pathogens causing animal diseases, which require a license for isolation or cultivation for research purposes, the detailed biosafety requirements for laboratories used for conducting such research, the list of information to be given in a license application, the list of documents to be annexed to the application and the procedure for processing applications will be established by the minister responsible for the field.

(4) The minister responsible for the field may refuse to grant a license if it becomes evident that false information has been knowingly given upon applying for a license or if it follows from the submitted information and documents that the requirements provided for in subsection (3) of this section cannot be fulfilled.

(5) The granting of or refusal to grant a license will be decided within 20 working days as of the date of receipt of the application.

(6) If the requirements provided for in subsection (3) of this section are not followed in a research and development institution, the minister responsible for the field may set a term for elimination of deficiencies or suspend the validity of the license in full or in part. The respective activities in the laboratory will be terminated as of learning of the suspension of validity. The validity of the license will be restored if the circumstances that caused the suspension of the validity of the license have been eliminated and the decision to suspend the license has been revoked.

(7) The minister responsible for the field may revoke a decision to grant a license on the grounds provided for in the Administrative Procedure Act or if the holder of the licence:

- 1) has submitted the respective request;
- 2) has knowingly submitted false information or forged documents upon applying for the license;
- 3) has not eliminated the deficiencies within the term set in accordance with subsection (6) of this section or, due to the permanent circumstances prevailing in the laboratory, is unable to follow the requirements established in this Act and in the legislation adopted on the basis of this Act;

4) does not allow exercising state supervision over the fulfilment of the requirements provided for in relevant legislation.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(8) The research and development institution will immediately inform the minister responsible for the field about a change of the conditions that existed at the time of issuing the license and about reorganisations, sending a respective written notice to the minister.

(9) A decision to grant, refuse to grant, suspend or revoke a license will be delivered to the person by mail or electronically within three working days as of the date of making the decision.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 32. [Repealed – RT I 2001, 3, 4 – entry into force 01.07.2001]

Chapter 4

PREVENTION OF SPREAD OF INFECTIOUS ANIMAL DISEASES AND ERADICATION OF OUTBREAKS

Division 1

Measures in Event of Threat and Suspicion of Infectious Animal Disease

[RT I 2004, 19, 135 - entry into force 01.04.2004]

§ 32¹. Threat of infectious animal disease

(1) A threat of an infectious animal disease means the large-scale spread of an especially dangerous infectious animal disease in a Member State of the European Union or in a neighbouring state of Estonia and a situation where a neighbouring state has established a protection zone or surveillance zone that would extend to the territory of Estonia or if, as a result of a risk analysis, the threat that the infectious animal disease spreads to the territory of Estonia has become evident. A threat of an infectious animal disease also means the spread of an especially dangerous infectious animal disease in the territory of Estonia if the spread of the disease in one administrative unit or in several administrative units endangers the remaining territory of Estonia.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(2) In the event of a threat of an infectious animal disease, the Veterinary and Food Board may take the measures applied in the event of suspicion or outbreak of an infectious animal disease in accordance with the results of the risk analysis of the threat of the occurring infectious animal disease.

[RT I 2004, 19, 135 – entry into force 01.04.2004]

(3) In the event of a threat of an infectious animal disease, the Veterinary and Food Board will inform the population via the mass media of the need to take relevant measures for controlling the infectious animal disease.

[RT I 2004, 19, 135 – entry into force 01.04.2004]

§ 33. Suspicion of infectious animal disease

Depending on the nature of a pathogen, suspicion of an infectious animal disease is deemed to have arisen if clinical symptoms characteristic to the disease occur in one or more animals, or on the basis of autopsy findings or the results of laboratory testing, or due to direct or indirect contact with the infected herd or animal. Suspicion of an infectious animal disease is raised by a veterinarian and decided by the law enforcement authority.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 34. Suspicion of occurrence of pathogens causing infectious animal diseases in products of animal origin

Suspicion of the occurrence of pathogens causing infectious animal diseases in a product of animal origin is deemed to have arisen on the basis of a decision of the law enforcement authority if, according to the information available to it, the product may contain or be contaminated by pathogens.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 35. Measures to be applied in event of suspicion of infectious animal disease

(1) Measures to be applied in the event of suspicion of an infectious animal disease will be established in the rules for the control of the infectious animal disease.

(2) In the event of suspicion of an infectious animal disease, an authorised veterinarian servicing the area or the law enforcement authority must be promptly called in order to diagnose the disease clinically, take the necessary samples, carry out epidemiological investigation and take measures necessary to prevent the spread of the infectious animal disease.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) In the event of suspicion of an infectious animal disease, the law enforcement authority or the authorised veterinarian who performs the *ante-mortem post-mortem* inspection of animals that have been brought to a slaughterhouse will organise the isolation of the suspect animals and derived products, suspend the processing of the animals, products of animal origin and derived products, and take measures to prevent the spread of the infectious animal disease.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) A veterinarian will inform a keeper of animals or a handler of products of animal origin of the dangers resulting from an infectious animal disease and provide guidelines for the prevention of the spread of the suspected infectious animal disease.

(5) After receiving a notice concerning suspicion of an infectious animal disease, the head of the local office of the Veterinary and Food Board will, if necessary, establish restrictions on the herd, establishment, plant or area until a diagnosis has been clarified.

(6) The law enforcement authority will notify a keeper of animals of the establishment of restrictions by mail with a notice of delivery or against signature.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(7) The law enforcement authority will inform a keeper of animals or a handler of products of animal origin of steps taken regarding the animals or products of animal origin, in a livestock building or facility or in an establishment or plant handling products of animal origin, which belong to the keeper or the handler.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 36. Withdrawal of suspicion of infectious animal disease

(1) A decision to revoke restrictions established upon suspicion of an infectious animal disease will be made by the head of a local office of the Veterinary and Food Board on the basis of the results of laboratory testing or a decision of the committee specified in subsection 37 (3) of this Act if these preclude the outbreak of the infectious animal disease.

(2) The head of a local office of the Veterinary and Food Board will notify a keeper of animals or a handler of products of animal origin of the withdrawal of suspicion of an infectious animal disease by post with advice of delivery or against a signature within twenty-four hours after making the decision.

[RT I 2002, 96, 566 – entry into force 01.01.2003]

§ 37. Diagnosis of infectious animal disease

(1) An infectious animal disease will be diagnosed by a veterinarian on the basis of the epidemiological situation, clinical symptoms, autopsy findings and the results of laboratory testing.

(2) If necessary, diagnostic slaughter of animals may be carried out for the purposes of taking samples. Diagnostic slaughter means the killing of an animal in order to verify the suspicion of an infectious animal disease using the permitted means of stunning and killing as well as the permitted stunning and killing methods. The law enforcement authority has the right to designate animals for diagnostic slaughter. The law enforcement authority will notify the keeper of animals by post with advice of delivery or against a signature of a decision to designate an animal for diagnostic slaughter.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) In the case of an infectious animal disease subject to notification, the infectious animal disease will be diagnosed by the law enforcement authority on the basis of the clinical symptoms, autopsy findings, epidemiological data or the results of laboratory testing of the infectious animal disease, or by a committee of experts appointed by the Veterinary and Food Board, on the basis of clinical symptoms, autopsy findings and epidemiological data.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3¹) Upon clinical diagnosis and laboratory analysis of an infectious animal disease and taking the necessary samples, law enforcement authority, authorised veterinarians and specialists of the laboratory diagnosing the infectious animal disease must comply with the requirements provided for in the legislation of Estonia and the European Union and, in the absence of such requirements, with the principles, methods, recommendations and instructions developed by the International Office of Epizootics (*Office International des Epizooties, OIE*).

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) In the case of an especially dangerous infectious animal disease, the official diagnosis of the disease will be confirmed by the Veterinary and Food Board.

(5) In order to diagnose an infectious animal disease, the Veterinary and Food Board and the Veterinary and Food Laboratory have the right to send samples to the approved laboratories of foreign states or to international reference laboratories.

[RT I 2004, 19, 135 – entry into force 01.04.2004; 1.05.2004]

Division 2

Notification of Suspicion or Outbreak of Infectious Animal Disease

§ 38. Infectious animal diseases subject to notification or registration

(1) Law enforcement authorities, authorised veterinarians, veterinarians, veterinary laboratories and other persons must promptly notify the local office of the Veterinary and Food Board of suspicion or a diagnosis of an infectious animal disease subject to notification.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) Cases of diagnosis of an infectious animal disease subject to registration will be registered and a local office of the Veterinary and Food Board will be notified thereof in accordance with the procedure for regular reporting unless otherwise provided by the rules for the control of the infectious animal disease.

(3) All especially dangerous infectious animal diseases, infectious animal diseases dangerous to humans and infectious animal diseases which have never been diagnosed in Estonian animal populations or which have not been diagnosed in Estonia for an extended period of time are infectious animal diseases subject to notification.

(4) The list of infectious animal diseases which are subject to notification or registration will be established by the minister responsible for the field.

§ 39. Obligations of veterinarians upon notification of suspicion or diagnosis of infectious animal disease

(1) In the event of suspicion of an infectious animal disease subject to notification, a veterinarian is required to immediately notify the law enforcement authority or authorised veterinarian and the keeper of the animals.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) The requirements for the content and format of a notice of an infectious animal disease to be submitted to the head of a local office of the Veterinary and Food Board and the procedure for submission of the notice will be established by the Director General of the Veterinary and Food Board.

§ 40. Obligations of heads of local offices of Veterinary and Food Board upon notification of suspicion or diagnosis of infectious animal disease

(1) The head of a local office of the Veterinary and Food Board is required to immediately notify the Director General of the Veterinary and Food Board, or, in their absence, the Deputy Director General, and the heads of other local offices of the Veterinary and Food Board in the neighbouring areas, of suspicion and a diagnosis of an infectious animal disease subject to notification. The head of the local office of the Veterinary and Food Board is required to immediately notify the local agency of the Health Board of a diagnosis of a zoonosis or zoonotic agent subject to notification.

(2) The head of a local office of the Veterinary and Food Board will submit a report on the registration of infectious animal diseases within the territory under their supervision to the Veterinary and Food Board and a report on the registration of zoonoses within the territory under their supervision to the local agency of the Health Board. The procedure for the submission of reports will be established by the Director General of the Veterinary and Food Board.

[RT I 2009, 49, 331 – entry into force 01.01.2010]

§ 41. Tasks of laboratories upon notification of suspicion or diagnosis of infectious animal disease

(1) The laboratories listed in subsection 34¹(3) of the Veterinary Activities Organisation Act are required to notify promptly the Director General of the Veterinary and Food Board, or in his or her absence the Deputy Director General, and the head of the local office of the Veterinary and Food Board in whose territory of supervision the tested material originated of a suspicion or laboratory diagnosis of an infectious animal disease

subject to notification. The requirements for the content and format of the notice to be submitted and the procedure for submission of the notice will be established by the minister responsible for the field.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(2) The notification obligation is in force regardless of whether the material was brought for testing within the framework of the National Infectious Animal Disease Control Programme, for diagnostic testing or for the self-checking of an enterprise.

(3) A laboratory specified in subsection (1) of this section will notify the Veterinary and Food Board of a laboratory diagnosis of an infectious animal disease subject to registration, in accordance with the procedure for regular reporting unless otherwise prescribed by the rules for the control of the infectious animal disease. The requirements for the content and format of the notice to be submitted and the procedure for submission of the notice will be established by the minister responsible for the field.

(4) Laboratories inspecting the safety and quality of the products of establishments or plants which handle products of animal origin are required to notify the Veterinary and Food Board of the isolation of pathogens which cause infectious animal diseases subject to notification or registration or of suspicion of the occurrence of such pathogens in raw material or products, in accordance with subsections (1)–(3) of this section.

(5) Science laboratories which, in the course of research, diagnose an infectious animal disease subject to notification or registration will notify the Veterinary and Food Board thereof in accordance with subsections (1)–(3) of this section.

[RT I 2004, 19, 135 – entry into force 01.04.2004]

§ 42. Obligations of Veterinary and Food Board upon notification of infectious animal diseases

(1) The Veterinary and Food Board will notify international veterinary organisations, the Commission and competent agencies of Member States of the European Union and the neighbouring states of Estonia of the outbreak of an infectious animal disease subject to international notification and the establishment and removal of restrictions related to the control of an infectious animal disease. The notification will be given in accordance with the Council Directive 82/894/EEC on the notification of animal diseases within the Community (OJ L 378, 31.12.1982, pp. 58#62) and the provisions of the corresponding Decisions of the Commission established on the basis of the Directive and the requirements of the International Office of Epizootics.

(2) [Repealed – RT I 2004, 19, 135 – entry into force 01.04.2004]

(3) The Veterinary and Food Board will submit to the Commission every year by May 31 a report on trends and sources of zoonoses, zoonotic agents and drug resistance related thereto and food-borne outbreaks registered during the previous calendar year.

(4) Requirements for the information to be presented in the report specified in subsection (3) of this section will be established by the minister responsible for the field.

[RT I 2005, 37, 286 – entry into force 01.07.2005]

§ 42¹. Obligations of Health Board upon notifying of zoonoses

[RT I 2009, 49, 331 – entry into force 01.01.2010]

(1) A local agency of the Health Board is required to give notice of the diagnosis of zoonoses in humans to the local office of the Veterinary and Food Board, which exercises supervision in the territory where the zoonosis has been diagnosed.

[RT I 2009, 49, 331 – entry into force 01.01.2010]

(2) The list of zoonoses subject to notification and the formal requirements for the relevant notices and the procedure for the submission thereof to local offices of the Veterinary and Food Board will be established by the minister responsible for the field with the approval of the minister responsible for the field.

[RT I 2001, 93, 566 - entry into force 01.01.2002]

Division 3 Infectious Animal Disease Control

§ 43. Infectious animal disease control rules

(1) The infectious animal disease control rules will lay down requirements regarding measures for prevention and control of infectious animal diseases, including regarding handling products derived from diseased animals usually in the event of an extremely dangerous infectious animal disease and another animal disease the requirements of whose prevention and control have been set out in the relevant legislation of the European Union.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

(2) The infectious animal disease control rules will be established by the minister responsible for the field.

(3) The control of transmissible spongiform encephalopathies will be conducted in accordance with Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L47, 31.05.2001, pp. 1-40). If a slaughterhouse uses a system for prevention of contamination between carcasses, the Veterinary and Food Board may, upon application of disease control measures in the event of examination of the carcass of a bovine animal and in the event of a positive or unclear result of an examination of bovine spongiform encephalopathy, apply the specification provided for in point 6.5 of Part I of Chapter A of Annex III of Regulation (EC) No. 999/2001 of the European Parliament and of the Council
[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 43¹. Preventive vaccination

(1) The preventive vaccination of animals may be used as a measure for prevention of animal diseases (hereinafter *preventive vaccination*) if the infectious animal disease control rules do not prohibit the preventive vaccination of animals.

(2) Keepers of animals must preventively vaccinate their dogs and cats against rabies.

(3) A domestic animal not specified in subsection (2) of this section will be preventively vaccinated by the keeper if it has been prescribed in the infectious animal disease control rules.

(4) A keeper of animals who keeps, for commercial purposes, a domestic animal specified in subsection (3) which is subject to the preventive vaccination, will draw up a written vaccination programme in accordance with the infectious animal disease control rules and submit it to the Veterinary and Food Board.

(5) The Veterinary and Food Board will verify the compliance of a vaccination programme with the requirements and make a decision to approve or to refuse to approve the preventive vaccination programme within 20 working days as of the receipt of the programme.

(6) The Veterinary and Food Board will make a decision to refuse to approve a preventive vaccination programme if the programme does not comply with the requirements established in the infectious animal disease control rules.

(7) In the event of compulsory preventive vaccination, keepers of animals will follow the requirements provided for in the infectious animal disease control rules. In addition, keepers of animals specified in subsection (4) of this section will follow the preventive vaccination programme approved by the Veterinary and Food Board.
[RT I 2007, 70, 428 – entry into force 01.01.2008]

§ 43². Emergency vaccination

(1) If an infectious animal disease has been officially diagnosed and as a result of an epidemiological analysis it becomes evident that the disease may spread widely, vaccination may be used as an emergency measure for controlling the spread of the disease (hereinafter *emergency vaccination*).

(2) The Veterinary and Food Board will decide on and organise the emergency vaccination in accordance with the rules of emergency vaccination provided for in the infectious animal disease control rules.
[RT I 2007, 70, 428 – entry into force 01.01.2008]

§ 43³. Infectious animal disease control programme

(1) An infectious animal disease control programme is a detailed plan for prevention of animal diseases and control procedures.

(2) An infectious animal disease control programme must contain at least the following information:

- 1) an overview of the occurrence and spread of an animal disease in Estonia;
- 2) the reasons and objectives of introducing the programme such as identification of the occurrence of the infectious animal disease or absence thereof, identification of the characteristics of and changes in the occurrence of the disease, getting the spread of the disease under control, liquidation of the disease and attainment of a disease-free status;
- 3) the deadline of implementation of the programme estimated for attainment of the objectives of the programme;
- 4) the results expected by the deadline of implementation of the programme and, in the event the programme is multi-annual, the results expected by the end of the coming years;

- 5) geographically limited region (hereinafter *geographical region*), zone, area or herd covered by the programme;
- 6) measures to be taken for attainment of the objectives of the programme;
- 7) the principles of state supervision to be exercised over the implementation of the programme;
- 8) infectious disease status of the geographical region, zone, area or herd covered by the programme, the requirements for identifying the infectious disease status and the studies carried out to that end;
- 9) code of conduct in the event an infected animal or herd is detected in the course of a study carried out in the framework of the programme;
- 10) description of measures to be taken in the event of suspension of the infectious disease-free status.

(3) If necessary, more detailed requirements regarding the information to be submitted in an infectious animal disease control programme and the requirements for identifying the infectious disease status of the geographical region, zone, area or herd will be set out in the relevant infectious animal disease control rules or in the legislation of the European Union.

(4) An infectious animal disease control programme regarding an extremely dangerous infectious animal disease and the animal disease specified in a list established on the basis of subsection 55 (3) of this Act and such an infectious animal disease whereby, in the estimate on the Veterinary and Food Board, it is necessary to identify the infectious disease status (hereinafter *national control programme*) will, in the event provided for in the legislation of the European Union or if necessary, be drafted and established and the implementation of the programme will be organised by the Veterinary and Food Board.

[RT I, 02.03.2011, 1 – entry into force 04.03.2011]

(5) An infectious animal disease control programme regarding an infectious animal disease other than the ones specified in subsection (4) of this section (hereinafter *other control programme*) may be drafted by a keeper of animals, farmers' association or another person. Another control programme must comply with the requirements provided for in clauses 1)-6), 8) and 9) of subsection (2) of this section, be in compliance with the relevant infectious animal disease control rules, the legislation of the European Union and the principles, methods, recommendations and guidelines of the International Office of Epizootics.

(6) Another control programme will be submitted to the Veterinary and Food Board for approval and the Board will verify its compliance with the requirements established in subsection (5) of this section.

(7) The approval or non-approval of another control programme will be decided within 20 working days after the date of submission of the programme for approval.

(8) The expenses relating to the implementation of the national control programme will be covered from the state budget. Expenses relating to the implementation of another control programme will be covered by the person implementing the programme.

[RT I 2009, 64, 422 – entry into force 01.01.2011]

§ 44. Contingency plan for control of infectious animal diseases

(1) The contingency plan for the control of infectious animal diseases (hereinafter *contingency plan*) is a detailed plan of control measures to be applied upon the outbreak of an especially dangerous infectious animal disease in order to eradicate the disease quickly and efficiently. If, according to the assessment of the law enforcement authority, a contingency plan must be prepared to efficiently eradicate an infectious animal disease and prevent the spread of the disease or a contingency plan is prescribed in the infectious animal disease control rules established in accordance with § 43 of this Act, the contingency plan will be prepared and applied also to eradicate an infectious animal disease not specified in the list of especially dangerous infectious animal diseases. [RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) The Veterinary and Food Board will prepare the contingency plan and will be responsible for the accuracy of the plan. The contingency plan will be approved by the Director General of the Veterinary and Food Board. The contingency plan will be published by the Veterinary and Food Board on its website.

(3) The contingency plan must contain the following parts:

[RT I 2009, 64, 422 – entry into force 01.01.2010]

- 1) the formation of a national infectious animal disease control committee;
- 2) a list of local infectious animal disease control committees;
- 3) detailed information concerning the persons involved in infectious animal disease control, including their qualifications and obligations;
- 4) the possibilities for the local infectious animal disease control committees to contact persons involved in infectious animal disease control;
- 5) the equipment and materials necessary for proper application of measures for infectious animal disease control and a list of disinfectants to be used;

[RT I 2009, 64, 422 – entry into force 01.01.2010]

6) detailed instructions for action to be taken in the event of an outbreak of an infectious animal disease, including for stunning, slaughtering, cleaning and disinfection, and for disposal of carcasses;

[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

7) [Repealed – RT I 2009, 64, 422 – entry into force 01.01.2010]

8) the laboratories involved in infectious animal disease control and their facilities, measures to maintain the skills of the laboratories, and facilities for the rapid transportation of samples taken for laboratory testing;
9) the quantities of vaccines necessary to control particular infectious animal diseases and the sources of supply of the products;
10) the principles of co-operation between different administrative agencies in eradication of infectious animal diseases.

[RT I 2004, 19, 135 – entry into force 01.04.2004]

(4) If necessary, more detailed requirements regarding information to be given in a contingency plan will be set out in the relevant infectious animal disease control rules.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

(5) The Veterinary and Food Board organises training in implementation of contingency plans for the purpose of preservation of the practical skills required for controlling infectious animal diseases and for preservation of cooperation between various state authorities and local authorities.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

§ 45. [Repealed – RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 45¹. Restrictions in event of suspicion and outbreak of infectious animal disease

(1) In the event of suspicion or diagnosis of an infectious animal disease, the Veterinary and Food Board may, for the purpose of controlling the spread of the infectious animal disease, impose the following restrictions provided for in the infectious animal disease control rules or in the relevant legislation of the European Union or in the principles, methods, recommendations and guidelines of the International Office of Epizootics:

1) restriction on the carriage of animals susceptible to infectious animal diseases and other animals and on the carriage and handling of products derived from these animals;

2) restriction on the carriage and handling of feedingstuffs, litter, waste, equipment and other objects or materials carrying infection, on the movement of people and trucks and on other relevant activities.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(2) In addition to the restrictions provided for in subsection (1) of this section, an animal may be designated for slaughter or killing and equipment or other objects, feedingstuffs, packaging materials, milk and eggs carrying infection may be designated for destruction.

(3) The Veterinary and Food Board will decide on the imposition of the restrictions provided for in subsections (1) and (2) of this section, taking into account the results of the risk analysis and determining the scope of application of the restriction. In the event of designation of an animal for slaughter or killing, the designated stunning and killing instrument and the designated stunning and killing method will be determined.

(4) The Veterinary and Food Board will decide on the termination of the restriction after the fulfilment of the requirements established in the infectious animal disease control rules or relevant legislation of the European Union.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(5) The decision specified in subsections (3) and (4) of this section will be delivered to the keeper of animals by post or against signature without delay, but not later than on the third working days after making the decision.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 45². Differences of imposition of restrictions

(1) In the event specified in the relevant infectious animal disease control rules, the Veterinary and Food Board may, based on the results of a risk analysis, decide on the differences of the imposition of the restrictions established on the basis of subsections 45¹(1) and (2) of this Act, specifying the scope of application of the difference.

(2) At the request of the law enforcement authority specified in subsection 51 (2) of this Act, a person will submit to the authority the decision specified in subsection (1) of this section or an officially certified copy thereof.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 45³. Measures for controlling infectious animal disease in event of suspicion and outbreak of infectious animal disease

(1) In the event of suspicion or diagnosis of an infectious animal disease, the Veterinary and Food Board may, for the purpose of controlling the spread of the infectious animal disease, take the following measures provided

for in the infectious animal disease control rules or in the relevant legislation of the European Union or in the principles, methods, recommendations and guidelines of the International Office of Epizootics:

- 1) the biosafety measures specified in § 7¹ of this Act;
- 2) marking the restricted territory and keeping account of the animals kept there;
- 3) reorganisation of keeping animals, including grazing;
- 4) marking animals;
- 5) organisation of livestock buildings or facilities or an area enclosed for keeping animals;
- 6) using relevant personal protection equipment;
- 7) handling and transporting products of animal origin, animal by-products, derived products, and equipment, objects or materials carrying infection in a manner controlling the spread of the infection;
[RT I, 02.03.2011, 1 – entry into force 04.03.2011]
- 8) in the event of application of the difference specified in § 45² of this Act, drawing up a list of the persons and means of transport involved and taking measures relating to or necessary for imposing other restrictions or for taking biosafety measures.

(2) The Veterinary and Food Board will decide the taking of the measures provided for in subsection (1) of this section, taking into account the results of the risk analysis and establishing the scope of taking the measures along with a decision to impose the restriction specified in subsection 45¹(3) of this Act, which will be terminated on the grounds and within the term provided for in subsection (4) of the same section and which will be delivered to the keeper of animals in accordance with the procedure and within the term specified in subsection (5) of the same section.

§ 46. Measures in event of outbreak of especially dangerous infectious animal disease

- (1) In the event of an outbreak of an especially dangerous infectious animal disease:
- 1) the outbreak site will be quarantined;
 - 2) the protection zone around the outbreak site and the surveillance zone around the protection zone will be determined;
 - 3) epidemiological investigation will be conducted in order to ascertain the potentially infected area;
 - 4) a national and local infectious animal disease control committee will be formed which will direct all activities relating to eradication of the outbreak and prevention of the spread of the infectious animal disease.

(2) In order to eradicate an especially dangerous infectious animal disease, the Veterinary and Food Board has the right, in addition to the provisions of § 45 of this Act, to:

- 1) require authorised veterinarians to take disease control steps also outside their territory of work;
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]
- 2) involve veterinarians in these proceedings;
[RT I, 29.06.2014, 2 – entry into force 01.07.2014]
- 3) carry out necessary disease control activities without the attendance of a keeper of animals or handler of products of animal origin and without giving prior notice to the keeper or handler.

(3) The measures specified in subsections (1) and (2) of this section will be taken also in the event of an infectious animal disease not specified in the list of especially dangerous infectious animal diseases if, according to the estimate of the law enforcement authority, the measures are necessary in order to eradicate the infectious animal disease and prevent the spread of the disease or if so prescribed in the infectious animal disease control rules established in accordance with § 43 of this Act.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 47. Prevention and control of infectious animal diseases in wild animal populations

(1) The prevention and control of infectious animal diseases in wild animal populations will be organised by the Veterinary and Food Board and the Environmental Board in cooperation with persons who hold hunting or fishing rights.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1¹) The Veterinary and Food Board organises activities required for prevention and control of infectious animal diseases in the population of wild animals. If the measures taken to prevent and control an infectious animal disease in the population of wild animal have not rendered sufficient results or if hunting is required as a measure for controlling the infectious animal disease, the Veterinary and Food Board will make a proposal to the Environmental Board to organise hunting for the purpose of stopping the disease spreading via the game in accordance with the procedure established in the Hunting Act.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1²) To stop an especially dangerous infectious animal disease in the population of wild animals, a restriction of the movement of vehicles may be applied as a measure for controlling the infectious animal disease to the extent and within the period provided for in the infectious animal disease control rules.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1³) The obligation to clean and, where necessary, disinfect the vehicle and its trailer using the disinfecting agents specified in the list published on the website of the Veterinary and Food Board before entering the infectious disease-free zone is deemed as a restriction of the movement of vehicles. The driver of a power-

driven vehicle keeps account of the time and place of cleaning and disinfecting the power-driven vehicle and its trailer and of the disinfecting agent used. The documents indicating the information are preserved for at least one year as of the year of cleaning and disinfection.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1⁴) The disinfection of power-driven vehicles and their trailers may be organised by the Veterinary and Food Board in cooperation with the local authority.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1⁵) The Veterinary and Food Board gives information on the application of a restriction on the movement of vehicles via a non-traffic means of information or the media.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1⁶) Biosafety measures taken for the purpose of prevention and control of an infectious animal disease in the population of wild animals are established in the rules of control of the relevant infectious animal disease.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(2) A veterinarian will be immediately notified of a wild animal with symptoms of disease and of any attack by a wild animal.

(3) The capture of wild animals for the purposes of resettlement in other areas or keeping in artificial conditions, and the resettlement of wild animals in other areas is permitted in compliance with the requirements provided by legislation and with the approval of the Veterinary and Food Board.
[RT I 2001, 93, 566 – entry into force 01.01.2002]

§ 48. Local infectious animal disease control committees

(1) After an especially dangerous infectious animal disease is officially diagnosed, a local infectious animal disease control committee will be formed by the county governor on the proposal of the head of the local office of the Veterinary and Food Board.

(2) The local infectious animal disease control committee consists of the representatives of the county government and local authority, the head and officials of the local office of the Veterinary and Food Board, a representative of the Veterinary and Food Laboratory whose official ranking is at least that of a chief specialist, an authorised veterinarian servicing the area of the outbreak site, a representative of the Environmental Board, a representative of the Police and Border Guard Board, and a representative of the Rescue Board.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(3) The head of a local office of the Veterinary and Food Board will direct the work of the local infectious animal disease control committee and the organisation of the work of the committee will be established by the contingency plan for the control of infectious animal diseases.

(4) The tasks of a local infectious animal disease control committee are to:

- 1) conduct epidemiological investigation on the basis of § 52 of this Act;
- 2) define protection zones and surveillance zones;
- 3) coordinate, organise and monitor the application of infectious animal disease control measures.

§ 49. National infectious animal disease control committee

(1) After an especially dangerous infectious animal disease is officially diagnosed, a national infectious animal disease control committee will be formed by the minister responsible for the field on the proposal of the Director General of the Veterinary and Food Board.

(2) The national infectious animal disease control committee consists of the Director General and officials of the Veterinary and Food Board, a representative of the Veterinary and Food Laboratory whose official ranking is at least that of a chief specialist, the head of the local office of the Veterinary and Food Board of the infected area and representatives of the Environmental Board, the Police and Border Guard Board and the Rescue Board whose official ranking is at least that of the Deputy Director General. The representative of the Veterinary and Food Board directs the work of the committee.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(3) The tasks of the national infectious animal disease control committee are to:

- 1) coordinate the application of control measures and analyse the results thereof;
- 2) direct state resources allocated for the eradication of infectious animal diseases;
- 3) engage in international co-operation to prevent further spread of an infectious animal disease;
- 4) make proposals to the minister responsible for the field for the resolution of issues to be resolved at the level of the Government of the Republic;

5) [Repealed – RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 50. Procedure for establishment of quarantine, protection zones and surveillance zones

(1) Quarantine is a prohibition established for a certain period of time on the removal of animals, products of animal origin, animal by-products, derived products, feedingstuffs, equipment and inventory from an outbreak site and a restriction on the movement of people on the outbreak site.

[RT I, 02.03.2011, 1 – entry into force 01.01.2011]

(2) An outbreak site is a defined territory in which diseased or infected animals are present.

(3) An establishment, plant or infected region will be quarantined after the diagnosis of an especially dangerous infectious animal disease has been officially confirmed in accordance with § 37 of this Act.

(4) On the proposal of the head of a local office of the Veterinary and Food Board, quarantine will be established by a written order of the county governor which will be served on the keeper of the animals or the owner of the establishment or plant against a signature; the public will be notified of the order through the media.

(5) On the proposal of the head of a local office of the Veterinary and Food Board, the protection zone and surveillance zone around an outbreak site will be established by a written order of the county governor; the public will be notified of the order through the media.

(6) If necessary, the extent of a protection zone or surveillance zone will be altered by a written order of the county governor in accordance with the procedure established in subsection (5) of this section.

(7) A protection zone is a defined area around an outbreak site where restrictions on the movement of animals, products of animal origin, animal by-products, derived products and people are established and where extensive testing of animal species which are susceptible to the infectious animal disease is carried out in order to discover new outbreak sites in good time.

[RT I, 02.03.2011, 1 – entry into force 01.01.2011]

(8) A surveillance zone is a defined area around a protection zone where restrictions on the movement of people, animals, animal products and means of transport are established.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

(9) The requirements for quarantine, protection zones and surveillance zones will be provided for in the rules for the control of the infectious animal disease or, in the absence thereof, in the requirements established by the Veterinary and Food Board.

(10) Restrictions on an outbreak site apply as of the service of a written order on the keeper of animals.

(11) Restrictions on protection zones and surveillance zones apply as of notification through the media.

§ 51. State supervision over adherence to restrictions imposed in event of outbreak of infectious animal disease

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) State supervision over compliance with measures established by quarantine is exercised by the local office of the Veterinary and Food Board.

(2) State supervision over adherence to the restrictions of movement of means of transport, animals and people at the outbreak site and in the danger and supervision zone is exercised by a police officer.

(3) The police officer may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 31, 32, 44, 45, 46, 48, 49, 50 and 51 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

(4) For the purpose of exercising the state supervision provided for in this section, the police officer may take special measures of state supervision provided for in § 52 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act until handing the matter over to the Veterinary and Food Board as soon as possible.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 52. Determination of infected area

(1) Upon the outbreak of an especially dangerous infectious animal disease, the local infectious animal disease control committee will conduct epidemiological investigation in order to ascertain the possible causes of infection, the period between the time when the animal caught the infection and the time when the infection was

discovered, the ways in which the infection is transmitted, contact herds and animals and, on the basis thereof, the potentially infected area.

(2) A contact herd or animal is a herd or animal which has been in direct or indirect contact with an infected animal or herd at or after the time the infection was probably transmitted. Contact herds and animals are deemed to be suspected herds or animals and samples will be taken from such herds or animals for laboratory testing.

§ 53. Removal of quarantine and restrictions

(1) Quarantine and restrictions will be removed after the infectious animal disease has been eradicated and the rules for the control of such infectious animal disease or the requirements established by the Veterinary and Food Board have been complied with.

(2) Restrictions will be removed by the head of the local office of the Veterinary and Food Board.

(3) On the proposal of the head of the local office of the Veterinary and Food Board, quarantine will be removed by a written order of the county governor; the public will be notified of the order through the media.

§ 54. Infectious animal disease control in emergency situation

(1) A wide and rapid spread of an especially dangerous infectious animal disease constitutes an emergency for the purposes of subsection 2 (1) of the Emergency Act.

(2) If extensive measures need to be taken for the purpose of controlling the spread of an especially dangerous infectious animal disease and, as a result of taking the emergency measures provided for in this Act and in the Emergency Act, it is not possible to eliminate the threat or assist the victims with sufficient efficiency, the minister responsible for the field will, on the basis of a proposal of the national infectious animal disease control committee, make a proposal to the Government of the Republic to declare an emergency in accordance with the Emergency Act.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

Chapter 5

DAMAGE RELATING TO INFECTIOUS ANIMAL DISEASE CONTROL AND COMPENSATION FOR DAMAGE CAUSED BY INFECTIOUS ANIMAL DISEASES

[RT I 2009, 64, 422 - entry into force 01.01.2010]

§ 55. Compensation of damage caused by infectious animal disease control

(1) The following damage shall be compensated to keepers of animals in the events, pursuant to the procedure and at the rate provided for in this Act and in the relevant legislation of the European Union in accordance with the requirements provided for in subsection 3 (3) of the Rural Development and Agricultural Market Regulation Act:

- 1) the value of an animal slaughtered on the basis of a precept, including diagnostically slaughtered, killed or deceased due to an infectious animal disease;
- 2) the value of equipment, feedingstuffs, packaging materials, and animal products destroyed on the basis of a precept.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1¹) The damage specified in subsection (1) of this section will not be compensated to the keeper of animals if the allowance for damage suffered as a result of the infectious animal disease has been paid in connection with the outbreak of the same disease in the same livestock building or construction works or in the same area enclosed for keeping animals.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(1²) Subsection (1¹) of this section does not apply if the livestock building or construction works or in the same area enclosed for keeping animals specified in the same subsection was repopulated with animals at the time when it was located outside the area of the trade restrictions established by a legal instrument of the European Commission due to the occurrence of the animal disease specified in subsection (1¹) in farm animals.

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(2) The damage specified in subsection (1) of this section will be compensated out of the reserve of the Government of the Republic allocated from the state budget to that end, provided that the damage has been

caused in connection with controlling an especially dangerous infectious animal disease or a certain not especially dangerous infectious animal disease.

(2¹) If the damage specified in subsection (1) of this section, which has been suffered in connection with the control of an especially dangerous infectious animal disease or a certain not especially dangerous infectious animal disease, is compensated for from the budget of the European Union in accordance with Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC (OJ L 189, 27.06.2014, pp. 1–32), § 54 of the State Budget Act will apply.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(3) The minister responsible for the field will establish the list of the infectious animal diseases specified in subsection (2) of this section that are not especially dangerous and whereby damage caused by infectious animal disease control, which has been specified in subsection (1) of this section, will be compensated.
[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 56. Support for compensation of damage relating to infectious animal disease control

(1) A keeper of animals may apply for support for compensation of damage arising in connection of controlling the infectious animal disease specified in subsection 55 (2) of this Act and damage specified in subsection 55 (1) of this Act insofar as no insurance contract has been made for compensation of such damage (hereinafter *support for compensation of infectious animal disease damage*).

(2) The amount of the damage specified in subsection 55 (1) of this Act is determined as follows:
1) the book value of the animal, except for a breeding animal;
2) in the event of a breeding animal for the purposes of subsection 4 (1) of the Farm Animals Breeding Act, the value of the breeding animal determined on the basis of an expert opinion;
3) in the event of equipment, feedingstuffs, packaging materials, and animal products, their actual value.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(3) The Veterinary and Food Board will bear the expenses of involvement of the expert specified in clause 2) of subsection (2) of this section.

(4) An expert must:
1) be independent;
2) have at least two years of work experience in the field of veterinary medicine and knowledge in the field of breeding animals;
3) have sufficient knowledge for carrying out expert assessment at the highest professional level.

(5) The minister responsible for the field will establish requirements for expert opinions and the procedure for calculation of the value of animals, including breeding animals.
[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 57. Application for support for covering damage caused by infectious animal disease

(1) In order to get support for covering damage caused by an infectious animal disease, a keeper of animals will submit an application to the Veterinary and Food Board (hereinafter *application*) within ten working days after slaughtering, including diagnostic slaughtering an animal or after killing an animal or after the death of an animal due to the infectious animal disease. A keeper of animals will annex to the application the documents certifying the amount of the damage specified in subsection 55 (1) of this Act.

(2) A keeper of animals who has entered into an insurance contract where the object of the contract is an animal, a breeding animal, equipment, feedingstuff, packaging material or animal product which has or have been insured against the damage specified in subsection 55 (1) of this Act, will indicate it in the application. The keeper of animals will immediately inform the Veterinary and Food Board of the insurance indemnity paid to the keeper of animals under the insurance contract.
[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

(3) The time limit of proceedings arising from this Act will not be restored.
[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 57¹. Approval of application and refusal to approve application

(1) The Veterinary and Food Board will review the application and the documents annexed thereto and verify the correctness of the submitted information on the basis of relevant documents and databases.

(2) An application will not be refused if at least one of the following grounds of refusal to approve the application exists:

- 1) an animal was slaughtered, including diagnostically slaughtered or killed or died in the course of an animal testing carried out for the purpose of scientific research of an infectious animal disease;
- 2) an animal was slaughtered, including diagnostically slaughtered or killed without a relevant precept;
- 3) an animal died before establishing any suspicion of an infectious animal disease or for a reason other than an infectious animal disease;
- 4) the requirements of the Veterinary Supervision over Trade in, Import and Export of Animals and Products of Animal Origin Act were not followed upon conveyance of the animal to Estonia;

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

- 5) an animal has not been identified or registered in accordance with the requirements provided for in § 11 of this Act;

5¹) conviction data for the commitment of the offence specified in § 58⁹ of this Act has been entered in the criminal records database regarding the applicant;

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

- 6) the applicant prevents exercising state supervision required for controlling an infectious animal disease or does not fulfil the requirements of a precept;

7) the applicant has knowingly submitted false information or has otherwise submitted false information or influences the processing of the application by fraud or threat or in another unlawful manner;

7¹) the applicant has previously failed to repay a sum obtained from the state budget or other European Union or external funds, which was subject to repayment;

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

- 8) the equipment, feedingstuff, packaging material or animal product was destroyed without an adequate precept;

[RT I, 16.06.2016, 3 – entry into force 26.06.2016]

- 9) an insurance contract has been made for compensation of the damage specified in subsection 55 (1) of this Act.

(3) The Veterinary and Food Board will decide to approve an application or to refuse to approve an application within ten working days after receiving the application.

(4) Within ten working days after approval of an application, the Veterinary and Food Board will submit to the minister responsible for the field information about the need for allocation of funds from the reserves of the Government of the Republic along with a detailed calculation and relevant budget and give reasons regarding the use of the funds. On the basis of this information the Ministry of Rural Affairs will submit to the Ministry of Finance an application for payment of support for covering damage caused in the course of controlling an infectious animal disease.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 57². Rate of support for covering damage caused by infectious animal disease, payment of support and refusal to pay support

(1) Damage caused in connection with controlling an infectious animal disease will be compensated for to the extent of up to 100%.

(2) The Veterinary and Food Board will distribute the state budget funds allocated for payment of support for covering damage caused in the course of controlling an infectious animal disease proportionally between keepers of animals based on the number of approved applications, taking into account the funds required for the support and will calculate the amount of the support to be paid to the applicant. If the total amount of the support under the approved applications exceeds the funds allocated for payment of the support, the Veterinary and Food Board will proportionally reduce the rate specified in subsection (1) of this section, taking into account the funds prescribed for payment of the support and following the principle of equal treatment of applicants.

(3) Within 20 working days after the date of allocation or non-allocation of state budget funds from the reserves of the Government of the Republic for payment of support for covering damage caused in the course of controlling an infectious animal disease, the Veterinary and Food Board will decide to pay or to refuse to pay the support. After the approval of the application, but before payment of the support it will be decided to refuse to pay the support if there is at least one of the following grounds for refusal to pay the support:

- 1) there are no funds for payment of the support;
- 2) the grounds of refusal to pay the support will be identified.

(4) If an applicant for support for covering damage caused in the course of controlling an infectious animal disease has received an insurance indemnity for the damage specified in subsection 55 (1) of this Act, the Veterinary and Food Board will respectively reduce the amount to be paid in support or leave the support unpaid.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 57³. Partial coverage of damage relating to controlling infectious animal disease

An application for the partial coverage of the damage specified in subsection 55 (1) of this Act in the events specified in the legislation of the European Union will be submitted to the European Commission by the Veterinary and Food Board.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 58. Recovery of support

After payment of support for covering damage caused in the course of controlling an infectious animal disease, the Veterinary and Food Board will demand that the recipient of the support refund the support in full or in part on the grounds, within the term and in accordance with the procedure provided for in § 42 of the Rural Development and Agricultural Market Regulation Act.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

Chapter 6 LIABILITY

§ 58¹. Failure to perform obligations of veterinarian

[RT I 2009, 64, 422 – entry into force 01.02.2010]

(1) The penalty for failure to perform or defective performance of the obligations of a veterinarian is a fine of up to 200 fine units.

[RT I 2009, 64, 422 – entry into force 01.02.2010]

(2) The penalty for the same act committed by a legal person is a fine of up to 2000 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58². Violation of veterinary requirements for keeping of animals

(1) The penalty for violation of the veterinary requirements for keeping animals is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 2000 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58³. Failure to give notice of death of farm animal, widespread outbreak of animal disease or of attack by wild animal

(1) The penalty for failure to give notice of the death of a farm animal, a widespread outbreak of an animal disease, widespread death of animals or of an attack by a wild animal is a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58⁴. Failure to comply with identification and registration requirement

(1) The penalty for failure to comply or improper compliance with the animal identification and registration requirement is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 2000 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58⁵. Violation of veterinary requirements for organisation of animal exhibitions, competitions, fairs, auctions and other public events involving bringing animals together or for movement of animals, including trade in animals

(1) The penalty for violation of the veterinary requirements for the organisation of animal exhibitions, competitions, fairs, auctions and other public events involving bringing animals together or for the movement of animals, including trade in animals, is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 2000 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58⁶. Violation of veterinary requirements for transport and handling of animals, products of animal origin, animal by-products and derived products, and violation of veterinary requirements for storage of non-compliant non-food animal products in free zone, free warehouse or customs warehouse

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

(1) The penalty for violation of veterinary requirements for transport or handling of animals, products of animal origin, animal by-products and derived products or storage of non-compliant non-food animal products in free zone, free warehouse or customs warehouse is a fine of up to 200 fine units.

[RT I, 29.06.2014, 2 – entry into force 01.07.2014]

(2) The penalty for the same act committed in a manner which endangers human health or the environment is a fine of up to 300 fine units.

(3) The penalty for the act provided for in subsection (1) of this section, if committed by a legal person, is a fine of up to 2000 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

(4) The penalty for the act provided for in subsection (2) of this section, if committed by a legal person, is a fine of up to 3200 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58⁷. [Repealed – RT I 2007, 70, 428 – entry into force 01.01.2008]

§ 58⁸. Isolation and cultivation of pathogens of infectious animal diseases for research purposes without permit and violation of biosafety requirements

(1) The penalty for isolation or cultivation of pathogens of infectious animal diseases for research purposes without permit or violation of the biosafety requirements of a laboratory used for isolating or cultivating pathogens of infectious animal diseases for research purposes is a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58⁹. Failure to comply with measures applicable in event of suspicion of infectious animal disease or for prevention of infectious animal disease and violation of infectious animal disease control rules

(1) The penalty for failure to comply with the measures applicable in the event of suspicion of an infectious animal disease or for the prevention of an infectious animal disease, or violation of the infectious animal disease control rules is a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 58¹⁰. Proceedings

(1) [Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The Veterinary and Food Board or a court may, in accordance with § 83 of the Penal Code, apply confiscation of the animal or product of animal origin which was the direct object of commission of a misdemeanour in the events provided for in subsection 58⁶(2) or (4) of this Act.

(3) Extrajudicial proceedings concerning the misdemeanours provided for in §§ 58¹-58⁹ of this Act will be conducted by the Veterinary and Food Board.

[RT I 2002, 63, 387 – entry into force 01.09.2002]

§ 59.–§ 61¹.[Repealed – RT I 2002, 63, 387 – entry into force 01.09.2002]

Chapter 7

IMPLEMENTING PROVISIONS

§ 62. International agreements

If the provisions of an international agreement differ from the veterinary requirements or requirements for cooperation and notification established in this Act or legislation arising therefrom, the provisions of the international agreement will apply.

§ 63.–§ 64.[Omitted from this text]

§ 64¹. Registration and approval of establishments or plants in use

(1) Livestock buildings and facilities and areas enclosed for keeping animals which are subject to registration and which are in use on 1 January 2002 will be registered not later than by 1 January 2003.

(2) Livestock buildings and facilities and areas enclosed for keeping animals which are subject to approval and which are in use at the time of entry into force of the relevant veterinary requirements established on the basis of subsection 7 (2) of this Act will be registered not later than by 1 January 2003.

(3) A person engaged in handling embryos at the time of the entry into force of the requirements established on the basis of subsection 7 (2²) of this Act, who has an embryo collection team approved on the basis of subsection 7 (2¹) of this Act, will submit an application for approval of the embryo collection team not later than by 1 July 2003.

(4) An establishment or plant which is approved to handle feedingstuffs for pets in accordance with subsection 17 (2) of this Act or to handle animal waste in accordance with subsection 19 (4) of this Act before 1 May 2004 is deemed to be approved to handle feedingstuffs for pets or animal waste, respectively, within the meaning of subsection 18¹(2) of this Act and according to the requirements of Regulation No. 1774/2002/EC of the European Parliament and of the Council.

[RT I 2004, 19, 135 – entry into force 01.04.2004; 01.05.2004]

§ 64². Registration in register of farm animals of information concerning approved slaughterhouses and establishments or plants where products of animal origin are handled

(1) The Veterinary and Food Board will transfer information concerning slaughterhouses and establishments or plants where products of animal origin are handled and which are approved before 31 March 2004 to the register of farm animals by 19 April 2004.

(2) The authorised processor will enter information concerning slaughterhouses and establishments or plants where products of animal origin are handled specified in subsection (1) of this section in the register of farm animals by 1 May 2004.

(3) In order to specify the geographical coordinates of the location of an establishment or plant specified in subsection (1) of this section, the authorised processor has the right to make inquiries to the handler in accordance with the procedure prescribed in the statutes for maintenance of the register of farm animals.

[RT I 2004, 19, 135 – entry into force 01.04.2004]

§ 64³. Validity of veterinary certificates

Veterinary certificates issued on the basis of § 29 of this Act before 1 May 2004 will be valid until 30 April 2004.

[RT I 2004, 34, 236 – entry into force 01.05.2004]

§ 64⁴. Validity of special permit issued for scientific research

A special permit issued before 1 January 2010 for the scientific research of infectious animal diseases in the course of which a pathogen causing a dangerous infectious animal disease is isolated or cultivated will remain in force until the expiry of the term indicated in the permit or until the special permit is revoked.

[RT I 2009, 64, 422 – entry into force 01.01.2010]

§ 65. Entry into force of Act

(1) This Act will enter into force on 1 January 2000, except for subsection 15 (1) which will enter into force on 1 July 2002 and subsection 18 (1) which will enter into force on 1 January 2003.

(2) The veterinary requirements established on the basis of subsection 7 (2) of this Act enter into force on 1 January 2002 unless a later date of entry into force is prescribed when the requirements are established.

(3) With regard to bovine animals entered in the register of farm animals before 1 January 2003, subsection 13 (4¹) of this Act will enter into force as of 1 January 2004, except upon the export of such animals to a Member State or candidate state of the European Union.

(4) Subsection 11 (2¹), subsections 18¹(1)-(5), subsection 18²(3), § 18³, subsection 19¹(7), subsection 37 (3¹), subsection 43 (3) and 64¹(4) of this Act will enter into force on 1 May 2004.

(5) Section 17 and Division 6 of Chapter 2 of this Act will remain in force until 1 May 2004.
[RT I 2004, 19, 135 – entry into force 01.04.2004]

¹ Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L 121, 29.7.1964, pp. 1977–2012), amended by Directives 97/12/EC (OJ L 109, 25.4.1997, pp. 1–37); 98/46/EC (OJ L 198, 15.7.1998, pp. 22–39); 2000/15/EC (OJ L 105, 3.5.2000, pp. 34–35); 2000/20/EC (OJ L 163, 4.7.2000, pp. 35–36), 2006/104/EC (OJ L 363, 20.12.2006, pp. 352–367) and 2008/73/EC (OJ L 219, 14.08.2008, pp. 40–54), by Regulations (EC) No. 535/2002 (OJ L 80, 23.03.2002, pp. 22–28), (EC) No. 1226/2002 (OJ L 179, 09.07.2002, pp. 13–18), (EC) No. 21/2004 (OJ L 5, 09.01.2004, pp. 8–17) and (EC) No. 1/2005 (OJ L 3, 05.01.2005, pp. 1–44) and Decisions 2001/298/EC (OJ L 102, 12.04.2001, pp. 63–68), 2007/729/EC (OJ L 294, 13.11.2007, pp. 26–35), 2008/984/EC (OJ L 352, 31.12.2008, pp. 38–45) and 2009/976/EC (OJ L 336, 18.12.2009, pp. 36–41); Council Directive 82/894/EEC on the notification of animal diseases within the Community (OJ L 378, 31.12.1982, p. 58–62), amended by Regulation (EC) No. 807/2003 (OJ L 122, 16.05.2003, pp. 36–62) and Decision 2008/650/EC (OJ L 352, 31.12.2008, pp. 38–45); Council Directive 89/556/EEC on animal health conditions governing intra Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989, pp. 1–11), amended by Directives 90/425/EEC (OJ L 224, 18.8.1990, pp. 29–41), 93/52/EEC (OJ L 175, 19.7.1993, pp. 21–22) and 2008/73/EC (OJ L 219, 14.08.2008, pp. 40–54), Regulation (EC) No. 806/2003 (OJ L 122, 16.05.2003, pp. 1–35) and Decision 2006/60/EC (OJ L 31, 03.02.2006, pp. 24–26); Council Directive 91/68/EEC on animal health conditions governing intra Community trade in ovine and caprine animals (OJ L 46, 19.2.1991, pp. 19–36), amended by Directives 2001/10/EC (OJ L 147, 31.5.2001, p. 41), 2003/50/EC (OJ L 169, 8.7.2003, pp. 51–66), 2006/104/EC (OJ L 363, 20.12.2006, pp. 352–367) and 2008/73/EC (OJ L 219, 14.08.2008, pp. 40–54), Regulation (EC) No. 806/2003 (OJ L 122, 16.05.2003, pp. 1–35) and Decisions 2004/554/EC (OJ L 248, 22.07.2004, pp. 1–11) and 2005/932/EC (OJ L 340, 23.12.2005, pp. 68–69); Directive 2003/99/EC of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC (OJ L 325, 12.12.2003, pp. 31–40), amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, pp. 352–367) and Regulation (EC) No. 219/2009 (OJ L 87, 31.03.2009, pp. 109–154); Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (OJ L 328, 24.11.2006, pp. 14–56), amended by Directive 2008/53/EC (OJ L 117, 01.05.2008, pp. 27–29); Council Directive 2008/71/EC on the identification and registration of pigs (OJ L 213, 08.08.2008, pp. 31–36); Council Directive 2008/73/EC simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC (OJ L 219, 14.08.2008, pp. 40–54), amended by Decision 2009/436/EC (OJ L 145, 10.06.2009, pp. 43–44).
[RT I, 18.12.2012, 2 - entry into force 01.01.2013]