

**A PROCLAMATION TO PROVIDE FOR THE
REGULATION OF ANIMAL HEALTH, WELFARE
& VETERINARY PUBLIC HEALTH**

**Draft for Evaluation
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DRAFT

PROCLAMATION NO. XXX/2013

**A PROCLAMATION TO PROVIDE FOR THE REGULATION OF ANIMAL HEALTH,
WELFARE & VETERINARY PUBLIC HEALTH**

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PROCLAMATION NO. XXX/201X

**A PROCLAMATION TO PROVIDE FOR THE REGULATION OF ANIMAL HEALTH,
WELFARE & VETERINARY PUBLIC HEALTH**

WHEREAS, animal production represents one of the mainstays of food security and export earnings and farm animals play a crucial role in providing draught power and manure for agriculture;

AND whereas, it is necessary to make provisions for the regulation of the prevention and control of animal diseases, animal welfare, and the protection of human health and life from the risks associated with foods of animal origin and zoonotic diseases throughout the territory of the Federal Democratic Republic of Ethiopia;

NOW THEREFORE, in accordance with Article 55 (1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE

GENERAL PROVISIONS

1 Short Title

This Proclamation may be cited as the Animal Health, Welfare and Veterinary Public Health Proclamation No. XXX/201x

2 Scope of Application

The specific areas of regulation included in this Proclamation shall be the following:

- (1) the prevention, control and eradication of *animal diseases*;
- (2) the regulation of veterinary diagnostic laboratories and laboratory services;
- (3)
- (4) the import, export and *transit of animals*, and *commodities*;
- (5) the safety and quality of *primary animal products* destined for human or animal consumption and commercial purposes;
- (6) *animal welfare* and the control of *stray animals*;

3 Definition¹ of terms

In this Proclamation, unless the context indicates otherwise:

- (1) “Agreement on the application of Sanitary and Phytosanitary Measures”, hereinafter referred to as the SPS Agreement, is the set of principles, established by the *World Trade Organization*, binding Member countries to undertake to only apply *sanitary measures* for the import or export of *animals* or *commodities* which would result in an *appropriate level of sanitary protection* and at the same time be least trade restrictive.

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- (2) "animal" means:
- (i) any mammal, bird, fish, reptile or amphibian which is a member of the phylum vertebrates, other than humans;
 - (ii) any invertebrate, including bees and silkworms, which is prescribed as an *animal* for the purpose of this Proclamation.
- (3) "animal disease" means an impairment or disturbance of the normal function of any organ or the body of any *animal* that is caused by any protozoon, bacterium, virus, fungus, prion, rickettsia, other *infectious organism* or substance.
- (4) "animal disease control scheme" means a scheme whereby the *Federal* and *Regional Veterinary Authorities* assume joint responsibility for the prevention and control of certain *notifiable animal diseases*, as listed in a Directive, through a Memorandum of Agreement between the respective *Veterinary Authorities*, *owners of animals* and other stakeholders according to the Regulations, Directives and Guidelines pursuant to this Proclamation.
- (5) "animal health officer" means any *registered veterinarian* or *registered veterinary para-professional* in the employment of the *Federal* or a *Regional Veterinary Authority*.
- (6)
- (7)
- (8)
- (9)
- (6) "animal product" means any carcass, part or portion of, or product derived from or yielded by, any *animal*, including any such part, portion or product that has been processed, whether or not it is intended for human consumption, as an *animal* feed or for other commercial purposes.
- (7) "animal welfare" means how an *animal* is coping with the conditions in which it lives. An *animal* is in a good state of welfare if, as indicated by scientific evidence, it is healthy, comfortable, well nourished, safe, able to express innate behaviour, and if it is not suffering from unpleasant states such as pain, fear, and distress.
- (8) "appropriate level of sanitary protection" means the level of protection, based upon scientific evidence and risk assessment, deemed appropriate by the *Federal Veterinary Authority* for implementing and enforcing *sanitary measures* to protect human or *animal* life or health or the environment within the territory of the Federal Democratic Republic of Ethiopia.
- (9) "approved veterinary diagnostic laboratory" means a private veterinary diagnostic laboratory approved and certified by the *Federal Veterinary Authority* to perform specified *official* veterinary diagnostic tests or *official* analytical tests on behalf of the *Federal Veterinary Authority* for the purposes of *official* certification.
- (10) "assignee" means any person, undertaking, body, institution or association who may be delegated to perform certain functions or exercise certain powers defined within the terms of a *Sanitary Mandate contract* or under the direction of the *Chief Veterinary Officer* or a *Regional Veterinary Officer*.
- (11)
- (12) "authorised veterinary diagnostic laboratory" means a veterinary diagnostic laboratory which has been authorised by the *Federal Veterinary Authority* to conduct self-inspection tests and analyses according to the Food Safety of Primary Animal Products Regulation and standards defined in Directives and Guidelines declared under the authority of this Proclamation.

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- (13) "biological material" means any product of a biological process, including ova, semen, embryos, genetic material, hormones or any other *biological materials* used in *animal* husbandry if they are stated to alter the bodily functions or performance of an *animal*.
- (14) "biological product" means sera, anti-sera, *animal* cells, live, attenuated or killed vaccines and any other immunological reagents used for the performance of diagnostic tests or analyses or for the prevention or treatment of *animal diseases*.
- (15) "Border inspection post" means an inspection facility established at any airport, railway station or road checkpoint in the territory of the Federal Democratic Republic of Ethiopia designated to be open to international trade of *animals* and other *commodities*.
- (16) "Chief Veterinary Officer" means the Chief Veterinary Officer of the *Federal Veterinary Authority* of the *Ministry* and designated as such in terms of Article 6.
- (17) "Codex Alimentarius", means the set of internationally agreed and approved standards, prepared and published by the Codex Alimentarius Commission of the United Nations, relating to the application of *official* laboratory diagnostic tests and analyses and the interpretation of *official* laboratory test and analysis results to ensure the safety and quality of foods of *animal* and plant origin destined for human consumption.
- (18) "commodity" means *animal products, biological materials, biological products*, animal feedstuffs and any other *controlled articles* subject to domestic or international trade.
- (19) "compartment" means an *animal* subpopulation contained in one or more establishments under a common biosecurity management system with a distinct health status with respect to a specific *animal disease* or diseases for which required surveillance, control and biosecurity measures have been applied for the purpose of international trade.
- (20) "Competent Authority" means the *Federal Veterinary Authority*, having the responsibility and competence for ensuring or supervising the implementation of *animal* health and welfare measures, any *sanitary measures, international veterinary certification* and other standards and recommendations in the *Terrestrial and Aquatic Animal Health Codes* of the OIE and the *Codex Alimentarius* in the territory of the Federal Democratic Republic of Ethiopia.
- (21) "contaminated article" means any object other than an *animal* or an *infectious article*, including a *conveyance*, which is contaminated or suspected to be contaminated with any *infectious organism*, chemical or other harmful material by means of which an *animal disease, zoonosis* or other form of illness or environmental contamination can be caused, or which is declared to be a *contaminated article*.
- (22) "controlled article" means any object which is either suspected or confirmed to be an *infectious article or a contaminated article* which is controlled for the purposes of import into, *transit* through or export from the territory of the Federal Democratic Republic of Ethiopia.
- (23) "controlled animal disease" means any *notifiable animal disease* which, it is deemed to be necessary to control as a public good, through the application of one or more *sanitary measures* and is declared by the *Ministry* to be a *controlled animal disease* as listed by a Directive.
- (24) "conveyance" " means any aircraft, ship, boat, train, motor car, van, wagon, truck, cart or container, *animal* or other means of transport of whatever kind used for the transportation of *animals, animal products or biological materials*, including the fittings and equipment and, in the case of an *animal*, the harness and tackle thereof.
- (25) "conveyer" means a person who conveys any *animal, animal product or commodity in transit* through or within the territory of the Federal Democratic Republic of Ethiopia.

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- (26) “direction” means the oversight of the performance of certain *veterinary professional acts*, being performed by a *veterinary para-professional* by a supervisor who may be a *registered veterinarian*, or a *prescribed veterinary para-professional*, who is not physically present at the time the activity is being undertaken.
- (27) “emerging animal disease” means a new infection resulting from the evolution or change of an existing *infectious organism*, a known *animal disease* or *infectious organism* spreading to a new geographic area or population, or a previously unrecognized *infectious organism* or *animal disease* diagnosed for the first time and which has a significant impact on *animal* or public health.
- (28) “Federal veterinary analyst” means a *veterinary officer* employed within the *Federal Veterinary Authority*, who is authorised to perform, and certify the results of, an *official* veterinary laboratory diagnostic test or analysis.
- (29) “Federal Veterinary Authority” means the institution incorporating *animal health officers*, *Federal veterinary inspectors* and *Federal veterinary analysts* in the employment of the Ministry of Agriculture which is the *Competent Authority*, for the purpose of exercising the powers and performance of functions as defined in Article 5.
- (30) “Federal veterinary inspector” means a *veterinary officer*, employed within the *Federal Veterinary Authority*, who is authorised to exercise certain powers and perform certain regulatory functions as determined in Article 11.
- (31)
- (32) “infectious article” means:
- (i) an *animal*, *animal product* or article that is infected, or is suspected of being infected with an *animal disease* or an *infectious organism*;
 - (ii) any protozoon, bacterium, virus, fungus, prion, rickettsia, or other *infectious organism* or substance that can cause an *animal disease* or *zoonosis*; and,
 - (iii) any other article that is prescribed to be an *infectious article* under the authority of this Proclamation.
- (33) “infectious organism” means any organism that is detrimental to the health of any *animal* or human, or which is capable of causing or spreading any *animal disease* or *zoonosis*.
- (34) “international veterinary certificate” means a certificate issued by the *Competent Authority*, in conformity with the provisions of the *Terrestrial and Aquatic Codes*, describing the *animal* or *commodity* to be traded and the sanitary requirements which have been met in accordance with an importing country’s requirements.
- (35) “in transit” means the conveyance of an *animal*, or *commodity* that has been imported through a port of entry into the territory of the Federal Democratic Republic of Ethiopia, in transit through the territory of the Federal Democratic Republic of Ethiopia to another country after its release from the port of entry.
- (36) “local jurisdiction” means an area designated as a Region, Wereda or Kebele under the laws which define government administrative boundaries of the Federal Democratic Republic of Ethiopia.
- (37) “*Ministry*” means, the Ministry of Agriculture or the Ministry responsible for Animal Health, Animal Production, Animal Feeds and Veterinary Services in accordance with Proclamation No. 691/2010, providing for the powers and duties of executive organs of the Federal Democratic Republic of Ethiopia.

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- (38) “national reference laboratory” means any laboratory as designated by the *Ministry* in accordance with Article 22 (1) which meets the operating criteria defined in Directives and Guidelines for the conduct of *official* veterinary diagnostic tests and *official* diagnostic analyses.
- (39) “notifiable animal disease” means any *animal disease* which is declared to be a notifiable animal disease by the *Ministry*, and as listed in a Directive, which as soon as it is detected or suspected by any person must be brought to the attention of an *animal health officer* of the *Federal or a Regional Veterinary Authority*.
- (40) “official” in relation to a public service, veterinary diagnostic test, analysis or *international veterinary certificate* means any public service, diagnostic test, analysis or *international veterinary certificate*, which is undertaken, made or used to support international notifications of notifiable animal diseases or export certification of *animals*, or other *commodities* or for the better implementation of the provisions of this Proclamation.
- (41) “owner”, in relation to:
- (i) *animals, animal products, biological materials or articles, conveyances, containers* and other movable property, means the person in whom ownership in respect thereof is vested and includes a person who is responsible for the control or management thereof or a person who has such *animal, animal product, biological material or article, conveyance, container* or movable property in his or her possession, but in the case of wild animals or *animals* for which the ownership cannot readily be established, the user of the *land* on which such wild animal or *animals* are present is deemed to be the owner thereof; and,
 - (ii) a *premises*,
 - (a) means the person in whose name that *premises* is registered;
 - (b) which has been purchased by a person but has not yet been registered in his or her name, means such purchaser;
 - (c) which is subject to a legally binding partnership whereby more than one owner shares responsibility for the management or occupation of that premises, and;
 - (d) of which the *owner* or purchaser is a mentally disabled person, insolvent or is otherwise incompetent in law to administer his or her estate, or is deceased, or is a body corporate under judicial management or liquidation, means the agent or legal representative of such *owner* or purchaser or another person authorized by law to administer his or her affairs or, in the case of a body corporate, the judicial manager or liquidator thereof.
 - (iii) *abattoir, slaughter facility* or other processing facility for *primary animal products, private veterinary diagnostic or research laboratory*:
 - (a) means a natural person or body corporate in whose name such *abattoir, slaughter facility* or other processing facility, *private veterinary diagnostic or research laboratory* is registered, or;
 - (b) the person who is responsible for the management and operation of such *abattoir, slaughter facility* or other processing facility, *private veterinary diagnostic or research laboratory*.
- (42) “premises” means any defined area of land, building, structure, fenced enclosure, harbor, jetty, quay or mooring.
- (i) any reference to a *premises*, in the case of a *premises* registered under a separate title deed as a separate unit in any deeds registry and that is adjoined by another *premises* separately

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registered in the name of the same *owner*, shall, irrespective of the respective *premises* being divided physically, by natural means or by roads, railway lines, aqueducts or otherwise, be construed as a reference to such *premises* and such adjoining *premises* as one unit.

- (43) “primary animal product” means any *meat*, or other *animal product* which is subject to processing at an *abattoir* or other food processing facility and inspection and certification by an *animal Federal or Regional veterinary inspector*.
- (44) “quarantine” means a *sanitary measure* under which *animals* are maintained in isolation and under observation, with no direct or indirect contact with other *animals*, for a specified period of time and, if appropriate, tested and treated.
- (45) "quarantine station" means any animal holding facility established by the *Ministry* under the control of the *Federal Veterinary Authority* where *animals* are maintained in *quarantine*.
- (46) "quarantine facility" means any temporary *quarantine station* declared as such under the authority of this Proclamation.
- (47) “Region” means any of the Regional States specified under Article 47 (1) of the Constitution of the Federal Democratic Republic of Ethiopia, and includes the Addis Ababa and Dire Dawa Administrations;
- (48) “Regional Veterinary Authority” means the institution incorporating *Regional veterinary inspectors, animal health officers and animal welfare inspectors* in the employment of Regional State Bureaus of Agriculture, Livestock Agencies and Pastoralist Livestock Development Agencies, responsible for the promotion of *animal health, welfare* and production and food safety of *primary animal products* within each respective *Region*.
- (49) “Regional Veterinary Officer” means a *registered veterinarian*, as designated according to Article 8 (3) of this Proclamation.
- (50)
- (51)
- (52) "registered veterinary para-professional" means a person who is registered by the *Council* as a *veterinary para-professional* to practise a particular *veterinary para-profession*.
- (53) "registered veterinarian" means a *veterinarian* who is registered by the *Council* to practise a *veterinary profession*.
- (54) “Registrar” means the *Registrar* of the *Veterinary Council of Ethiopia* appointed by the *Ministry* in accordance with in Article 4 (10) of this Proclamation;
- (55) “Regulations” means the regulations made by the Council of Ministers in accordance with Article 49, sub-articles (1) to (6) of this Proclamation.
- (56) “sanitary emergency” means a situation when the *Chief Veterinary Officer* is authorized to impose emergency *sanitary measures*, when he or she has reason to believe that such *sanitary measures* are necessary to avoid the introduction or spread of a *notifiable animal disease* or an *emerging animal disease*.
- (57) “Sanitary Mandate contract” means a contract made between the *Chief Veterinary Officer* or a *Regional Veterinary Officer* and an *assignee* for the purpose of delegating the exercise of certain defined powers or the performance of certain defined functions to *assignees* on behalf of the *Federal* or a *Regional Veterinary Authority*, as appropriate.
- (58) “sanitary measure” means a compulsory measure, as detailed in Article 14 in respect of any *animal, animal product, biological material, biological product, commodity, land, conveyance, or*

controlled article applied at the ports of entry and exit and within the territory of the Federal Democratic Republic of Ethiopia.

- (59) “stray animal” shall mean any *animal* which has been found outside its *owner’s* or custodian’s normal care and confinement or for which ownership cannot be readily ascertained;
- (60) “supervision”, means the oversight of the performance of specified *veterinary professional acts* being performed by a *veterinary para-professional*, by a supervisor who may be a *registered veterinarian*, or a *prescribed veterinary para-professional*, who is physically present at the time the activity is being undertaken.
- (61) “Terrestrial and / or Aquatic Animal Code” means the Terrestrial or Aquatic Animal Health Codes of the World Organisation for Animal Health, (OIE).
- (62) “Veterinary Council of Ethiopia”, hereinafter referred to as the *Council*, means the Veterinary Statutory Body established under the Veterinary Professions and Para-professions Proclamation No (XXX/2013) .
- (63) “Veterinary Council inspector” means an inspector appointed by the *Ministry* on the advice of the *Veterinary Council of Ethiopia*.
- (64) “veterinary officer” means a *registered veterinarian* who is appointed as a member of the *Federal* or a *Regional Veterinary Authority*.
- (65) “veterinary para-profession” means the practice of specified *veterinary professional acts*, prescribed by the *Council*, which have been delegated to a *registered veterinary para-professional*, under the *direction* or *supervision* of a *registered veterinarian* or *prescribed veterinary para-professional*.
- (66) “World Trade Organisation” (WTO) is the legally recognised global institution dealing with the rules of trade between member nations to ensure that trade flows as smoothly, predictably and freely as possible.
- (67) “zone” means a clearly defined part of a territory containing an *animal* subpopulation with a distinct health status with respect to a specific *animal disease* or diseases for which required surveillance, control and biosecurity measures have been applied for the purpose of *animal disease* prevention, control or eradication and international trade.
- (68) "zoonosis" means any *animal disease* or infection which is naturally transmissible from *animals* to humans and vice versa.

4 The powers and duties of the *Ministry*

- (1) The *Ministry* shall designate one or more Directorates or Departments within the *Ministry* to function as the *Federal Veterinary Authority* for the purposes of implementing the provisions of this Proclamation and any subsidiary legislation pursuant to it.
- (2) The *Ministry* shall appoint a *registered veterinarian* in the employment of the *Ministry* as *Chief Veterinary Officer*.
- (3) in the employment of the *Ministry*
- (4) The *Ministry* shall, subject to section (i) herein, appoint *registered veterinarians* as *Federal veterinary inspectors* and *Federal veterinary analysts* who shall be designated as members of the *Federal Veterinary Authority* and who shall work under the authority and supervision of the *Chief Veterinary Officer*.

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- (i) any such appointment shall be subject to these persons having completed specialised training and acquired the necessary knowledge and skills, to perform the functions detailed in Article 11 and as prescribed by Regulation.
 - (ii) *Federal veterinary inspectors* and *Federal veterinary analysts* so appointed shall be issued with a Certificate of Authority;
 - (iii) a Certificate of Authority as contemplated in section (ii) shall define the powers and authority of the holder and shall be used as evidence of such powers and authority.
- (5) For the purpose of facilitating international trade in *animals* and other *commodities*, and for the fulfilment of obligations of membership to the *World Trade Organisation*, the *Ministry* shall appoint a *veterinary officer* of the *Federal Veterinary Authority* to act as the representative to the *National SPS Enquiry and Notification Point*.
- (6)
- (7) For the purposes of efficient implementation of the provisions of this Proclamation the *Ministry* shall assign specific functions to the *Chief Veterinary Officer* and the officers of the *Federal Veterinary Authority*.
- (8) The *Ministry* shall authorize the *Chief Veterinary Officer* and Heads of Regional State Bureaus of Agriculture, Livestock agencies and Pastoralist Livestock Development Agencies to contract the services of *registered veterinarians* or *registered veterinary para-professionals* to perform certain defined functions or exercise certain powers on behalf of the *Federal* or a *Regional Veterinary Authority*, as the case may be, through the award of a *Sanitary Mandate contract*, according to conditions defined by Regulation.
- (9) The *Ministry* shall propose the fees to be charged for applications, and renewal of permits and Certificates of Competence, international veterinary certificates, inspections, tests and analyses and for the performance of any other *official services* as determined by Regulation;
- (10) The *Ministry* is authorised to pay compensation to the owner of any *animal*, or *commodity* which is the subject of a compulsory *sanitary measure*, involving the seizure, humane killing or disposal of that *animal*, or *commodity*, which has been applied in order to prevent the entry into or the spread of a *notifiable animal disease* within the territory of the Federal Democratic Republic of Ethiopia, according to the conditions defined in Article 16 and by Regulation.
- (11) The *Ministry* shall appoint members of the *Veterinary Council of Ethiopia*, a *Registrar* and *Assistant Registrars* according to the conditions defined in the Veterinary Professions and Para-professions Regulation.
- (12) In the event of an appeal against any decision of the *Veterinary Council of Ethiopia* as contemplated in Article 7 of the Veterinary Professions and Para-professions Proclamation, the *Ministry* shall appoint an appeal committee to hear such appeal.
- (13) The *Ministry* shall ensure the allocation of an annual budget, for the purposes of exercising the powers and performing the functions of the *Veterinary Council of Ethiopia*, subject to the *Council* preparing a detailed budget, investment and implementation plan and provided that all other conditions defined in Article 44 have been met.
- (14) The *Ministry* shall establish a Technical Standing Committee the composition and functions of which shall be defined by Regulation.

5 The powers, functions and responsibilities of the Federal Veterinary Authority

The *Federal Veterinary Authority* is designated as the *Competent Authority* responsible for implementation and enforcement of Regulations, Directives and Guidelines pursuant to this Proclamation

for the purposes of protecting *animal* and human health and welfare and the environment from the risks associated with the entry into, or the spread within, the territory of the Federal Democratic Republic of Ethiopia, of *infectious organisms, animal diseases* or food hazards associated with *primary animal products* and shall have the following powers, responsibilities and functions:

- (1) The *Federal Veterinary Authority* shall collaborate and coordinate its activities with *Regional Veterinary Authorities* for the purposes of implementing and enforcing any of the provisions of this Proclamation, the Regulations and other subsidiary legislation pursuant to them.
- (2) In accordance with Article 14 herein, the coordination and application of whatever *sanitary measures* are deemed necessary for the prevention, control and, when appropriate, the eradication of *notifiable animal diseases* in accordance with the conditions defined in Article 9 of the Prevention and Control of Animal Diseases Regulation;
- (3) The conduct of *official* veterinary diagnostic tests and analyses and the issuance of test results and *international veterinary certificates* for the purposes of international notifications of *notifiable animal diseases* or the export of *animals, and commodities*;
- (4) The inspection, authorisation and approval of *authorised* and *approved veterinary diagnostic laboratories*, respectively, in accordance with the Veterinary Diagnostic Laboratories Regulation;
- (5) In accordance with the Control of the Safety and Quality of Primary Animal Products Regulation:
 - (i) the inspection and export certification of *animals* and *meat* and other *primary animal products* destined for export from the Federal Democratic Republic of Ethiopia;
 - (ii) the inspection, issuance and, as and when necessary, revocation of Certificates of Conformity for export *abattoirs* and other processing facilities of primary animal products destined for export;
- (6) The application of *sanitary measures* for the control of import, export and *transit* of *animals, commodities* and *controlled articles* into, out of, and within, the territory of the Federal Democratic Republic of Ethiopia, in accordance with Article 5 of the Veterinary Control of Import and Export Regulation;
- (7)
- (8) The declaration of any *infectious* or *contaminated article, or conveyance* as being a *controlled article*;
- (9) Represent the Federal Democratic Republic of Ethiopia in bilateral, regional and international forums related to *animal* health and welfare and international trade in *animals* and *commodities*;
- (10) In accordance with the Animal Welfare and Control of Stray Animals Regulation, the control of *animal welfare* and *stray animals*;
- (11) Generally for the protection of *animal* health and *welfare* and to promote increased animal production and productivity;
- (12) The costs associated with the performance of interventions defined under sub-articles (2), (3), (4), (5), (6), (8) and (9) herein shall be borne by the budget of the Ministry of Agriculture, except where such costs may be partially offset through the payment of fees or donations from civil societies and other sources;.

6 Designation, powers and functions of the Chief Veterinary Officer

The *Chief Veterinary Officer*, is designated as the senior executive officer of the *Federal Veterinary Authority* and shall be responsible for the supervision and management of the activities of officers of the

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Federal Veterinary Authority, subject to the control and direction of the *Ministry* and in addition shall have the following responsibilities:

- (1) The *Chief Veterinary Officer* shall respond to all applications or requests related to veterinary regulatory matters which are made to the *Federal Veterinary Authority* as required by Regulation.
- (2) The *Chief Veterinary Officer* shall be responsible for the enforcement and implementation of Regulations in a manner consistent with the *SPS Agreement*, and where possible, in accordance with the *Terrestrial and Aquatic Animal Codes* and the *Codex Alimentarius* standards, except in the case where a bilateral trade agreement has been agreed upon.
- (3) The *Chief Veterinary Officer* shall, subject to the provisions defined in Article 8, direct and coordinate the activities of *Regional Veterinary Authorities* with regard to the actions to be undertaken in response to a *sanitary emergency*, *notifiable animal disease* surveillance and reporting, *controlled animal diseases*, *animal disease control schemes*, *sanitary mandates*, the operation and management of *national reference laboratories* and other technical veterinary matters involving *animal diseases* or *zoonoses* that may affect the national interest.
- (4) The *Chief Veterinary Officer* shall monitor the performance of activities as contemplated under sub-article (3) which are being implemented throughout the territory of the Federal Democratic Republic of Ethiopia, and,
 - (i) the *Chief Veterinary Officer* shall compile quarterly reports of the activities monitored as contemplated in sub-article (4) and furnish a copy to each *Regional Veterinary Authority*.

7 Regional State Councils

In accordance with Article 52 sub-article (2) (b) of the Constitution, the Regional State Councils shall publish Directives for the better implementation and enforcement of this Proclamation and the Regulations pursuant to it.

8 Regional State Bureaus of Agriculture, Livestock Agencies and Pastoralist Livestock Development Agencies

In accordance with Article [.] of the {*Proclamation for establishment of Regional Authorities*} The Heads of Regional State Bureaus of Agriculture, Livestock Agencies and Pastoralist Livestock Development Agencies shall publish Directives as subsidiary legislation, in accordance with Directives published by the National Regional State Council.

- (1) Such Directives shall make provisions for Memoranda of Agreement to be established between the *Regional Veterinary Authority* and the *Federal Veterinary Authority* for the purposes of protecting *animal health and welfare*, to ensure food safety in relation to *primary animal products* and should adopt the following principles:
 - (i) such Directives shall be published upon the advice of the *Regional Veterinary Officer* and shall not contradict any Regulations, Directives or Guidelines issued under the authority of this Proclamation, and in accordance with the provisions of Article 5.
- (2) The Heads of Regional State Bureaus of Agriculture, Livestock Agencies and Pastoralist Livestock Development Agencies shall designate one or more Processes or Departments which shall comprise the *Regional Veterinary Authority*.
- (3) The Head of each respective Regional State Bureau of Agriculture, Livestock Agency and Pastoralist Livestock Development Agency shall appoint an officer of the *Regional Veterinary Authority* who is a *registered veterinarian* as *Regional Veterinary Officer* in each Regional State.

- (4) The *Regional Veterinary Officer* appointed under the provisions of sub-article (3) shall be designated as the senior executive officer of the *Regional Veterinary Authority*.
- (5) The Head of each Regional State Bureau of Agriculture, Livestock Agency or Pastoralist Livestock Development Agency, as the case may be shall appoint *animal health officers* and *animal welfare inspectors* who shall comprise the *Regional Veterinary Authority* and who shall be responsible for exercising the powers and performing the functions as defined in Article 9 and by Regulation.
- (6) *Animal health officers* so appointed shall be issued with a Certificate of Authority;
 - (i) Such Certificate of Authority shall define the powers and authority of the holder and shall be used as evidence of such powers and authority.
 - (ii)

9 The functions and responsibilities of Regional Veterinary Authorities

Regional Veterinary Authorities shall be responsible for the promotion of *animal health, welfare* and production and food safety of *primary animal products* within their respective *local jurisdiction* in accordance with the following provisions:

- (1) The *Regional Veterinary Authorities* shall undertake to collaborate closely with the *Federal Veterinary Authority* for the prevention and control of *notifiable* and *emerging animal diseases* and shall facilitate the provision of *animal health, welfare* and production services each within its own *local jurisdiction*.
- (2) The *Regional Veterinary Officer* appointed under the authority of Article 8 sub-article (4) shall be responsible for all direct communication with the *Chief Veterinary Officer* and the *Federal Veterinary Authority*, for the purposes of implementing the provisions of this Proclamation as well as the Directives and Guidelines issued by Regional State Bureaus of Agriculture, Livestock Agencies and Pastoralist Livestock Development Agencies.
- (3) The *Regional Veterinary Officer* shall ensure that any *animal health officers* employed within the *Regional Veterinary Authority* and private *veterinarians* or private *veterinary para-professionals* working in his or her *local jurisdiction* provide immediate reports to his office of any suspected or confirmed occurrence of a *notifiable* or *emerging animal disease* in accordance with the Prevention and Control of Animal Disease Regulation.
- (4) Any such reports of suspected or confirmed occurrence of a *notifiable* or *emerging animal disease* shall be forwarded by the *Regional Veterinary Officer* to the *Chief Veterinary Officer* by the quickest means possible.
- (5) *Regional Veterinary Officers* shall collaborate and cooperate with the *Chief Veterinary Officer* and any other *Regional Veterinary Officers* in adjacent or other Regions concerned in order to prevent, control and when appropriate eradicate any *notifiable animal disease* which has been designated as a *controlled animal disease* or in response to any *sanitary emergency* declared by the *Ministry*.
- (6) The *Regional Veterinary Officer* shall collaborate with the *Federal Veterinary Authority* and *animal owners* for the prevention and control of *notifiable animal diseases* which have been designated to be controlled through the establishment of an *animal disease control scheme*, in accordance with Article 19 (3) (v).
- (7) The *Regional Veterinary Officer* shall undertake to investigate any suspected occurrence of a *notifiable animal disease* for the purposes of confirming such suspected occurrence through the conduct of an outbreak investigation and appropriate laboratory diagnostic tests.
- (8) In more remote areas, where there are insufficient numbers of *animal health officers* deployed, for the purposes of *animal disease* surveillance, outbreak investigations, and the prevention and control

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of *notifiable animal diseases* or for other purposes, the *Regional Veterinary Officer* is authorised to engage the services of private *registered veterinarians* or *registered veterinary para-professionals*, through a *Sanitary Mandate contract* in accordance with the conditions prescribed in Articles 14, 15 and 16 of the Prevention and Control of Animal Disease Regulation.

- (9) *Regional Veterinary Authorities* shall each establish one or more Regional Veterinary Diagnostic Laboratories for the purposes of confirming suspected occurrences of *notifiable* or *emerging animal diseases* and ensuring the safety of *primary animal products*, and to provide facilities to enable the *Federal Veterinary Authority* to fulfil its responsibilities to undertake *official* diagnostic tests and analyses, as appropriate, within each Regional State.
- (10) Certain Regional Veterinary Diagnostic Laboratories may be accredited by the *Federal Veterinary Authority* as *national reference laboratories* for the purpose of performing certain *official* diagnostic tests and analyses subject to the conditions defined in Article 22 (2) herein.
- (11) In accordance with the conditions defined in the Control of the Safety and Quality of Primary Animal Products Regulation, *Regional Veterinary Authorities* shall be responsible for the control of the safety and quality of *meat*, milk and other *primary animal products* processed for sale for domestic human or *animal* consumption, within their local jurisdiction.
- (12)
- (13) *Regional Veterinary Authorities* shall establish a Process or Unit which shall be responsible for the collection, recording and analysis of *animal disease* information in accordance with Article 21 relating specifically to *animal disease* surveillance.

10 The powers of the Federal and Regional Veterinary Authorities

The *Chief Veterinary Officer*, a *Regional Veterinary Officer*, an *animal health officer*, *Federal veterinary inspector* or *analyst* or *animal welfare inspector* of either the *Federal* or a *Regional Veterinary Authority* is authorised to take any of the following actions under circumstances when he or she has good reason to suspect the occurrence of a *notifiable* or *emerging animal disease* or for the purposes of ensuring compliance with any Regulation pursuant to this Proclamation concerning *animal health and welfare*, the operation and management of animal production *premises* or *premises* where *animals* are being kept, *approved* or *authorised veterinary diagnostic laboratories*, *abattoirs*, *slaughter facilities* and other *primary animal product processing facilities*:

- (1) Pending a declaration by the *Ministry through a Directive* or a notice in writing, declare an area or *premises* as an *infected area* according to the conditions prescribed in Article 9 of the Prevention and Control of Animal Diseases Regulation.
- (2) Enter any *premises*, for the purpose of undertaking an inspection and obtaining information related to the suspected occurrence of a *notifiable animal disease* or any suspected contravention of the provisions of this Proclamation;
- (3) Gain access to and make copies of any documents for the purpose of providing evidence of compliance with Regulations, Directives and Guidelines made under the authority of this Proclamation;
- (4) Examine, inspect and, if necessary, take any samples or specimens from *animals*, *commodities* or *controlled articles* for the purpose of:
 - (i) confirmation of the presence or absence of any *animal disease* agent or evidence of previous infection with any notifiable or other *animal disease*, in the case of an *animal*, subject to the conditions defined in Article 6 of the Prevention and Control of Animal Diseases Regulation;
 - (ii) confirmation of the presence of any *animal disease* agent , *infectious organism*, chemical or other contaminant in an *animal*, *commodity* or *controlled article* being imported into or exported from the Federal Democratic Republic of Ethiopia for the purposes of sanitary border controls in accordance with Article 7 of the Veterinary Control of Import and Export Regulation;
 - (iii) confirmation of the presence of any *animal disease* agent , *infectious organism*, chemical or other contaminant in an animal product to determine its safety and quality for the purposes of export certification in accordance with Article 10 of the Control of Safety and Quality of Primary Animal Products Regulation.
 - (iv)
- (5) Seize, detain or place under *quarantine*, destroy and dispose of or apply any other *sanitary measure* to any *animal*, *stray animal*, *animal product*, *biological material*, *biological product*, *controlled article*, *container* or *conveyance* pending a decision for its release or the application of any authorised *sanitary measure* as defined by any of the Regulations cited in sub-article (4).
- (6) Order the disinfection or decontamination of any *premises*, *conveyance* or *container* where *animals* or *animal products* are kept, transported, exposed for sale, exhibition or competition, in accordance with the conditions defined by Regulations.
- (7)
- (8) Cause the temporary, partial or complete closure of any inspected premises, pending the issuance of a Directive by the *Ministry* or the Head of a *Regional State Bureau of Agriculture, Livestock Agency and Pastoralist Livestock Development Agency* in accordance with a procedure defined by Regulations.

- (9) In collaboration with representatives of the National Animal Welfare Advisory Council, and subject to conditions defined in the Animal Welfare and the Control of Stray Animals Regulation, authorise the use of *animals* for experimentation and for research purposes.
- (10) Any *animal health officer, Federal veterinary inspector or analyst or animal welfare inspector*, exercising any of the powers listed in sub-articles (1) to (8) shall, upon request, identify him- or her-self as an authorised inspector carrying out official duties under this Proclamation by showing his or her Certificate of Authority.
- (11) Any *animal health officer or Federal veterinary inspector or analyst or animal welfare inspector* may, in the performance of any of the functions detailed in this Article, be accompanied and assisted by a police officer or other law enforcement authority.

11 The functions and responsibilities of *Federal veterinary inspectors* and *Federal veterinary analysts*

Federal veterinary inspectors and *Federal veterinary analysts* appointed by the *Ministry* under Article 4 (3) shall be responsible for the implementation and enforcement of *sanitary measures* in respect of the functions of the *Federal Veterinary Authority* defined in Article 5 and in particular the following:

- (1) Apply any necessary *sanitary measures* in respect of the prevention, control or eradication of *notifiable animal diseases*;
- (2) Apply any necessary *sanitary measures* in respect of the importation of *animals*, and other *commodities* in accordance with the provisions of Articles 24, 25, and 26;
- (3) Issue *international veterinary certificates* for the purposes of certification in terms of the health, safety and quality of *animals* and *commodities* destined for export, in accordance with the requirements of the *Competent Authorities* of trading partners, and Article 27.
- (4) Certify the results of *official* diagnostic tests and analyses for the purposes of notification of *notifiable animal diseases* and for export certification of *animals*, or *commodities*.
- (5) Perform any other regulatory functions deemed to be in the national interest and which require specialised knowledge and skills as defined by the *Ministry* in Directives and Guidelines.

12 Limitations of liability of the *Federal and Regional Veterinary Authorities*

The *Chief Veterinary Officer*, any *Regional Veterinary Officer*, or any *animal health officer, Federal veterinary inspector, Federal veterinary analyst, animal welfare inspector* who is a member of the *Federal* or a *Regional Veterinary Authority* or person who is assigned to perform a prescribed function or duty on behalf of either the *Federal* or a *Regional Veterinary Authority* shall not be liable in respect of anything done in good faith in the exercise of a power or the performance of an function or duty conferred or imposed by or under this Proclamation and by Regulation except in the event that the *Chief Veterinary Officer*, or any such *animal health officer, Federal veterinary inspector, Federal veterinary analyst, animal welfare inspector* or *assignee* has been found guilty of unprofessional or improper conduct according to an enquiry conducted by the *Council* or is found guilty of an improper act or omission following an enquiry conducted by the *Ministry* in accordance with conditions defined within the *Veterinary Professions and Para-professions Regulation*.

13 Establishment and functions of the National Animal Welfare Advisory Council

For the purposes of ensuring *animal welfare* and the control of *stray animals* throughout the territory of the Federal Republic of Ethiopia, the *Ministry* shall establish a *National Animal Welfare Advisory Council*

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(NAWAC), the composition of which shall be defined in the Animal Welfare and Control of Stray Animals Regulation. The NAWAC shall primarily be responsible for:

- (1) Advising the *Ministry* on all aspects of *animal welfare* and assist with the formulation of policies in relation to *animal welfare*.
- (2) Subject to the conditions defined in the Animal Welfare and Control of Stray Animals Regulation pursuant to this Proclamation;
 - (i) prepare, review, revision, and amendment as necessary, of all draft Directives and Guidelines for implementation of the Animal Welfare and Control of Stray Animals Regulation;
 - (ii) facilitate stakeholder consultation, through conduct of public hearings, on the finalisation of proposed draft Directives and Guidelines as contemplated in section (i);
 - (iii) submit to the *Ministry* proposed draft Directives and Guidelines which have been subjected to and corrected or amended in accordance with the outcome of a public hearing contemplated in section (iii).
- (3) Preparation and dissemination of information to create public awareness on *animal welfare* to all persons who are in any way involved with the ownership, care, handling, treatment, management, exhibition, trade, transportation and slaughter of *animals*.
- (4) Liaison with civil society organisations involved with *animal welfare* to facilitate their activities throughout the Federal Democratic Republic of Ethiopia;
- (5) Liaison with *Regional Veterinary Authorities* to ensure the application and implementation of Animal Welfare and Control of Stray Animals Regulations throughout the territory of the Federal Democratic Republic of Ethiopia.
- (6) Train and nominate *animal health officers* to be appointed by the *Ministry* as *Animal Welfare Inspectors* for the purpose of the enforcement of the Animal Welfare and Control of Stray Animals Regulation, Directives and Guidelines.
- (7) Promotion of the improvement of *animal welfare* standards through the coordination and harmonisation of research to provide the scientific evidence for setting *animal welfare* standards;
- (8) Any other matters in order to facilitate the implementation and enforcement of the Animal Welfare and Control of Stray Animals Regulation.

14 The implementation of Sanitary Measures

For the purposes of fulfilling the objectives of this Proclamation, the term “*Sanitary measures*” means any compulsory measure employed by the *Federal* or *Regional Veterinary Authorities* to protect human or *animal* life or health and the environment within the territory of the Federal Democratic Republic of Ethiopia from risks arising from the entry, establishment or spread of *animal diseases* or from the harmful effects of additives, chemicals, contaminants, toxins or *infectious organisms* in *primary animal products* destined for human consumption or in *commodities*, and includes but shall not necessarily be restricted to:

- (1) The isolation, detention, *quarantine*, inspection, counting, examination, sampling, testing, certification, immunization, treatment, disinfection, dipping, spraying, identification or marking, observation, movement restriction, care, seizure, humane killing, destruction or burial, burning, incineration or any other form of disposal thereof of any *animal*, *animal product*, *biological material*, *biological product*, *commodity* or *controlled article*, or *conveyance*, as appropriate;
- (2) The issuance, temporary suspension, termination or revocation of permits or certificates issued in accordance with conditions defined by Regulation;
- (3) Temporary suspension of activities or closure of any inspected *premises*;

- (4) The designation of an area as:
 - (i) a disease free area, *zone* or *compartment*, or
 - (ii) an infected, partially infected or restricted area, *zone* or *compartment*.

15 Delegation of Federal and Regional Veterinary Authority powers and functions to private registered veterinarians and registered veterinary para-professionals

The *Ministry* and where appropriate, the Heads of Regional State Bureaus of Agriculture or Livestock Agencies shall authorize the *Chief Veterinary Officer* or *Regional Veterinary Officers*, as appropriate, to delegate certain powers or assign specified duties for the implementation of the provisions of this Proclamation and subsidiary legislation pursuant to it to *registered veterinarians* and *registered veterinary para-professionals*, in accordance with other Federal legislation and by Regulation, except as otherwise stated:

- (1) Any such delegation shall be defined within a *Sanitary mandate contract* which shall be determined in consultation with the *Council* and the *Ethiopian Veterinary Association*.
- (2) The terms, conditions of appointment and payment of fees or expenses relating to the award or conduct of *Sanitary Mandate contracts* are defined in Articles 14, 15 and 16 of the Prevention and Control of Animal Diseases Regulation.
- (3) For the purposes of ensuring the quality and determining the scope and financial cost, the scope of such delegated services, the *Ministry* or Head of a Regional State Bureau of Agriculture, Livestock Agency, or Pastoralist Livestock Development Agency shall define in Directives and Guidelines, as appropriate, the following:
 - (i) the minimum qualifications and specified training required to perform specific delegated functions;
 - (ii) the precise scope of any delegated functions to be performed including the duration of the contract and the geographic area to be covered by such services;
 - (iii) the fees to be paid for such services and what other costs shall be reimbursable to *assignees*.

16 Compensation

Subject to the conditions defined in Article 17 of the Prevention and Control of Animal Disease Regulation the *Ministry* is authorised to pay compensation to the *owner* of any *animal* or *commodity* when:

- (1) Such *animal* or *commodity* has been the subject of seizure, humane killing, destruction and or disposal in order to protect human and *animal* life and health and to prevent the entry into or spread within the territory of the Federal Democratic Republic of Ethiopia of a *controlled animal disease*.
- (2) Compensation as contemplated above shall not be payable in respect of any seizure, destruction or disposal which has been imposed or ordered, when the *owner* of an *animal* or *commodity* has failed to comply with any Regulation, Directive or Guideline pursuant to this Proclamation.

PART TWO

THE PREVENTION, CONTROL AND ERADICATION OF ANIMAL DISEASES

17 Designation of *notifiable animal diseases* and other categories of *animal diseases*

For the purposes of defining reporting and notification requirements and developing strategies for the prevention, control, and when appropriate, eradication of *animal diseases*, the *Ministry* shall, upon the advice of the Technical Standing Committee, publish Directives to designate any *animal disease*, as defined in Article 3 (3), as follows, as:

- (1) A *notifiable animal disease* as defined in Article 3 (39);
- (2) A *controlled animal disease* as defined in Article 3 (24);
- (3) A *notifiable animal disease*, declared to be controlled through an *animal disease control scheme* as defined in Article 3 (4);
- (4) An *emerging animal disease* as defined in Article 3 (28).
- (5) The list of *notifiable animal diseases* contemplated in sub-article (1) for the Federal Democratic Republic of Ethiopia shall consist of any *animal disease* which is listed in the *Terrestrial or Aquatic Animal Codes*, or any *emerging animal disease*, which by virtue of its epidemiological characteristics, is required to be notifiable, pending OIE listing.
- (6) Any Directives issued under the authority of this Article may be revised, amended or revoked upon the advice of the Technical Standing Committee as and when it is deemed necessary.
- (7) Any such declaration or amendment as contemplated in this Article shall be made available to the public and published by the *Ministry* in the national press and circulated to all members of the *Federal and Regional Veterinary Authorities*.

18 Duty to report *notifiable* and *emerging animal diseases*

In the event that any person suspects the occurrence of a *notifiable* or *emerging animal disease* he or she shall report the suspected occurrence to the nearest *animal health officer* or local administrative officer and in addition:

- (1) Any *veterinarian* or *veterinary para-professional* who suspects the occurrence of a *notifiable* or an *emerging animal disease* shall report such occurrence to the nearest *animal health officer* or *Regional Veterinary Authority* as soon as possible.
- (2) Any *animal health officer* or *administrative officer* receiving the report of a suspected *notifiable* or *emerging animal disease* shall forward such report to the nearest *Regional Veterinary Officer* and/or the *Chief Veterinary Officer* within 12 hours of receipt of such report.
- (3) The *Chief Veterinary Officer* shall report all suspected and confirmed occurrences of *notifiable animal diseases* and *emerging animal diseases* to the *OIE* according to the *OIE* prescribed procedures.
- (4) The *Chief Veterinary Officer* shall immediately inform the person designated as the representative of the *National SPS Enquiry and Notification Point* of any suspected or confirmed occurrence of a *notifiable animal disease* or an *emerging animal disease*.
- (5) The representative of the *National SPS Enquiry and Notification Point* shall inform all trading partners and representatives of other countries and international institutions, as appropriate, of any such report of a *notifiable animal disease* or an *emerging animal disease*.

19 Prevention of the spread and control of *notifiable* and *emerging animal diseases*

The *owner* of any *animal* either infected or suspected of *being* infected with a *notifiable* or *emerging animal disease* and any *animal health officer*, *registered veterinarian* and *registered veterinary para-professional* shall take whatever measures are possible to prevent the spread of such *notifiable* or *emerging animal disease* including the following:

- (1) No person shall move an *animal*, *animal product*, *biological material* or *infected* or *contaminated article* from an *infected area* except with the permission of the *Federal* or *Regional Veterinary Authority*.
- (2) Any *owner* of an *animal* which is infected or suspected to be infected with a *notifiable* or *emerging animal disease* shall confine and isolate that *animal* from being in contact with any other *animals* until such time as he or she is permitted to do otherwise by an *animal health officer* or *Federal veterinary inspector*.
- (3) For the purpose of the prevention, control or eradication of *notifiable* or *emerging animal diseases* and in accordance with the Prevention and Control of Animal Disease Regulation, the *Ministry* shall make Directives and Guidelines to define procedures for:
 - (i) the detection and verification of the occurrence of *notifiable* and *emerging animal diseases* as listed in accordance with Article 17 sub-articles (1) and (4);
 - (ii) the conduct of *animal disease* surveillance;
 - (iii) the management of *notifiable* and *emerging animal disease* occurrence information and other information related to *animal disease* prevention and control;
 - (iv) *sanitary measures* to be undertaken for the prevention and control of *notifiable animal diseases*;
 - (v) the conditions related to the declaration of *controlled animal diseases* and *animal disease control schemes* as listed in accordance with Article 17 sub-articles (2) and (3) respectively;
 - (vi) emergency preparedness and contingency plans for the prevention and control of *notifiable* or *emerging animal diseases*;
 - (vii) the declaration of an area, *premises*, *compartment* or *zone* as being:
 - (a) infected; or
 - (b) disease free; or
 - (c) of low disease prevalence;with respect to any particular *notifiable animal disease*;
 - (viii) the identification or marking of *animals* or *animal products* and for the management of traceability systems;
 - (ix) controlling the movement of *animals* and *commodities* into and within the territory of the Federal Democratic Republic of Ethiopia;
 - (x) *sanitary measures* to be applied following the declaration of a *sanitary emergency*;
 - (xi) the award, management, suspension or termination of *Sanitary Mandate contracts*;
- (4) In the event of the suspected occurrence of a *notifiable animal disease* or an *emerging animal disease* the *Federal Veterinary Authority* shall immediately undertake an investigation to determine the cause, source and likely spread of the suspected case or outbreak in accordance with conditions defined in Article 6 of the Prevention and Control of Animal Disease Regulation.

- (5) In the event of a suspected or confirmed case or outbreak of a *notifiable animal disease* or an *emerging animal disease* the *Federal and Regional Veterinary Authorities* shall impose or apply whatever *sanitary measures* are deemed appropriate in order to prevent the spread or to control such case or outbreak, in accordance with the conditions defined Article 11 of the Prevention and Control of Animal Disease Regulation;
- (6) A *Federal veterinary inspector* or an *animal health officer* shall notify the *owner* of an *animal*, an *infected area* or premises by notice in writing that he or she is required to act according to one or more *sanitary measures* contemplated in sub-article (3) section (iv) and as specified in Article 14 (1) and (4), in such a place within a defined period of time.
- (7) In the event that the *owner* of an *animal* fails to comply with the terms of a notice issued under the authority of sub-article (6), such *Federal veterinary inspector* or *animal health officer* shall be authorised to enter upon the *land* or premises in question and carry out the *sanitary measures* as notified without a warrant.

20 Animal Disease Emergencies and Contingency Plans

Under exceptional circumstances, and in order to prevent the introduction or the spread of a *notifiable* or *emerging animal disease* into or within the territory of the Federal Democratic Republic of Ethiopia, the *Ministry*, acting under the advice of the *Chief Veterinary Officer* or the *Technical Standing Committee* is authorised to declare a *Sanitary Emergency*.

- (1) For the purposes of implementing *sanitary measures* required to respond to any such *sanitary emergency* there shall be established, in collaboration with the Ministry of Finance and Economic Development, an **Emergency Disease Control Fund**.
- (2) Procedures for gaining access to such an Emergency Disease Control Fund shall be in accordance with those defined by the *Ministry* under Proclamation No. XXXX/200.
- (3) Upon the advice of the Technical Standing Committee, the *Ministry* shall declare through Directives, Contingency plans which define the necessary *sanitary measures* and any other steps required for the prevention and control of outbreaks of specified *notifiable animal diseases* or *emerging animal diseases*.
- (4) Contingency plans shall be reviewed and revised as necessary but at least on a bi-annual basis.

21 Animal Disease Surveillance

The *Federal Veterinary Authority*, in collaboration with *Regional Veterinary Authorities* shall establish an *animal disease surveillance system* to provide accurate information on the *animal health status* within the territory of the Federal Democratic Republic of Ethiopia.

- (1) The *Federal Veterinary Authority* and *Regional Veterinary Authorities* shall utilise whatever resources are available, both public and private *registered veterinarians* and *veterinary para-professionals* in order to collect, record and analyse data on *notifiable* and *emerging animal disease* occurrences.
- (2) In the event of the suspected occurrence of a case or outbreak of any *notifiable* or *emerging animal disease* the *Federal Veterinary Authority* and *Regional Veterinary Authorities* shall collaborate in order to undertake outbreak investigations and generally to monitor the prevalence and incidence of *notifiable animal diseases* throughout the territory of the Democratic Republic of Ethiopia in accordance with the provisions defined in Articles 8 and 9 of the Prevention and Control of Animal Disease Regulation.
- (3) All such data collected through whatever means concerning *notifiable* or *emerging animal diseases* shall be recorded promptly and made available to the *Chief Veterinary Officer*.

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PART THREE
VETERINARY DIAGNOSTIC AND RESEARCH LABORATORIES

22 Designation of Veterinary Diagnostic Laboratories

On the advice of the Technical Standing Committee the *Ministry* shall designate veterinary diagnostic and research laboratories and define the criteria for their establishment, management and operation as follows:

- (1) Certain veterinary diagnostic laboratories, established under the *Federal Veterinary Authority* shall be designated as *national reference laboratories* for the purposes of performing *official* veterinary diagnostic tests or *official* diagnostic analyses.
- (2) Regional veterinary laboratories, as established under Article 9 (14) may be designated as *national reference laboratories* for the performance of specified *official* veterinary diagnostic tests and *official* diagnostic analyses provided that they meet the criteria defined in Article 6 of the Control of Veterinary Diagnostic Laboratories Regulation.
- (3) Any *national reference laboratory* or *approved veterinary diagnostic laboratory* shall perform *official* veterinary diagnostic tests and *official* diagnostic analyses in accordance with the standards defined in the OIE Manual for Diagnostic Tests and Vaccines and, where applicable, the *Codex Alimentarius*.
- (4) For the purposes of ensuring food safety in relation to the processing of *primary animal products* certain laboratories shall be designated as *authorised veterinary diagnostic laboratories*, as defined in Article 3 sub-article (11).
- (5) Any *private veterinary diagnostic* or *veterinary research laboratory* established under the authority of a Certificate of Authorisation in accordance with Article 23 sub-article (1) may be designated by the *Ministry* as an *approved veterinary diagnostic laboratory* as defined in Article 3 sub-article (9)
- (6) In addition to the above, and in accordance with the Control of Veterinary Diagnostic and Research Laboratories Regulation, the *Ministry* shall make Directives and Guidelines to define procedures or standards for:
 - (i) applications for approval and authorisation of various categories of veterinary diagnostic and research laboratories;
 - (ii) the educational or training qualifications required to operate one or other category of veterinary diagnostic or research laboratory;

- (iii) the required standards in terms of infrastructures, equipment and procedures necessary for the performance of *official* tests and analyses
- (iv) the conditions related to periodic audit of various categories of veterinary diagnostic and research laboratories;
- (v) the surveillance and control of the quality of reagents and *biological products* used in *official* veterinary diagnostic tests and *official* diagnostic analyses, the prevention or treatment of *animal diseases* or for other purposes.
- (vi) the fees which may be charged for the performance of *official* veterinary diagnostic tests and *official* diagnostic analyses;

23 Restrictions on the establishment and operation of a veterinary diagnostic laboratory or to conduct research or experiments on animals

Notwithstanding the exemption provided in sub-article (6), except under the authority of a Certificate of Authorisation issued by a *Regional Veterinary Authority* and in accordance with the Control of Veterinary Diagnostic and Research Laboratory Regulation, no person may:

- (1) establish or operate any private veterinary diagnostic or veterinary research laboratory:
 - (i) for the detection of any *animal disease*, toxic or harmful substance, for research or experimentation on *animals* or for the manufacture, testing or evaluation of any *veterinary medicinal product* or *biological material*;
 - (ii) for the conduct of any investigation, experiment or research with any *animal*, *animal disease* agent, vaccine, serum, toxin, antitoxin, antigen or other *biological material* that consists of or originates wholly or partially from any *animal*;
 - (iii) for the manufacture or evaluation of a *veterinary medicinal product* used for or intended to be used for the testing, diagnosis, prevention, treatment or cure of any *animal disease* or parasite or for the maintenance or improvement of the health, growth, production or working capacity of any *animal*;
 - (iv) for the conduct of research or performance of any experiment on any *animal* except under prescribed conditions;
- (2) Infect or contaminate any *animal*, *animal product* or *article* with any *animal disease* or parasite, toxin or harmful substance for the purpose of any investigation, experiment, research, manufacture, evaluation referred to in sub-article (1).
- (3) Keep any *animal* for the purposes of conducting research or performing experiments;
- (4) Offer any private veterinary diagnostic laboratory services or charge fees in respect of the performance of any veterinary diagnostic laboratory tests, research, experiment or other investigation;
- (5) Any person wishing to establish or operate a veterinary diagnostic laboratory or a laboratory for undertaking research on or with *animals* for experimentation, or keep *animals* for research or experimentation shall apply for a Certificate of Authorisation to the *Federal or Regional Veterinary Authority*, as appropriate in writing in accordance with procedures defined in Article 5 (1) of the Control of Veterinary Diagnostic and Research Laboratory Regulation.
- (6) A private *registered veterinarian* or private *registered veterinary para-professional* may establish a veterinary diagnostic laboratory solely for the purposes of detecting *animal diseases*, and the evaluation of the health or physiological status of *animals* under his care.

PART FOUR

IMPORT AND EXPORT OF ANIMALS AND COMMODITIES

For the purposes of prevention of the introduction or spread of *notifiable animal diseases* and to ensure the safety and quality of *commodities*, as defined in Article 3, sub-article (20), and in accordance with the Veterinary Control of Import and Export Regulation, the import, export and transit of *animals* and *commodities*, into, out of, and within, the territory of the Federal Democratic Republic of Ethiopia shall be controlled in accordance with the following provisions.

24 Prohibition of the import and transit of animals, commodities and controlled articles

No person shall import into or convey *in transit* through, the territory of the Federal Democratic Republic of Ethiopia, any *animal, commodity* or *controlled article*, unless he or she has been issued with a permit by the *Federal Veterinary Authority*

- (1) Any person intending to import or convey *in transit* an *animal, commodity* or *controlled article* shall apply to the *Federal Veterinary Authority* for a permit in accordance with the procedures and conditions defined in Article 5 of the Veterinary Control of Import and Export Regulation.
- (2) Any *animal, commodity* or *controlled article* shall only be permitted to be imported or *transited* through the Federal Democratic Republic of Ethiopia when:
 - (i) it is accompanied by a valid *international veterinary certificate* issued by the *Competent Authority* of the exporting country which confirms that the *sanitary measures* required by the *Federal Veterinary Authority* have been complied with before such *animal, commodity* or *controlled article* had been exported from its country of origin.
 - (ii) it is being imported through a designated port of entry as prescribed under Article 5 of the Veterinary Control of Import and Export Regulation;
 - (iii) has been cleared for import or *transit* by a *Federal veterinary inspector*;

25 The application of sanitary measures to prevent the introduction and spread of notifiable animal diseases and infectious organisms and to ensure the safety and quality of imported animals, commodities and controlled articles

The *Ministry* is authorised to impose *sanitary measures*, made in accordance with the Veterinary Control of Import and Export Regulation, in respect of any *animal, commodity* or *controlled article* which is to be imported or conveyed in transit through the territory of the Federal Democratic Republic of Ethiopia.

- (1) Notwithstanding the provisions of Articles 40 of this Proclamation, the conditions related to the declaration of *sanitary measures* regarding the importation and transit of *animals, commodities* and *controlled articles* shall be in accordance with Article 6 of the Veterinary Control of Import and Export Regulation.
- (2) The *sanitary measures* to be applied to *animals, commodities* or *controlled articles* which are to be imported into or transited through the territory of the Federal Democratic Republic of Ethiopia shall be determined by the Technical Standing Committee and, upon approval, be published in Directives by the *Ministry* in the national press.
- (3) Any such *sanitary measures* shall be applied in accordance with the standards defined in the SPS Agreement of the *World Trade Organisation*, the *Terrestrial and Aquatic Animal Codes* and the *Codex Alimentarius* and shall only be made on the basis of:
 - (i) scientific justification based upon risk analysis;

- (ii) only to the extent necessary to achieve an *appropriate level of sanitary protection*;
- (iii) be least trade restrictive;
- (iv) shall be withdrawn or discontinued as soon as the conditions permit.

26 Additional procedures for the control of import, export and *transit of animals, commodities and controlled articles*

The *Ministry* shall control the import, export and transit of *animals, commodities and controlled articles* through enforcement of the following additional areas of regulation in accordance with Article 5 of the Veterinary Control of Import and Export Regulation:

- (1) The listing of *commodities* and designation of *controlled articles* subject to importation controls by the *Federal Veterinary Authority*;
- (2) The designation of ports of entry or exit for the import and export of *animals* and listed *commodities*;
- (3) procedures and guidelines for pre-clearance inspections and through which an importer or exporter may apply for inspection to take place at any location other than the port of entry or exit, and/or outside of regular business hours, and payment of any applicable fees;
- (4) the form, content and language of import permits and *international veterinary certificates* to support the export of *animals* and *commodities*;
- (5) the manner in which *containers* must be sealed and marked if they are to be inspected at their final destination rather than at the port of entry;
- (6) the manner in which *animals, commodities and controlled articles* shall be housed, packaged, stored or transported within the Federal Democratic Republic of Ethiopia;
- (7) the manner in which *animals* and *commodities* shall be identified or marked for the purposes of tracing their point of origin;
- (8) the procedures for disinfection, disinfestation or other sanitary treatment of imported *animals, commodities, controlled articles* and *conveyances* bringing them into, or conveying them *in transit* through or within, the Federal Democratic Republic of Ethiopia;
- (9) the design, location, control, management and functioning of any animal *quarantine stations* or *quarantine facilities* established under the authority of this Proclamation or any Regulation;
- (10) the requirements for the control and care of *animals*, kept or maintained at *quarantine stations* and *quarantine facilities*;
- (11) the manner in which designated *animal health officers* or *Federal veterinary inspectors* or *assignees* shall arrange for the *humane killing*, destruction, disposal, or treatment of *animals, commodities* or *controlled articles* within an area or location declared as under *quarantine*;
- (12) the period within which it shall not be lawful to introduce or remove from, *animals*, in all or part of an area declared as an *infected area, a buffer zone* or as being under *quarantine*;
- (13) concerning the manner in which any samples from *animals, commodities* or *controlled articles* shall be taken, marked and retained under this Proclamation and in accordance with conditions defined in the Veterinary Control of Import and Export Regulation;
- (14) concerning requirements for the export of any *animals, commodities* or *controlled articles*;

27 Restriction on the export of *animals, commodities and controlled articles*

No person may export any *animal, commodity or controlled article* from the territory of the Federal Democratic Republic of Ethiopia unless an *international veterinary certificate* has been issued to such person

- (1) Any person wishing to export an *animal, commodity or controlled article* shall make an application for an *international veterinary certificate* to be issued by the *Federal Veterinary Authority* in accordance with the procedures defined in Article 10 of the Veterinary Control of Import and Export Regulation.
- (2) Upon receipt of an application as contemplated in sub-article (1), the *Federal Veterinary Authority* shall undertake an inspection of such *animal, commodity or controlled article* at a designated time and place and shall either:
 - (i) issue an *international veterinary certificate* if:
 - (a) all necessary documentation, according to the Veterinary Control of Import and Export Regulation has been provided;
 - (b) the applicable fees have been paid;
 - (c) the *animal, commodity or controlled article* meets the importing country's sanitary, documentary or other requirements for export.
 - (ii) deny certification if any of the requirements defined in sub-article (2) section (i) have not been met, or if the *Federal veterinary inspector* has reason to suspect that the *animal, commodity or controlled article* in question poses a risk of infection or spread of a *notifiable animal disease*, and,
 - (a) when possible, treat or disinfect the *animal, commodity or controlled article* to remove such risk and/or keep it under observation; or
 - (b) *humanely kill*, destroy or otherwise dispose of the *animal, commodity or controlled article*, as appropriate;
- (3) Upon issuance of an *international veterinary certificate*, the exporter shall export the *animal, commodity or controlled article* in accordance with the procedures defined in the Veterinary Control of Import and Export Regulation.

PART FIVE

THE SAFETY AND QUALITY OF PRIMARY ANIMAL PRODUCTS

For the purpose of regulating the safety and quality of *primary animal products* destined for human or animal consumption or for other commercial purposes, the following provisions are declared:

28 Prohibition of the slaughter of *animals* at places other than *abattoirs* or *slaughter facilities* and the sale of *meat*

- (1) Notwithstanding the exemptions provided in Article 31:
 - (i) no person may slaughter any *animal* at any place other than at an *abattoir* or *slaughter facility*, the *owner* of which has been awarded a Certificate of Competence in accordance with the standards as determined in the Control of the Safety and Quality of Primary Animal Products Regulation.

- (ii) No person shall *sell* or provide *meat* for human or animal consumption unless it has been slaughtered, inspected and certified fit for human or animal consumption by an *animal health officer* or *Federal veterinary inspector* in accordance with the Control of the Safety and Quality of Primary Animal Products Regulation at an *abattoir* or *slaughter facility* or other processing facility owned by a person holding a valid Certificate of Competence.
- (2) The primary responsibility for the safety and quality of any *animal product* destined for human or animal consumption shall rest with the *owner* or executive manager of an *abattoir*, *slaughter facility* or other processing facility.

29 Inspection, certification and other standards of *abattoirs*, *slaughter facilities* and *primary animal product* processing facilities

The *Federal* and *Regional Veterinary Authorities*, shall have responsibility for the authorisation of the establishment and operation of *abattoirs*, *slaughter facilities* and *primary animal product* processing facilities through the award of a Certificate of Competence according to the following conditions:

- (1) No person may establish or operate:
 - (i) an export *abattoir* or processing facility for the export of *meat* and other *primary animal products* unless he or she has been issued with a Certificate of Competence by the *Federal Veterinary Authority*;
 - (ii) a *slaughter facility* or processing facility for domestically traded *primary animal products*, unless he or she has been issued with a Certificate of Competence by a *Regional Veterinary Authority*;
- (2) The conditions for the issuance of a Certificate of Competence and the form which Certificates of Competence shall take shall be defined in Article 6 of the Control of the Safety and Quality of Primary Animal Products Regulation;
- (3) Any person wishing to establish or operate an export *abattoir*, *slaughter facility* or other processing facility shall apply for a Certificate of Competence in accordance with the procedures defined in Article 7 of the Control of the Safety and Quality of Primary Animal Products Regulation;
- (4) Upon receipt of an application as contemplated in sub-article (1) the *Federal* or *Regional Veterinary Authority*, as appropriate, shall conduct an inspection of the export *abattoir*, *abattoir*, *alsughter facility* or other processing facility in accordance with Article 12 of the Control of the Safety and Quality of Primary Animal Products Regulation and prepare and submit to the *owner* an Inspection Report.
- (5) On the basis of a satisfactory Inspection Report, the *Federal* or *Regional Veterinary Authority*, as appropriate, shall issue a Certificate of Competence when it is satisfied that the Export *abattoir*, *slaughter facility* or other processing facility complies with standards of construction and management according to the Control of the Safety and Quality of Primary Animal Products Regulation pursuant to this Proclamation and, upon payment of the required fees.
- (6) A Certificate of Competence shall be valid for one year unless otherwise revoked by the *Federal* or a *Regional Veterinary Authority*, as appropriate.
- (7) The *Federal* or *Regional Veterinary Authority*, as appropriate, shall conduct regular audit inspections in order to ensure that standards of construction, state of repair and management are maintained according to the standards defined in the Control of the Safety and Quality of Primary Animal Products Regulation.
- (8) In the event that the *Federal* or *Regional Veterinary Authority*, as appropriate, is of the opinion that an export *abattoir* or other processing facility does not meet the required standards it shall provide

the *owner* with a written notice detailing any deficiency and the measures to be taken to remedy such deficiency and the period of time by which such deficiency shall be remedied.

- (9) The *Federal* or *Regional Veterinary Authority*, as appropriate, shall have the authority to revoke a Certificate of Competence when the *owner* of an export *abattoir*, *abattoir*, *slaughter facility* or other processing facility fails to comply with a written notice as contemplated in sub-article (8) herein.
- (10) The issuance and maintenance of eligibility to hold a Certificate of Competence shall depend on compliance with *essential primary animal product processing standards* as defined in Article 10, as well as Directives pursuant to Article 10, of the Control of the Safety and Quality of Primary Animal Products Regulation.

30 Restriction of the sale of fresh milk

In order to ensure the safety and quality of milk destined for human or animal consumption the following restrictions may be applied:

- (1) No person shall sell or provide any milk for human or animal consumption unless such milk has been inspected, if necessary tested, and certified by the *Regional Veterinary Authority*.
- (2) Any milk destined for human or animal consumption shall be treated at a processing facility and in accordance with procedures defined in the Control of the Safety and Quality of Primary Animal Products Regulation.
- (3) Any person wishing to operate a processing facility for processing of raw milk shall apply for a Certificate of Competence in accordance with the Control of the Safety and Quality of Primary Animal Products Regulation.

31 Exemptions to restrictions on the the slaughter of animals and the sale of animal products

- (1) The provisions of Article 28 sub-article (1) section (ii) does not apply to slaughter for own consumption or for cultural or religious purposes subject to the following conditions:
 - (i) No *meat* or *primary animal product* obtained from an *animal* slaughtered for cultural or religious purposes may be sold to any person.
- (2) The *Regional Veterinary Authority* may, under the authority of the Head of a Regional State Bureau of Agriculture, Livestock Agency or Pastoralist Livestock Development Agency grant exemption from the enforcement of Article 28 (1) section (ii) and Article 30 (1) and (2) in respect of:
 - (i) a particular location within the State Region under its authority;
 - (ii) a particular grade or category of *abattoir*, *slaughter facility* or processing facility;
 - (iii) a particular person or body corporate;
 - (iv) a particular species or type of *slaughter animal*;
 - (v) a particular type of *animal product*.

PART SIX

ANIMAL WELFARE AND THE CONTROL OF STRAY ANIMALS

For the purpose of ensuring *animal welfare*, the prevention of cruelty to *animals* and for the control of *stray animals* the following conditions shall apply:

32 Obligations of the owners of animals or persons responsible for the care and handling of animals

Any person who owns, cares for or handles *animals* shall treat them in accordance with the following universally adopted five freedoms pertaining to *animal welfare*:

- (1) Freedom from hunger, thirst and malnutrition;
- (2) Freedom from fear and distress;
- (3) Freedom from physical discomfort;
- (4) Freedom from pain, injury and disease; and
- (5) Freedom to express normal patterns of behaviour; and,
- (6) Shall recognise that:
 - (i) an *animal* is a sentient being;
 - (ii) *animal welfare* is an important aspect of any developed society which reflects the degree of moral and cultural maturity of that society;
 - (iii) *animal welfare* enhances livestock productivity and that a human being has a moral obligation to care, respect and protect an *animal* and;
- (7) Shall ensure that *animal* experimentation promotes the reduction in the number of *animals* used, refinement of experimental methods and replacement of *animal* with non-animal techniques.
- (8) Shall ensure that any *animal* being kept by any person remains under the control of that person at all times and does not stray onto public land, roads or other property.

33 Prohibition of persons to inflict cruelty to animals

In recognition of the principles stated in Article 32 cruelty to *animals* is defined as causing an *animal* to suffer pain, distress, discomfort, hunger or thirst by any act or omission, which in its kind or degree, method, or circumstances in which it is inflicted, is excessive or unnecessary.

- (1) Notwithstanding the circumstances defined in sub-article (2) it shall be an offence for any person to commit any act or omission which has the effect of causing *cruelty* to an *animal*;
- (2) In instances where the prevailing socio-economic, environmental or climatic conditions make it difficult or impossible for the *owner* of an *animal* to prevent *cruelty* as defined in this Article, such *owner* of an *animal* may be exempted from prosecution provided that the following circumstances apply:
 - (i) such *owner* has made every effort, within the limitations dictated by his or her socio-economic status, and according to the availability of food, water and shelter, to provide *animals* in his or her care with sufficient food, water and shelter to maintain their well being;
 - (ii) any *owner* of an *animal* or person who is responsible for conveying an *animal* shall, when reasonably possible, adhere to the standards relating to how *animals* shall be conveyed defined by the Animal Welfare and Control of Stray Animals Regulation.
 - (iii) when using an *animal* as a *conveyance* or to work as a *working animal*, the owner shall abide by the standards defined in the Animal Welfare and Control of Stray Animals Regulation, which makes provisions for defining the maximum load to be carried, according to species and bodyweight, and the conditions related to the length of working periods and rest periods.

34 The powers and duties of the National Animal Welfare Advisory Council and Animal Welfare Inspectors

In addition to the provisions defined in Article 14, the National Animal Welfare Advisory Council and *Animal Welfare Inspectors* appointed by the *Council*, under the authority of this Proclamation, shall be authorised to:

- (1) enforce the standards set in the Animal Welfare and Control of Stray Animals Regulation, covering:
 - (i) the well being, management and housing of *companion* and *farm animals*;
 - (ii) the handling, transportation, management and well-being of *aquatic animals*;
 - (iii) the conditions to be applied in relation to *working animals*,
 - (iv) the conditions under which *animals* may be used for experimentation or research purposes;
 - (v) the conditions under which *animals* may be used for display or sport;
 - (vi) the conditions to be applied during the transportation of *animals*;
 - (vii) the conditions to be applied in terms of housing, handling and management of *animals* before and at slaughter;
 - (viii) the humane killing of *animals*;
 - (ix) the manner in which *stray animals* shall be controlled, captured, cared for and, as and when necessary, humanely killed and disposed of.
- (2) Enter upon any land or premises for the purpose of conducting an inspection when he or she has reasonable cause to suspect that an act or omission which constitutes *cruelty* to an *animal* is being or has been committed or that the standards referred to in sub-article (1) are not being met;
- (3) Report any such act or omission, providing detailed evidence according to the Animal Welfare and Control of Stray Animals Regulation, to the *Regional Veterinary Authority* which shall take whatever punitive action is deemed appropriate in accordance with the Animal Welfare and Control of Stray Animals Regulation.

35 Restrictions on the use of animals for research or experimentation

No person may perform any experiment or conduct any research which involves the use of an *animal* except under the authority of a permit issued by the *Regional Veterinary Authority*.

- (1) Any person wishing to use an *animal* for experimentation or for research purposes shall apply for a permit in accordance with the conditions defined in the Control of Veterinary Diagnostic Laboratories Regulation.

36 Restrictions on the capture and confinement of animals for exhibition or public entertainment

For the purpose of ensuring the well-being of *animals* which are confined in zoos, circuses or for public entertainment the *Regional Veterinary Authorities* shall be responsible for enforcing the following provisions:

- (1) No person may establish a zoo, circus or any other permanent or temporary facility for the confinement of *animals* for the purpose of public entertainment except under the authority of a permit issued by the *Regional Veterinary Authority*;
- (2) Any person wishing to establish such facility as contemplated in sub-article (1) shall make an application to the *Regional Veterinary Authority* in the manner prescribed in the Animal Welfare and Control of Stray Animals Regulation.
- (3) The conditions to be met by persons intending to establish and maintain such facilities shall be determined within the Animal Welfare and Control of Stray Animals Regulation.
- (4) Any application for or issuance of a permit as contemplated in sub-articles (1) and (2) shall be subject to compliance with other existing national legislation with respect to the capture and use of *wild animals*.

37 Obligation to report the existence of a suspected *stray animal*

For the purposes of protecting human and *animal* health and life, and property, any person who suspects an *animal* to be a *stray animal* shall report such suspicion to the nearest *animal health officer, registered veterinarian or registered veterinary para-professional, animal welfare inspector or administrative officer* at the nearest local administration.

- (1) Upon receipt of a report of the suspected existence of a *stray animal*, the *animal health officer, registered veterinarian or registered veterinary para-professional, animal welfare inspector or administrative officer* shall take the following actions:
 - (i) in collaboration with the police or other law enforcement authorities, conduct an investigation to determine whether or not such *animal* does have an *owner*;
 - (ii) immediately report the case of a suspected *stray animal* to the *Regional Veterinary Authority*;
 - (iii) if any person claims ownership of such *animal* an *animal health officer* of the *Regional Veterinary Authority* shall allow that person to take possession of such *animal* under the following conditions:
 - (a) he or she shall be required to provide evidence of his ownership as prescribed in the Animal Welfare and Control of Stray Animals Regulation;
 - (b) he or she shall sign a declaration claiming ownership in accordance with the Animal Welfare and Control of Stray Animals Regulation.

38 Authority to capture, care for, *humanely kill* and dispose of *stray animals*

The *Regional Veterinary Authority* has the responsibility to capture, care for and when necessary, *humanely kill* and dispose of any *stray animal* in accordance with the following provisions:

- (1) The *Regional Veterinary Authority* shall establish *animal pounds* at suitable locations for the purpose of confining *stray animals* or other *animals* which have been seized or detained in accordance with any of the Regulations pursuant to this Proclamation.

- (2) In the event that a suspected *stray animal*, for which no *owner* can be identified within a reasonable period of time, appears to be healthy and, in the opinion of an *animal health officer, registered veterinarian, registered veterinary para-professional* or *animal welfare inspector*, is not showing signs of a *notifiable animal disease* he or she shall attempt to capture and confine such *animal* at a suitable premises established for that purpose at the nearest *Regional Veterinary Authority* service facility; or
- (3) if, in the opinion of an *animal health officer, registered veterinarian, registered veterinary para-professional* or *animal welfare inspector* such *animal* is showing signs of a *notifiable animal disease*, or is suffering from serious injury or irreversible illness, he or she is authorised to *humanely kill* and dispose of such *animal* in accordance with the Animal Welfare and Control of Stray Animals Regulation.
- (4) In the event that a private *registered veterinarian* or a private *registered veterinary para-professional* is obliged to *humanely kill* and dispose of a *stray animal* as contemplated in sub-article (2), he or she may claim any costs associated with the performance of such services from the *Regional Veterinary Authority* in accordance with the prescribed manner as defined in the Animal Welfare and Control of Stray Animals Regulation.
- (5) Notwithstanding the provisions made in sub-articles (2) and (3), and in the case where any person has reasonable cause to suspect that a *stray animal* is suffering from Rabies, and when the services of an *animal health officer, registered veterinarian* or *registered veterinary para-professional* are not immediately available, he or she is authorised to make whatever arrangements are possible to *humanely kill* and dispose of such *animal* in accordance with the Animal Welfare and Control of Stray Animals Regulation.

PART EIGHT

OFFENCES AND PENALTIES

39 Offences.

It shall be an offence for any person, either personally or indirectly through an employee or agent to:

- (1) Keep, possess, manufacture, sell, offer for sale, transport or distribute in any manner any *animal, commodity* or controlled article knowing that it is infected with or contaminated by any *animal disease agent, infectious organism, toxin* or harmful contaminant;
- (2) Assault, resist, intimidate, threaten or obstruct any *Federal veterinary Inspector, animal health officer* or any other officer of the *Federal* or a *Regional Veterinary Authority* or assignee exercising powers or performing authorized functions under this Proclamation;
- (3) Contravene or fail to comply with the provisions of Articles 18, 19 (1) and (2), 23, 24, 27, 28 (1) and (2), 29 (1), 30, 31 (1) (i), 33, 35, 36 and, 37.
- (4) Fail to allow a search or inspection or the taking of any sample authorised under this Proclamation;
- (5) Tamper with any samples taken by a *Federal Veterinary inspector, Federal Veterinary analyst* or other *animal health officer* the authority of this Proclamation;
- (6) Fail to comply with any order, Regulation, Directive or Guidelines lawfully made or given under this Proclamation;
- (7) Import, convey in *transit* or export any *animal, commodity* or *controlled article* contrary to any requirement prescribed under this Proclamation;

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- (8) Knowingly permit or cause the introduction into or the spread within the Federal Democratic Republic of Ethiopia of any *animal disease* agent, *infectious organism*, toxin or harmful contaminant;
- (9) Fail to safeguard the sanitary security of a consignment of any *commodity* after issuance of an *international veterinary certificate*, as required by Article 27 (3);
- (10) Break the seal on a sealed container containing *animals*, *animal products*, or other *commodities* except in the presence of a designated *Federal veterinary inspector* of the *Federal Veterinary Authority*;
- (11) Knowingly or recklessly provide false information for the purpose of obtaining any document under this Proclamation or;
- (12) Alter, forge, deface or destroy any document issued under this Proclamation;
- (13) Submit any written material for publication referring to the occurrence of a *notifiable animal disease* agent or *infectious organism* in the Federal Democratic Republic of Ethiopia without prior or simultaneous communication of the existence of the *notifiable animal disease* or *infectious organism* to the *Chief Veterinary Officer*;
- (14) In addition to the offences listed in sub-articles (1) to (13), it shall be an offence for any *animal health officer*, *Federal veterinary inspector*, *Federal veterinary analyst* or *animal welfare inspector* of the *Federal or Regional Veterinary Authority*, or *assignee* or other authorized person performing duties under this Proclamation:
 - (i) Except in accordance with the conditions defined under a *Sanitary mandate contract*, directly or indirectly ask for or take any personal payment or other reward in connection with any official duties;
 - (ii) agree to do, abstain from doing, permit, conceal or connive at any act or thing which is contrary to the proper execution of official duties under this Proclamation or otherwise contrary to the laws of the Federal Democratic Republic of Ethiopia;
 - (iii) disclose any information acquired in the performance of official duties relating to any person, firm or business, except when required by his or her supervisor in the course of official duties or where ordered to do so by any court.

40 Notice of Offence

Notwithstanding anything to the contrary in this or any other Proclamation, where an *animal health officer* or *Federal veterinary inspector* has reason to believe that any person is committing or has committed an offence specified in Article 39, he or she may serve notice in writing upon such person that he or she has committed an offence under this Proclamation.

- (1) Such notice shall inform the alleged offender that he or she must appear before a magistrate or competent court on the date specified;
- (2) The *Federal and Regional Veterinary Authorities* shall maintain a record of the notices of offence served by *animal health officers* and *Federal veterinary inspectors* for a period of not less than 5 years.

41 Penalties

Any person who commits an offence as contemplated in Article 39 shall be liable on summary conviction to a fine and or imprisonment or to both such fine and imprisonment according to the Penal Code

- (1) A court convicting a person of an offence under this Proclamation may, in addition to any other penalty imposed, order that anything used in the perpetration of the offence be forfeited to the Government of the Federal Democratic Republic of Ethiopia.

42 Appeals against decision of the *Chief Veterinary Officer, an animal health officer, Federal veterinary inspector, veterinary analyst or assignees.*

Any person who feels aggrieved by a decision of the *Chief Veterinary Officer, an animal health officer, Federal veterinary inspector, Federal veterinary analyst, animal welfare inspector or assignee* acting under the authority of this Proclamation may appeal against that decision to the *Ministry* or the Head of the National Regional State Bureau, Livestock Agency or Pastoralist Livestock Development Agency in question, as the case may be.

- (1) Any such appeal must be lodged in the manner prescribed by Regulation within the prescribed period, and the prescribed fee must be paid.
- (2) The *Ministry* or the Head of the National Regional State Bureau, Livestock Agency or Pastoralist Livestock Development Agency, as the case may be, may designate one or more independent senior officers to investigate and report on the grounds of appeal.
- (3) The *Chief Veterinary Officer, an animal health officer, Federal veterinary inspector, Federal veterinary analyst, animal welfare inspector, assignee* or authorised person who made the decision and the appellant may appear or be requested to appear at an investigation referred to in sub-article (1), in order to be heard or to be questioned, and are entitled to legal representation.
- (4) The *Ministry* or the Head of the National Regional State Bureau, Livestock Agency or Pastoralist Livestock Development Agency, as the case may be, may after considering the report and other documents relating to the appeal, confirm, set aside or amend the decision or issue such order in connection therewith as may be fit.
- (5) If the *Ministry* or the Head of the National Regional State Bureau, Livestock Agency or Pastoralist Livestock Development Agency, as the case may be, sets aside a decision which is the subject of an appeal or amends it in favour of an appellant, the fee referred to in sub-article (1) shall be refunded to the appellant concerned.

PART EIGHT

MISCELLANEOUS

43 Confidentiality

No person may disclose any information which relates to any person, *animal* or *commodity* and which was acquired by him or her in the performance of his or her functions in terms of this Proclamation except;

- (1) In so far as it may be necessary for the application of this Proclamation;
- (2) For the purposes of any legal proceedings under this Proclamation;
- (3) When required to do so by a competent court;
- (4) If the *Ministry*, in the public interest, authorises the disclosure thereof; or
- (5) To the extent necessary in order to comply with a law dealing with access to information.

(6)

44 Authority of the Council of Ministers to make Regulations

For the purposes of enforcement of this Proclamation and under the Authority of the Constitution of the Federal Democratic Republic of Ethiopia Article 77, sub-article (13), the Council of Ministers shall make Regulations for the implementation of this Proclamation, as follows:

- (1) The Prevention and Control of Animal Diseases Regulation (No. XXX/2013);
- (2)
- (3) Control of Veterinary Diagnostic & Research Laboratories Regulation (No. xxx/2013)
- (4) The Veterinary Control of Import and Export Regulation (No. XXX/2013)
- (5) The Control of the Safety and Quality of Primary Animal Products Regulation (No. XXX/2013)
- (6) The Animal Welfare and Control of Stray Animals Regulation (No. XXX/2013).
- (7) Any other Regulation which is deemed necessary for the proper implementation of this Proclamation and to ensure the quality of animal health, welfare and production services within the territory of the Federal Democratic Republic of Ethiopia.
- (8) The Council of Ministers shall, on the advice of the *Ministry* and the Technical Standing Committee, approve the scales of fees to be charged by the *Ministry*, Regional State Bureaus, Livestock Agencies and Pastoralist Livestock Development Agencies in respect of any services performed under any of the Regulations defined in sub-articles (1) to (6).

45 Authority of the Ministry of Agriculture to make Directives and Guidelines

For the purposes of enforcement of this Proclamation and under the Authority of the Constitution of the Federal Democratic Republic of Ethiopia Article 77, sub-article (13) and the Regulations made by the Council of Ministers, the Ministry of Agriculture or *Ministry* responsible for Livestock, on the advice of the Technical Standing Committee or NAWAC, as the case may be, shall make Directives and Guidelines, in addition to those mentioned in the foregoing Articles, for the following:

- (1) The exercise of the powers and performance of the functions assigned to *animal health officers, veterinary officers, Federal veterinary inspectors, Federal veterinary analysts and animal welfare inspectors* of the *Federal and Regional Veterinary Authorities*, or *assignees* contracted by the *Federal or Regional Veterinary Authorities* under the authority of this Proclamation and the Regulations;
- (2) Lodging an appeal against actions or decisions taken by the *Chief Veterinary Officer, designated animal health officers, veterinary officers, veterinary inspectors and veterinary analysts* of the *Veterinary Authority* or persons assigned under a *Sanitary Mandate contract*;
- (3) Concerning any additional measures to be taken for the purpose of preventing the introduction or spread of *animal diseases or infectious organisms* into the territory of the Federal Democratic Republic of Ethiopia.

46 Repeal and non-applicability of other legal instruments

- (1) Upon Notification in the Federal Negarit Gazeta of the enactment of the Animal Health, Welfare and Veterinary Public Health Proclamation, the Animal Diseases Prevention and Control Proclamation Number 267 of 2002 is hereby repealed.
- (2) No Proclamation, Regulations and Directives which are inconsistent with this Proclamation shall have effect with respect to matters governed by this Proclamation.

PART NINE

ENACTMENT

47 Entry into Force

This Proclamation shall come into force as of the(*DATE*)

Done at Addis Ababa on.....(*DATE*)

GIRMA WOLDEGIORGIS

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA