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Veterinary Act¹

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RT I, 17.11.2021, 1

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Chapter 1 General provisions

§ 1 Scope of application of Act

(1) This Act governs:

- 1) the grounds for the professional activities of veterinary surgeons;
- 2) the keeping of animals, the handling of products of animal origin, germinal products, animal by-products and derived products, specifying and supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.03.2016, p. 1–208) and Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 ('Animal by-products Regulation') (OJ L 300, 14.11.2009, p. 1–33);
- 3) the movement of animals and goods to, trade in and export of animals and goods to Estonia, specifying and supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 07.04.2017, p. 1–142), and Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 4) the movement of pet animals between Member States of the European Union (hereinafter 'Member State'), specifying and supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council and Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003 (OJ L 178, 28.6.2013, p. 1–26);
- 5) the bases of the organisation of the prevention and control of infectious animal diseases necessary for the protection of animal and human health, specifying and supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 6) the basis for monitoring zoonoses and investigating food-borne outbreaks;
- 7) compensation for damage caused by an animal disease;
- 8) the bases for the organisation of compliance checks necessary for the protection of animal and human health and animal welfare in the course of official *veterinary supervision* (hereinafter *veterinary supervision*) and in the course of activity or other authorisation procedures (hereinafter *veterinary checks*), specifying and supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council;
- 9) liability for non-compliance with veterinary requirements.

(2) For the purposes of this Act, the terms are used within the meaning of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council and legislation adopted for the implementation thereof, unless otherwise provided for in this Act.

(3) The minister responsible for the area may, within the limits of his or her competence, establish by a regulation requirements for the protection of animal and human health for the implementation of disease prevention and control and other veterinary measures in a matter which, pursuant to the legislation of the European Union specified in subsection (1) of this section or a delegated act or implementing act adopted on the basis thereof, a Member State has the right to decide.

(4) The minister responsible for the area may, within the limits of his or her competence, establish a directive for the implementation of disease prevention and control and other veterinary measures for the protection of animal and human health in a matter for which a Member State has the right to decide pursuant to the legislation of the European Union specified in subsection (1) of this section or a delegated act or implementing act adopted on the basis thereof.

§ 2 Application of laws

(1) The provisions of the Administrative Procedure Act apply to the administrative proceedings prescribed in this Act, taking account of the specifications provided for in Regulations (EU) 2017/625 and (EU) 2016/429 of the European Parliament and of the Council and in this Act.

(2) The Law Enforcement Act applies to veterinary supervision exercised on the basis of this Act with the specifications provided for in this Act.

(3) The Emergency Act applies to the control of an infectious animal disease included in the list in Article 9(1)(a) of Regulation (EU) 2016/429 of the European Parliament and of the Council carried out on the basis of this Act, with the specifications provided for in this Act.

(4) The Infectious Diseases Prevention and Control Act applies to health checks of persons participating in keeping farm animals and handling animal products, except animal by-products.

§ 3 Veterinary requirements

(1) For the purposes of this Act, veterinary requirements are the requirements established in the legislation of the European Union and in this Act and legislation established on the basis thereof for the purpose of protecting human life and health and the health and welfare of animals:

- 1) the professional activities of veterinary surgeons;
- 2) on the prevention and control of animal diseases;
- 3) on ensuring the safety of products of animal origin, animal by-products, products derived from animal by-products and germinal products.

(2) The following shall also be considered as veterinary requirements:

- 1) the prescription requirements for medicated feedingstuffs laid down in and on the basis of the Feedingstuffs Act;

[RT I, 17.11.2021, 1 - entry into force 28.01.2022]

- 2) the hygiene requirements for food of animal origin established in and on the basis of the Food Act;
- 3) the requirements for ensuring the welfare of animals established in and on the basis of the Animal Protection Act, with the exception of the requirements for the protection of animals living freely in the wild and experimental animals.

(3) The performance of obligations arising from veterinary requirements for legal persons shall be organised by their legal representatives.

§ 4 Animal product

(1) For the purposes of this Act, a product of animal origin is a product of animal origin provided for in point 8.1 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin (OJ L 139, 30.04.2004, p. 55–205).

(2) The provisions concerning products of animal origin also apply to animal by-products and products derived from animal by-products, unless otherwise provided for in this Act.

§ 5 Keeper and holding

(1) For the purposes of this Act, a keeper of animals is an operator within the meaning of Article 4(24) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(2) For the purposes of this Act, an animal-keeping establishment is an establishment within the meaning of Article 4(27) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

§ 6 Animal disease

(1) For the purposes of this Act, 'animal disease' means an animal disease listed in Article 5(1)(a) of and Annex II to Regulation (EU) 2016/429 of the European Parliament and of the Council, including zoonosis or other animal diseases, caused by a biological pathogen that may be transmitted, either directly or through the environment, from one animal to another, from an animal to man and vice versa. For the purposes of this Act, an infectious animal disease is also deemed to be a mass illness of animals which is caused by an infectious agent that does not have the ability to be transmitted.

(2) For the purposes of this Act, an especially dangerous animal disease is an animal disease specified in the list referred to in Article 9(1)(a) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(3) For the purposes of this Act, 'other animal disease' means an animal disease which is not listed in Article 5(1)(a) of and Annex II to Regulation (EU) 2016/429 of the European Parliament and of the Council and which is not considered to be an emerging animal disease within the meaning of Article 6 of that Regulation.

(4) For the purposes of this Act, an animal disease subject to notification is an animal disease specified in Article 9(1)(e) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

§ 7 Zoonosis and food-borne outbreak

(1) Zoonosis is a disease or infection that is transmitted directly or indirectly naturally between an animal and a human being. The provisions on epizootic diseases shall apply to zoonoses.

(2) A zoonotic agent is a virus, bacterium, fungus, parasite or biological factor that can cause zoonosis.

(3) For the purposes of this Act, a food-borne outbreak means, in certain circumstances, the occurrence of a disease or infection in two or more persons or a situation in which the number of cases exceeds the predicted number and where they are related or likely to be related to the same food.

§ 8 Veterinary supervision and veterinary checks

For the purposes of this Act, veterinary supervision and veterinary control activities are the activities specified in Article 2 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

§ 9 Competent authority

Unless otherwise provided for in this Act, the competent authority of the Agricultural and Food Board shall be:

- 1) as defined in Article 4, point (55), of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 2) within the meaning of Regulation (EU) No 576/2013 of the European Parliament and of the Council, except in the cases provided for in Articles 33 to 35 of the same Regulation where the competent authority is the Tax and Customs Board;
- 3) within the meaning of Chapters 3 and 3¹ of the Recognition of Foreign Professional Qualifications Act.

§ 10 Service of the decision

If a decision made on the basis of this Act is served by post, it may be served by unregistered letter, registered letter or registered letter with advice of delivery.

Chapter 2 Professional activities of veterinary surgeons

§ 11 Qualifications of veterinary surgeon

(1) In order to obtain the qualification of a veterinarian, a curriculum of veterinary studies shall be completed either at the Estonian University of Life Sciences or at a relevant educational institution of a foreign state. The qualifications of veterinary surgeons acquired elsewhere than in Estonia are recognised in accordance with the Recognition of Foreign Professional Qualifications Act and this Act.

(2) The covering of the operating expenses related to the organisation of clinical studies in veterinary medicine at the Estonian University of Life Sciences is additionally financed from the state budget through the budget of the Ministry of Regional Affairs and Agriculture. The Ministry of Regional Affairs and Agriculture bases the additional funding of clinical studies in veterinary medicine on the proposals of the Estonian University of Life Sciences and on the funds prescribed for clinical studies in veterinary medicine in the state budget.

(3) The Ministry of Regional Affairs and Agriculture shall conclude a contract under public law with the Estonian University of Life Sciences for the additional financing of the operating costs related to the organisation of clinical training in veterinary medicine.

§ 12 Professional activity licence

(1) For the purposes of this Act, a veterinarian is a person qualified as a veterinarian who holds a professional activity licence of a veterinarian necessary for the provision of veterinary services (hereinafter *professional activity licence*).

(2) For the purposes of this Act, veterinary services means the treatment of an animal disease, the prevention and diagnosis of an animal disease, including laboratory diagnosis, and other procedures necessary for ensuring the health and well-being of an animal, provided by a veterinarian.

(3) A veterinarian shall provide veterinary services independently as a self-employed person or through an undertaking in a contractual relationship with him or her.

(4) The Agricultural and Food Board shall decide on the issue, suspension and revocation of a professional activity licence and refusal to issue a licence.

(5) The professional activity licence shall be of unlimited duration.

§ 13 Application for a professional activity licence

(1) An applicant for a professional activity licence shall submit the following to the Agricultural and Food Board:

- 1) the application;
- 2) a curriculum vitae containing, inter alia, the applicant's given name and surname, previous given name and surname or previous given names and surnames, a personal identification code or, in the absence thereof, the date of birth, and the name and number of the identity document, contact details, the country of the previous place of employment and a description of the professional career;
- 3) a copy of evidence of formal qualifications as a veterinary surgeon;
- 4) a copy of the certificate of professional development.

(2) The document specified in clause (1) 4) of this section need not be submitted if the professional activity licence is applied for within five years as of the acquisition of the qualification of a veterinarian.

(3) Before submitting an application, the applicant for a professional activity licence shall pay a state fee for the review of the application at the rate provided for in the State Fees Act.

(4) An applicant for a professional activity licence may submit an application in electronic form with a digital signature or in another similar secure manner which enables identification of the applicant.

§ 14 Application for a professional activity licence in a Member State, a contracting state of the European Economic Area and Switzerland upon acquisition of qualifications in veterinary medicine

(1) An applicant for a professional activity licence who has acquired the qualifications of a veterinarian in a Member State, a contracting state of the European Economic Area or Switzerland shall submit to the Agricultural and Food Board the documents and information specified in clauses 13 (1) 1)-3) of this Act and, if the European Professional Card exists, also the information thereof.

(2) The Agricultural and Food Board shall provide the applicant for a professional activity licence with a confirmation of receipt of the application within three working days as of the receipt of the documents and information specified in clauses 13 (1) 1)-3) of this Act.

(3) The qualifications of a veterinarian acquired in a Member State, a contracting state of the European Economic Area or Switzerland shall be attested by a document which entitles the veterinarian to provide veterinary services in the relevant Member State, contracting state of the European Economic Area or Switzerland.

(4) The list of documents certifying the qualifications of veterinary surgeons in a Member State, a contracting state of the European Economic Area or Switzerland on the basis of which a professional activity licence is issued shall be established by a regulation of the minister responsible for the area.

(5) If a document certifying the qualifications of a person who has acquired the qualifications of a veterinary surgeon in a Member State, a contracting state of the European Economic Area or Switzerland is not specified in the list established on the basis of subsection (4) of this section, the Agricultural and Food Board shall decide on the issue of a permit pursuant to the provisions of the Recognition of Foreign Professional Qualifications Act, requesting, if necessary, the opinion of the Estonian University of Life Sciences.

(6) If the European Professional Card has been introduced in the veterinary profession by an implementing regulation of the European Commission on the basis of Article 4a(7) of Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications (OJ L 255, 30.09.2005, pp. 22-142) and a competent authority of a Member State, a contracting state of the European Economic Area or Switzerland has forwarded an application for employment in Estonia to the competent authority of Estonia, §§ 21¹, 21⁴ and 21⁵ of the Recognition of Foreign Professional Qualifications Act apply to the application for and processing of an application for the European Professional Card.

§ 15 Application for professional activity licence in case of acquisition of veterinary qualification in another foreign state

(1) In order to obtain a professional activity licence, a person who has acquired the qualifications of a veterinarian in a foreign state not specified in § 14 of this Act shall submit to the Agricultural and Food Board, in addition to the documents and information specified in subsection 13 (1) of this Act, the curriculum of veterinary training of the educational institution which issued the document certifying the qualifications of a veterinarian.

(2) The Agricultural and Food Board shall provide the applicant for a professional activity licence with a confirmation of receipt of the application within three working days as of the receipt of the documents and information specified in subsection (1) of this section and submit the required documents and information to the Estonian University of Life Sciences for assessment within three working days as of the receipt thereof.

(3) The Estonian University of Life Sciences shall assess whether the curriculum completed by the applicant for a professional activity licence corresponds to the relevant curriculum in Estonia and, if necessary, make a proposal for in-service training, taking into account the person's work experience and completed in-service training, within 40 working days as of the receipt of the documents and information referred to in subsection (1) of this section.

(4) If, on the basis of the assessment provided by the Estonian University of Life Sciences, the curriculum completed by the applicant for a professional activity licence does not differ significantly from the curriculum of Estonian veterinary studies, the Agricultural and Food Board shall process the application pursuant to the procedure provided for in this Act.

(5) If, on the basis of the assessment provided by the Estonian University of Life Sciences, the curriculum completed by the applicant for a professional activity licence differs significantly from the Estonian curriculum of veterinary medicine and the applicant must complete the relevant in-service training, the applicant may, within 60 working days following the receipt of the assessment, take an aptitude test prepared and organised by the Estonian University of Life Sciences to prove his or her knowledge or complete in-service training corresponding to the requirements of the curriculum of veterinary medicine together with a final assessment in the framework of paid studies at the Estonian University of Life Sciences in accordance with the organisation of studies. The aptitude test shall verify and assess the professional, specialised and occupational knowledge, skills and experience of the applicant for a professional activity licence.

(6) The procedure for the preparation, organisation and assessment of aptitude tests of veterinarians and notification of the results of aptitude tests shall be established by a regulation of the minister responsible for the area.

(7) If the qualifications of a person with qualifications acquired in a foreign state not specified in § 14 of this Act have been previously recognised by another Member State, a contracting state of the European Economic Area or Switzerland and the person has three years of professional experience as a veterinarian in that state, the Agricultural and Food Board shall decide on the issue of a professional activity licence pursuant to the procedure provided for in this Act, taking account of the provisions of the Recognition of Foreign Professional Qualifications Act. In order to apply for a professional activity licence, a person shall submit, in addition to the documents and information specified in subsection 13 (1) of this Act, a document certifying his or her professional experience and right to provide veterinary services in a Member State, a contracting state of the European Economic Area or Switzerland.

(8) If the European Professional Card has been introduced in the veterinary profession by an implementing regulation of the European Commission on the basis of Article 4a(7) of Directive 2005/36/EC of the European Parliament and of the Council and the competent authority of a Member State, a contracting state of the European Economic Area or Switzerland has forwarded an application for employment in Estonia to the competent authority of Estonia, Sections e 21¹, 21⁴ and 21⁵ of the Recognition of Foreign Professional Qualifications Act apply to the application for and processing of an application for a European Professional Card in the case specified in subsection (7) of this section.

§ 16 Issue of and refusal to issue professional activity licence

(1) The Agriculture and Food Board shall process an application for a professional activity licence and make a decision to grant or refuse to grant a professional activity licence within 20 working days as of the receipt of the documents and information necessary for making the decision.

(2) If the circumstances specified in subsection 14 (5) of this Act become evident in the course of processing an application for a professional activity licence, the Agricultural and Food Board may extend the term for making a decision to 60 working days, notifying the applicant for the licence thereof immediately and adding the reason.

(3) The following shall be indicated on the professional activity licence:

- 1) the given name and surname of the holder of the professional activity licence;
- 2) the personal identification code of the holder of the professional activity licence or, in the absence thereof, the date of birth;
- 3) the date and place of issue of the professional licence;
- 4) professional licence number.

(4) The Agricultural and Food Board shall refuse to issue a professional activity licence if:

- 1) deliberately misrepresenting the application for authorisation;
- 2) the veterinarian is subject to a court judgment which has entered into force and which has deprived him or her of the right to provide veterinary services;
- 3) the applicant's qualifications do not correspond to those required for the profession concerned;
- 4) the applicant is employed by a general pharmacy, veterinary pharmacy or holder of an activity licence for wholesale distribution or manufacture of medicinal products and is not permitted to provide veterinary services pursuant to subsection 43 (7) of the Medicinal Products Act;
- 5) the applicant is employed as a veterinary supervisory official and is completely prohibited from engaging in the provision of veterinary services as an ancillary activity on the basis of subsection 60 (2) of the Public Service Act.

§ 17 Suspension of the validity of a professional activity licence

(1) The Agricultural and Food Board may suspend a professional activity licence by making a relevant notation in the register specified in subsection 21 (1) of this Act if:

- 1) the veterinarian, in his or her professional activities, materially violates a requirement of legislation or if the violation involves a significant risk to the life or health of the animal;
- 2) the veterinarian does not observe the professional ethics of the veterinarian and does not follow good veterinary practice in his or her professional activities;
- 3) the veterinarian has not submitted his or her up-to-date data to the Agricultural and Food Board or has not entered them in the register specified in subsection 21 (1);
- 4) the veterinarian has repeatedly violated the requirements provided for in the legislation of the European Union or the Medicinal

Products Act or legislation established on the basis thereof for the acquisition of medicinal products and for the prescription, dispensing and use of medicinal products in the course of provision of veterinary services;

[RT I, 20.06.2022, 4 - entry into force 01.07.2022]

5) the veterinarian obstructs the exercise of veterinary supervision and has not complied with a precept issued to him or her to that effect, in which he or she has been warned of the suspension of the validity of the authorisation.

(2) In the cases specified in subsection (1) of this section, the validity of the professional activity licence shall be suspended until the violation is eliminated, until a decision is made to revoke the professional activity licence or until veterinary supervision is enabled.

§ 18 Revocation and revocation of professional activity licence

(1) The Agricultural and Food Board shall revoke a professional activity licence on the following grounds:

1) the violation which was the basis for suspension of the validity of the professional activity licence specified in subsection 17 (1) of this Act has not been eliminated by the due date specified in the precept;

2) when applying for a professional activity licence, the veterinarian has intentionally submitted false information which influenced the granting of the licence, failing which the licence should have been refused;

3) the veterinarian is subject to a court judgment which has become final and which has deprived him or her of the right to provide veterinary services;

4) the veterinarian renounces the professional licence at his or her request.

(2) The professional activity licence shall become invalid in the event of the death of the veterinarian.

(3) The Agricultural and Food Board shall implement the alert mechanism pursuant to the procedure established in Chapter² of Chapter 3 of the Recognition of Foreign Professional Qualifications Act.

§ 19 Obligations of veterinarians

(1) A veterinarian is required to:

1) operate in accordance with the requirements of Article 12 of Regulation (EU) 2016/429 of the European Parliament and of the Council;

2) observe the professional ethics of the veterinarian and follow good veterinary practice;

3) at his or her request, renounce his or her professional activity licence in accordance with subsection 43 (7) of the Medicinal Products Act if he or she commences work in a general pharmacy, a veterinary pharmacy or a holder of an activity licence for wholesale distribution or manufacture of medicinal products;

4) complete their professional training at least once every five calendar years;

5) keep records of cases of diseases, including infectious animal diseases, medical and other procedures performed, medicinal products prescribed on the basis of a veterinary prescription and medicinal products contained in medicated feed prescribed on the basis of a veterinary prescription for medicated feed (hereinafter jointly *prescribed medicinal product*) and medicinal products issued and used in the course of provision of veterinary services in accordance with the procedure established by legislation, and preserve such data for three years;

[RT I, 20.06.2022, 4 - entry into force 01.07.2022]

6) submit reports to the Agriculture and Food Board on treatments and other procedures carried out in relation to cases of diseases, including animal diseases;

7) submit to the Agricultural and Food Board, through the customer portal provided for this purpose, information concerning prescribed medicinal products and medicinal products issued and used in the course of providing veterinary services;

[RT I, 17.11.2021, 1 - entry into force 01.01.2023, partially amended [RT I, 20.06.2022, 4]]

8) at the time of issuing the pet identification document and the certificate of the veterinary procedure carried out on the pet animal, include on its signature the title and the professional authorisation number;

9) carry out the tasks assigned by the Agriculture and Food Board in relation to the prevention and control of a particularly dangerous or emerging infectious animal disease;

10) draw the attention of the keeper of animals and the keeper of pet animals and the handler of products of animal origin or germinal products to violations of veterinary requirements, make proposals for elimination of violations and give initial instructions for organising the control of infectious animal diseases in a holding or household.

(2) The specific requirements and procedure for keeping records and submission of reports and information specified in clauses (1) 5)-7) of this section shall be established by a regulation of the minister responsible for the area.

(3) The data submitted pursuant to clause (1) 7) of this section concerning prescribed medicinal products and medicinal products issued and used in the course of the provision of veterinary services shall be entered in the official register of veterinarians.

[RT I, 17.11.2021, 1 - entry into force 01.01.2023, partially amended [RT I, 20.06.2022, 4]]

§ 20 Professional development

The professional development of a veterinarian is:

1) participation in a professional information day, study day, course, seminar or conference organised by a university, state agency or professional organisation teaching on the basis of a veterinary training curriculum;

2) practicing under a veterinary surgeon's or veterinary training curriculum at a teaching university;

3) Acquisition of a professional degree;

4) supervising the professional theoretical, practical or clinical training of a student studying on the basis of a veterinary training curriculum;

5) publication of scientific-practical work or a specialized article in a specialized publication of Estonia or a foreign state, or publication of specialized educational or scientific literature;

6) presentation with a professional presentation at an information day, study day, course, seminar or conference organised by a university, state agency or professional organisation teaching on the basis of a veterinary training curriculum.

§ 21 Official Register of Veterinarians

(1) The statutes of the official register of *veterinarians (hereinafter register of veterinarians)* shall be established by a regulation of the minister responsible for the area.

- (2) The purpose of the register of veterinarians is to ensure:
- 1) information for consumers on veterinarians authorised to provide veterinary services;
 - 2) effective veterinary supervision of the veterinary service;
 - 3) collecting the necessary data to improve the organisation of the veterinary sector;
 - 4) responsible prescribing, dispensing and use of medicinal products in the course of the provision of veterinary services. [RT I, 17.11.2021, 1 - entry into force 01.01.2023, amended [RT I, 20.06.2022, 4]]
- (3) The controller of the register of veterinarians is the Agriculture and Food Board.
- (4) An applicant for a professional activity licence and a veterinarian are required to submit data to the controller.
- (5) The controller may, in order to obtain data to be entered in the register of veterinarians, make a cross-usage inquiry and obtain data from another database.
- (6) The following data concerning a veterinarian shall be collected in the register of veterinarians:
- 1) first name and surname, previous first name and surname(s), personal identification code or, in the absence thereof, date of birth, and the name and number of the identity document, contact details and the country of the previous place of employment;
 - 2) evidence of qualifications and professional development;
 - 3) details of the place of employment and the competence of the authorised veterinarian;
 - 4) information on the professional activity licence and its validity;
 - 5) records of operations.
- (7) The register of veterinarians collects data on medicinal products prescribed for the prevention and treatment of animal diseases and on medicinal products issued and used in the course of providing veterinary services. [RT I, 17.11.2021, 1 - entry into force 01.01.2023, partially amended [RT I, 20.06.2022, 4]]
- (8) The data entered in the register of veterinarians have an informative meaning. The data collected concerning a veterinarian entered in the digital database of the register of veterinarians pursuant to subsection (6) of this section shall be preserved in the archives for five years as of the making of a decision to refuse to issue or revoke a professional activity licence or as of the expiry of the licence. The logs shall be preserved pursuant to the provisions of the statutes of the register of veterinarians.
- (9) The person submitting the information is responsible for the correctness of the information entered in the register of veterinarians. In the event of a change in the data entered in the register of veterinarians, an application for amendment of the data shall be submitted without delay.
- (10) The veterinarian shall submit the professional development data for each five-year period five calendar years after the acquisition of the qualification of a veterinarian by 31 January of the year following that period.

§ 22 Right to provide veterinary services on a temporary basis

A person who has acquired the qualifications of a veterinarian in a Member State, a contracting state of the European Economic Area or Switzerland may, without the authorisation for professional activities provided for in subsection 12 (1) of this Act, provide the services of a veterinarian in Estonia on a temporary basis pursuant to the provisions of Chapters 3 and 3 of the Recognition of Foreign Professional Qualifications Act. The competent authority within the meaning of Chapters 3 and 3¹ of the Recognition of Foreign Professional Qualifications Act is the Agriculture and Food Board.

§ 23 Certificate confirming the professional activity of a veterinarian

- (1) If a veterinarian wishes to work outside Estonia, he or she shall, if necessary, apply to the Agricultural and Food Board for a certificate certifying the exercise of his or her profession.
- (2) In order to apply for the certificate specified in subsection (1) of this section, a veterinarian shall submit an application to the Agricultural and Food Board with the following information:
- 1) the first name and surname of the applicant;
 - 2) the applicant's professional licence number;
 - 3) the country in which recognition of professional qualifications is intended to be sought;
 - 4) a description of the professional career to date.

I Section 2

Notification and authorisation obligation of undertaking and other person

§ 24. Obligation to notify

- (1) For the purposes of this Act, the notification obligation means the registration of a place of business within the meaning of Part IV of Regulation (EU) 2016/429 of the European Parliament and of the Council and Article 23 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.
- (2) A notice of economic activities shall be submitted to the Agricultural Registers and Information Board for operating in the following areas of activity:
- 1) the areas of activity specified in Article 84(1), Article 87(1), Article 90(1), Article 172(1) and Article 176(2) of Regulation (EU) 2016/429 of the European Parliament and of the Council;
 - 2) the activities specified in Article 3(1) of Commission Delegated Regulation (EU) 2019/2035 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs (OJ L 314, 05.12.2019, pp. 115-169);
 - 3) the activities specified in Article 3(1)(a) and (b) of Commission Delegated Regulation (EU) 2020/691 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for aquaculture establishments and transporters of aquatic animals (OJ L 174, 03.06.2020, p. 345-378);
 - 4) the activities specified in Article 23(1)(a) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council;

(3) In order to apply for the certificate specified in subsection (1) of this section, the veterinarian shall pay a state fee for the review thereof at the rate provided for in the State Fees Act before submission of the application.

(4) An application for a certificate specified in subsection (1) of this section may be submitted by a veterinarian in electronic form with a digital signature or in another similar secure manner which enables identification of the applicant.

(5) The Agricultural and Food Board shall issue a certificate confirming the professional activities of a veterinarian to a veterinarian within 20 working days as of the receipt of the application.

(6) A certificate certifying the professional activities of a veterinarian shall be valid for three months as of the issue thereof.

(7) In the event of loss, theft or destruction of a certificate certifying the professional activities of a veterinarian, a duplicate of the certificate shall be issued to the veterinarian at his or her request.

(8) If the European Professional Card has been introduced in the veterinary profession by an implementing regulation of the European Commission on the basis of Article 4a(7) of Directive 2005/36/EC of the European Parliament and of the Council and the applicant for a professional activity licence wishes to have the European Professional Card for working outside the Republic of Estonia, Sections 21¹ to 21³ of the Recognition of Foreign Professional Qualifications Act apply to the application for and processing of applications for the European Professional Card.

Chapter 3

Keeping of animals and handling of products of animal origin and germinal products

5) keeping animals referred to in Article 4, point (4), of Regulation (EU) 2016/429 of the European Parliament and of the Council for the production of food and feed.

(3) In addition to the information provided for in the General Part of the Economic Activities Code Act, a notice of economic activities shall set out the following information:

- 1) the particulars referred to in Articles 84(1), 87(1), 90(1) and 172(1) of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 2) the data referred to in Article 3 of Commission Delegated Regulation (EU) 2019/2035;
- 3) Data referred to in Article 23(1)(b) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.

(4) A person who wishes to engage in keeping animals specified in Article 84(1) and Article 172(1) of Regulation (EU) 2016/429 of the European Parliament and of the Council for purposes other than economic activities shall submit a notice with the information specified in subsection (3) of this section to the Agricultural Registers and Information Board before commencing the activities. The obligation to submit a notice provided for in this subsection is not a notification obligation within the meaning of the General Part of the Economic Activities Code Act.

(5) In addition to the information referred to in subsection (4) of this section, the following information shall also be submitted to the Agricultural Registers and Information Board:

- 1) the contact details and personal identification code of the person specified in subsection (4) or, in the absence thereof, the date of birth and the name and number of the identity document;
- 2) the name and contact details of the person submitting the notification.

(6) No state fee shall be paid for the entry in the register of information received in the performance of the notification obligation.

§ 25 Authorisation obligation

(1) For the purposes of this Act, the authorisation obligation is:

1) approval within the meaning of Part IV of Regulation (EU) 2016/429 of the European Parliament and of the Council and point 9 of Article 2 of Commission Delegated Regulation (EU) 2019/2124 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC (OJ L 321, 12.12.2019, p. 73–98);

2) approval within the meaning of Article 24 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.

(2) An activity licence is applied for in the following areas of activity or in the following enterprises:

- 1) the activity referred to in Article 94(1) of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 2) keeping animals in an establishment in accordance with Article 95 of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 3) the activity referred to in Article 9 of Commission Delegated Regulation (EU) 2019/2035;
- 4) the activity referred to in Article 176(1) of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 5) the activity referred to in Articles 178 and 179 of Regulation (EU) 2016/429 of the European Parliament and of the Council and the activity referred to in Article 4 of Commission Delegated Regulation (EU) 2020/691;
- 6) an establishment for the storage of germinal products, animal by-products, derived products, hay or straw, as referred to in Article 23(1) of Commission Delegated Regulation (EU) 2019/2124;
- 7) Activity referred to in Article 24(1) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.

(3) An activity licence may be applied for to operate in an area of activity specified in Article 176(1) and Article 178 of Regulation (EU) 2016/429 of the European Parliament and of the Council as a group of establishments in the case and under the conditions specified in Article 176(6) of that Regulation.

(4) An activity licence does not need to be applied for in order to operate in an area of activity specified in Article 176(2) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(5) An activity licence grants an undertaking the right to commence economic activities and to engage in such activities only in the enterprise or part of the enterprise specified in the activity licence.

§ 26 Application for activity licence

(1) An application for an activity licence shall be submitted to the Agricultural and Food Board through the e-service environment of the Agricultural Registers and Information Board and shall contain, in addition to the information provided for in the General Part of the Economic Activities Code Act, the relevant information specified in Article 96(1) and Article 180(1) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(2) In addition to the information and documents provided for in the General Part of the Economic Activities Code Act, an application for an activity licence concerning an enterprise referred to in clause 25 (2) 6) of this Act shall set out the following information and documents:

- 1) details of the germinal products, animal by-products, products derived from animal by-products, hay or straw to be handled and the requirements for their storage;
- 2) a plan of the company's buildings, including space allocation;
- 3) a cleaning and disinfection plan containing details of the measures taken to clean and disinfect the equipment and premises and the substances used;
- 4) pest control plan with details of control measures;
- 5) records of germinal products, animal by-products, products derived from animal by-products, hay or straw.

(3) In the case of the area of activity referred to in clause 25 (2) 7) of this Act, an application for an activity licence concerning an enterprise shall, in addition to the information and documents provided for in the General Part of the Economic Activities Code Act, set out the following information and documents:

- 1) the identity of the means of transport;
- 2) a layout plan with a plan for external water and sewerage networks;
- 3) a plan of the premises, including the layout of the equipment and a plan for the internal water and sewerage networks;
- 4) details of finishing materials used in the handling room;
- 5) the technological layout of the handling process, including a technical description of the equipment to be used;
- 6) data on the design and planned or actual production or processing capacity;
- 7) data on the capacity of the enterprise's warehouses and the expected volume of production;
- 8) a cleaning and disinfection plan containing details of the measures taken to clean and disinfect the equipment and premises and the substances used;
- 9) pest control plan with details of control measures;
- 10) a description of the treatment of the generated waste water;
- 11) a description of the cleaning of the means of transport of raw materials and animal by-products;
- 12) details and descriptions of the proposed measures to ensure that cross-contamination and continuous separation between different categories of animal by-products and derived products is avoided.

(4) No state fee shall be paid for the adjudication of an application for an activity licence.

(5) The Agricultural and Food Board shall submit the data of the undertakings that have obtained an activity licence to the European Commission and other Member States in accordance with the requirements provided for in the legislation of the European Union.

(6) Applications for activity licences shall be adjudicated by the Agricultural and Food Board by issuing an activity licence or by refusing to issue an activity licence.

within 90 days from the date of receipt of the application, taking into account Article 99 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

§ 27 Object of inspection of activity licence

An undertaking shall be granted an activity licence if its undertaking complies with the relevant requirements of this Act and legislation established on the basis thereof and the following provisions of European Union legislation:

- 1) Articles 97 and 181 of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 2) Articles 5 to 8 and 10 to 17 of Commission Delegated Regulation (EU) 2019/2035;
- 3) Article 4 of Commission Delegated Regulation (EU) 2020/686 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of germinal product establishments and the traceability and animal health requirements for movements within the Union of germinal products of certain kept terrestrial animals (OJ L 174, 03.06.2020, p. 1–63);
- 4) Articles 5 to 19 of Commission Delegated Regulation (EU) 2020/691;
- 5) Articles 25 and 27 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council;
- 6) Article 23 of Commission Delegated Regulation (EU) 2019/2124.

§ 28 Specifications for suspension and revocation of activity licence

In addition to the cases provided for in §§ 37 and 43 of the General Part of the Economic Activities Act, the Agricultural and Food Board may suspend an activity licence in part or in full or revoke an activity licence if the holder of the activity licence has violated the requirements of this Act, legislation established on the basis thereof or legislation of the European Union which is not the subject of inspection of the activity licence.

Section 2 Traceability of animals

§ 29 Methods of identification of the animal

- (1) The ways in which an animal is identified are by marking, describing and affiliating the animal.
- (2) The marking of an animal is the equipping of the animal with an electronic means of identification or other permanent and unique artificial identifier allowing the identification of the animal's affiliation.
- (3) The description of an animal for the purpose of distinguishing it shall be used for an animal which cannot or should not be marked.
- (4) An animal which cannot or should not be marked and for which a description cannot be made due to the high external similarity of

the specimens of that animal species shall be identified by its affiliation.

(5) In the case of identification by affiliation, the animal shall be deemed to belong to the person in whose possession or confinement, or in whose building or facility the animal is located, unless the person interested in that person's affiliation proves otherwise.

§ 30 Identification of kept animal

(1) Keepers of animals shall identify the terrestrial animals they keep, with the exception of dogs, cats and ferrets, in accordance with Articles 112 to 115 and 117 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Commission Delegated Regulation (EU) 2019/2035.

(2) The Agricultural and Food Board approves an electronic means of identification that complies with the requirements established on the basis of Article 120(2)(c) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(3) The Agricultural and Food Board shall decide on the grant of approval for the use of the electronic means of identification specified in subsection (2) of this section within 30 days as of the application for the approval.

(4) Terrestrial animals and equidae normally kept for the purpose of obtaining products of animal origin and germinal products (hereinafter *farm animals*) means of identification used for marking shall be issued by a person who has entered into a contract under public law with the Agricultural and Food Board on the basis of an application and at the expense of the applicant. The injectable electronic means of identification used for the marking of farm animals shall be issued only to the veterinarian.

(5) A person who has entered into a contract under public law with the Agricultural and Food Board shall forward the data concerning the issued means of identification to the Agricultural Registers and Information Board in a machine-readable manner.

(6) In order to enter into the contract under public law specified in subsection (4) of this section, the Agricultural and Food Board shall announce a competition. The announcement of the competition will be published on the website of the Agricultural and Food Board.

§ 31 Record keeping of farm and aquaculture animals

(1) The keeper shall keep records of his activities in accordance with the provisions of:

- 1) Articles 102 to 107 and 186 to 190 of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 2) Articles 22 to 37 of Commission Delegated Regulation (EU) 2019/2035;

- 3) Articles 8 and 9 of Commission Delegated Regulation (EU) 2020/686;
- 4) Articles 22 to 35 of Commission Delegated Regulation (EU) 2020/691.

(2) A keeper of animals shall submit data on the basis of the records kept concerning his or her activities to the register of farm animals pursuant to the procedure provided for in this Act and legislation established on the basis thereof.

(3) The procedure for the marking and registration of farm animals and the issue of bovine passports, the procedure for notification of the slaughter, death and disposal of farm animals and the requirements for the removal and replacement of means of identification of farm animals shall be established by a regulation of the minister responsible for the area.

(4) The minister responsible for the area may, by a regulation, establish the procedure for application of the exceptions specified in Articles 39 to 41, 47, 48, 53, 54 and 59 to 62 of Commission Delegated Regulation (EU) 2019/2035 and the procedure for application of the exception and adjudication of the application.

§ 32 Identification and record keeping of dogs, cats and ferrets

(1) Keepers of dogs, cats and ferrets shall arrange for their animals to be identified.

(2) In the case of commercial movements into another Member State and non-commercial movements of more than five dogs, cats or ferrets, those animals shall be marked in accordance with Article 70 of Commission Delegated Regulation (EU) 2019/2035.

(3) When moved to another Member State for non-commercial purposes, dogs, cats and ferrets shall be marked in accordance with Article 17 of Regulation (EU) No 576/2013 of the European Parliament and of the Council.

(4) Records of dogs and, if necessary, other pets shall be kept by the local authority.

(5) For dogs, cats and ferrets marked with an electronic means of identification pursuant to subsection 29 (2) of this Act, the data concerning the means of identification shall be entered in the database used for keeping records pursuant to subsection (4) of this section.

§ 33 Approval of injectable electronic means of identification for the marking of dogs, cats and ferrets and pet passport

(1) The injectable electronic identification device used for marking dogs, cats and ferrets is approved by the Agriculture and Food Board.

(2) Upon deciding on the approval of the means of identification specified in subsection (1) of this section, the Agriculture and Food Board shall assess its compliance with the requirements of Annex II to Regulation (EU) No 576/2013 of the European Parliament and of the Council.

(3) In order to approve an injectable electronic identification device used for marking dogs, cats and ferrets, the manufacturer or distributor shall submit an application to the Agricultural and Food Board.

(4) The Agricultural and Food Board shall make a decision to approve or refuse to approve the means of identification specified in subsection (3) of this section within 30 days as of the submission of the application specified in subsection (3) of this section.

(5) The Agricultural and Food Board publishes the list of approved electronic means of identification by producer on its website.

(6) The duly completed identification document referred to in Article 6(d) of Regulation (EU) No 576/2013 of the European Parliament and of the Council (hereinafter 'pet passport') shall be issued by the veterinarian to the pet keeper in accordance with Article 22 of that Regulation.

(7) The veterinarian issuing the pet passport shall store the data specified in Article 21(1)(a) to (c) and Article 21(3) of Regulation (EU) No 576/2013 of the European Parliament and of the Council for at least ten years as of the issue of the pet passport.

(8) Printing and issuing of pet passport forms to veterinarians and keeping records of issuing pet passports to veterinarians shall be organised by a person who has entered into a contract under public law with the Agricultural and Food Board.

(9) In order to enter into the contract under public law specified in subsection (8) of this section, the Agricultural and Food Board shall announce a competition. The announcement of the competition will be published on the website of the Agricultural and Food Board.

Section 3 **Register of farm animals**

§ 34 Register of farm animals

(1) The register of farm animals is a register within the meaning of Articles 101 and 185 of Regulation (EU) 2016/429 of the European Parliament and of the Council and an electronic database within the meaning of Article 109.

(2) The purpose of the register of farm animals is to keep records of the following persons and their activities in order to ensure efficient veterinary supervision and veterinary checks:

- 1) a person who has obtained an activity licence or submitted a notice of economic activities on the basis of this Act and a person specified in subsection 24 (4) of this Act;
- 2) a person who has obtained an activity licence for the transport and long-term transport of animals on the basis of the Animal Protection Act and a person who has obtained an activity licence for the supply, rearing or use of experimental animals;
- 3) a person authorised on the basis of the Farm Animals Breeding Act.

(3) The statutes of the register of farm animals shall be established by a regulation of the minister responsible for the area.

(4) The chief processor of the register of farm animals is the Ministry of Regional Affairs and Agriculture and the authorised processor is appointed in the statutes of the register of farm animals.

§ 35 Data to be entered in the register of farm animals

(1) The following data concerning a person and his or her activities shall be entered in the register of farm animals:

- 1) the data specified in subsection 51 (1) of the General Part of the Economic Activities Code Act;
- 2) the relevant data referred to in Articles 93, 101, 109, 173 and 185 of Regulation (EU) 2016/429 of the European Parliament and of the Council;
- 3) the relevant data referred to in Articles 18 to 21, 42, 49, 56 and 64 of Commission Delegated Regulation (EU) 2019/2035;

- 4) the data referred to in Articles 6 and 7 of Commission Delegated Regulation (EU) 2020/686;
 - 5) the data referred to in Articles 20 and 21 of Commission Delegated Regulation (EU) 2020/691;
 - 6) the data referred to in Articles 23(1) and 24(1) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.
- (2) The data of persons authorised to slaughter farm animals on the basis of the Food Act are obtained from the national register of food and feed business operators.
- (3) The Agricultural Registers and Information Board shall refuse to make an entry concerning an agricultural and aquaculture animal in the register of farm animals if the person has knowingly submitted false information or if the person has been deprived of the right to keep such type of agricultural or aquaculture animal by a court judgment.
- (4) Data are submitted to the register of farm animals on paper, through the e-service environment of the Agricultural Registers and Information Board or through another e-service environment that communicates with the register of farm animals through the data exchange layer of the state information systems.
- (5) The person submitting the information is responsible for the correctness of the information entered in the register of farm animals. In the event of a change in the data entered in the register of farm animals concerning a person and his or her place of business and concerning animals and their movements, an application for amendment of the data shall be submitted immediately, but not later than five working days after the change of the data.
- (6) The data entered in the register of farm animals shall be public, except for data for which a restriction on access has been established. The invalidated register data and their source documents shall be preserved pursuant to the procedure and for the term provided for in subsection 64 (3) of the General Part of the Economic Activities Code Act.
- (7) The provisions of the General Part of the Economic Activities Code Act concerning registers apply to the register of farm animals, taking account of the specifications provided for in this Act, the Animal Protection Act and the Farm Animals Breeding Act.

Section 4

Keeping, public display, collection and transport of animals

§ 36 Biosecurity plan

- (1) A biosecurity plan shall be prepared by a person who has submitted a notice of economic activities pursuant to clauses 24 (2) 1)-3) of this Act and who has obtained an activity licence for operating in an area of activity or enterprise referred to in clauses 25 (2) 1)-4) of this Act concerning the biosecurity measures applied in the enterprise.
- (2) The list of animal species in the keeping of which a person shall prepare a biosecurity plan shall be established by a regulation of the minister responsible for the area.
- (3) The list specified in subsection (2) of this section shall be established, if necessary, by the types of keeping or production of animals.
- (4) The biosecurity plan shall be drawn up and updated taking into account the biosecurity measures provided for in Article 10 of Regulation (EU) 2016/429 of the European Parliament and of the Council and the results of the animal health visits provided for in Article 25 of that Regulation.
- (5) A person shall prepare a biosecurity plan within 30 days as of the submission of a notice of economic activities pursuant to clauses 24 (2) 1)-3) of this Act or the receipt of an activity licence pursuant to clauses 25 (2) 1)-5) of this Act, update it and keep records of its implementation.
- (6) A person shall maintain a biosecurity plan for two years as of the expiry of the obligation to implement it.

§ 37 Keeping of animals, escaped and orphan animals and capture of animals

- (1) The keeper of animals and the keeper of pet animals shall ensure that their animals are kept in accordance with veterinary requirements and shall take the necessary measures to prevent their escape.
- (2) An animal which, without the presence of its owner or the person responsible for it, is outside the territory belonging to or at the disposal of the keeper of the animal or the keeper of the pet animal is deemed to be an animal which has escaped from the keeper of the animal or the keeper of the pet animal.
- (3) The keeper of animals and the keeper of pet animals shall arrange for the capture of an animal that has escaped from them.
- (4) An unidentified animal whose owner cannot be identified is deemed to be an orphan animal.
- (5) The local government shall organise the capture, keeping and killing of an orphan animal in accordance with the Animal Protection Act.
- (6) If a keeper of animals or a keeper of pet animals does not organise the capture of an animal belonging to him or her, the local government shall organise the capture in accordance with subsection (5) of this section.
- (7) The costs of catching and keeping an animal shall be borne by the owner of the animal.

§ 38 Animal exhibitions, competitions, fairs and auctions and other public events related to the gathering of animals

- (1) An animal that is clinically healthy, properly identified and complies with the relevant veterinary requirements may be brought to an animal exhibition, competition, fair, auction or any other public event relating to the assembly of animals (hereinafter 'event').
- (2) The event organiser ensures animal welfare and the availability of veterinary services throughout the event.
- (3) The organiser of the event shall notify the Agricultural and Food Board at least ten days before the start of the event, providing at least the following information:
- 1) type of event: an animal exhibition, competition, fair or auction or any other public event relating to the assembly of animals;
 - 2) the start and end date of the event;
 - 3) the venue of the event;
 - 4) the type of animal to be brought to the event;
 - 5) the country and region of origin of the animal to be brought to the event;
 - 6) the name and contact details of the veterinarian providing the veterinary service at the event;
 - 7) animal health data required for participation in the event;
 - 8) the name and contact details of the event organiser.

(4) The Agriculture and Food Board keeps records of the events taking place. Records of events are public and stored for three years from the date of registration of the event.

(5) The Agricultural and Food Board may prohibit the bringing together of certain species of animals or their use at an event if the risk assessment has revealed the risk of spreading an infectious animal disease.

(6) The Agriculture and Food Board shall immediately inform the organiser of the event and, if necessary, the public through the media of the prohibition on bringing certain types of animals together or using them at the event. The organiser of the event shall inform the participants of the event of the prohibition on bringing animals together or using them at the event.

(7) In the event of transport of an animal from an event to a permanent housing, the keeper of the animal and the keeper of the pet animal shall implement appropriate biosecurity measures to prevent the possible spread of an infectious animal disease.

§ 39 Transport of farmed and aquaculture animals

(1) The means of transport shall be cleaned after each transport of farmed and aquaculture animals or, where appropriate, before any subsequent transport and disinfected.

(2) Farm and aquaculture animals which are sick or suspected of being sick shall be transported as separate cargo under the control of a veterinarian. The transporter shall immediately inform the veterinarian of the morbidity and death of such an animal.

(3) The transporter shall keep the documents serving as the basis for the calculation of the transport of farm and aquaculture animals for three years as of the transport.

§ 40 Derogation for the collection of ungulates and poultry on means of transport

Ungulates and poultry shall be collected directly onto the means of transport from the establishment of origin in accordance with Article 133(2) of Regulation (EU) 2016/429 of the European Parliament and of the Council.

5. Section 2 Veterinary requirements for the handling of animals for slaughter, products of animal origin and germinal products

§ 41 Handling of animals for slaughter, products of animal origin, germinal products, animal by-products and derived products

(1) 'Animal for slaughter' means an animal intended for slaughter for the production of meat and meat products.

(2) An animal for slaughter and a product of animal origin shall be handled in accordance with the veterinary requirements laid down in Regulations (EU) 2016/429 and (EC) No 853/2004 of the European Parliament and of the Council.

(3) In the cases specified in Article 1(3)(d) and (e) of Regulation (EC) No 853/2004 of the European Parliament and of the Council, an animal may be slaughtered and a product of animal origin derived from an animal may be handled in accordance with the requirements established on the basis of Section 26(3) of the Food Act and Article 1(4) of the same Regulation.

(4) germinal products shall be handled in accordance with the veterinary requirements laid down in Regulation (EU) 2016/429 of the European Parliament and of the Council and Commission Delegated Regulation (EU) 2020/686.

(5) The Agriculture and Food Board may authorise the application of the specifications for the handling of animal by-products and derived products provided for in Article 19 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.

(6) The veterinary requirements for products of animal origin and the handling thereof, including the slaughter of animals for own use, shall be established by a regulation of the minister responsible for the area.

(7) The requirements for the marking of germinal products shall be established by a regulation of the minister responsible for the area.

Chapter 4 Conveyance, trade and export of animals and goods to Estonia and pet animals non-commercial movement

Section 1 Delivery to Estonia

§ 42 Conditions of delivery to Estonia

(1) Products of animal origin, germinal products, hay and straw (hereinafter jointly referred to as 'goods') and animals may be conveyed to Estonia only through border control posts designated on the basis of Article 59(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(2) For the purposes of this Act, conveyance of animals and goods to Estonia means the activity provided for in Article 3(40) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) For the purposes of this Act, a border inspection post is a place specified in Article 3(38) of Regulation (EU) 2017/625 of the European Parliament and of the Council for the performance of veterinary checks on consignments of animals or goods conveyed from a country outside the European Union to Estonia.

(4) When conveyed to Estonia, veterinary checks are carried out on animals and goods specified in the list established on the basis of Article 47(2)(a) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(5) In order to carry out veterinary checks at a border inspection post, the person responsible for a consignment containing animals or goods shall give at least one working day's advance notice of the planned conveyance of such consignment to Estonia to the border inspection post through which the conveyance is planned.

The intended conveyance through a road border crossing point shall be notified at least four hours in advance to the border crossing point through which the conveyance is intended.

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(6) Upon conveyance of an animal or goods by ship or aircraft to Estonia, the person responsible for the consignment shall submit a cargo manifest to the official veterinarian of the border inspection post.

(7) Animals and goods for which veterinary requirements have not been established may be transported to Estonia with the permission of the Agricultural and Food Board from a country or region thereof with an animal health situation equivalent to that of

Estonia, provided that the animal or goods are safe for animal and human health. For the conveyance of such animals or goods to Estonia, the importer shall submit an application for the relevant veterinary requirements to be known.

(8) On the basis of the results of the risk analysis, the Agriculture and Food Board shall determine the potential danger to animal and human health arising from the conveyance of the animal or goods specified in subsection (7) of this section to Estonia, including the need to submit a certificate in order to prove the appropriateness of the veterinary requirements, and inform the importer of the veterinary requirements for conveyance of the specified animal or goods to Estonia.

(9) Goods in transit shall be stored in a free zone or customs warehouse in accordance with Commission Delegated Regulation (EU) 2019/2124.

(10) In order to store food of animal origin in transit in a free zone or customs warehouse, an operator must hold an activity licence in accordance with the Food Act.

§ 43 Designation of border inspection post

(1) On the basis of an application of the owner or possessor of a border inspection post, the Agriculture and Food Board shall designate a border inspection post through which it is permitted to convey animals and goods to Estonia if a Member State has the right to designate a border inspection post pursuant to the relevant legislation of the European Union.

(2) The list of border inspection posts shall be published on the website of the Agricultural and Food Board in accordance with the requirements laid down in Article 60 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) The owner or possessor of a border inspection post shall submit a written application for the designation of a border inspection post specified in subsection (1) of this section to the Agricultural and Food Board.

(4) The Agricultural and Food Board has the right to obtain from the lawful possessor of the border inspection post or from the owner of the border inspection post, if the owner is not the possessor, the premises necessary for carrying out veterinary checks in accordance with occupational safety and health requirements and, if possible, also furnished office premises for use free of charge. The Agricultural and Food Board pays for the communications service. Public utilities and other services necessary for the maintenance of premises shall be paid for by the owner or possessor of the border crossing point to whom the owner has granted the corresponding right upon transfer of possession.

(5) The Agriculture and Food Board shall submit a notification of the intention to designate a border control post in accordance with Article 59(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council to the European Commission.

(6) After receiving the notification provided for in Article 59(3) to (5) of Regulation (EU) 2017/625 of the European Parliament and of the Council from the European Commission, the Agriculture and Food Board shall immediately take the relevant decision.

(7) In the case provided for in Article 62(1) and Article 63(1) and (4) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the Agricultural and Food Board shall make the relevant decision and amendment to the list of border inspection posts and notify the European Commission and the other Member States thereof in accordance with Articles 62 and 63 of the same Regulation.

(8) The Agricultural and Food Board shall deliver a decision to designate or refuse to designate a border inspection post to the owner or possessor of the border inspection post within three working days as of making the decision.

2. Section 2 Trading

§ 44 Conditions for trading

(1) For the purposes of this Act, "trade" means trade between Estonia and Member States.

(2) Animals, products of animal origin and germinal products traded must comply with veterinary requirements.

(3) Trade shall be subject to veterinary supervision and veterinary checks in accordance with the requirements laid down in Regulation (EU) 2017/625 of the European Parliament and of the Council.

(4) If, as a result of veterinary supervision or veterinary checks, it is established that an animal, a product of animal origin or germinal products of animal origin do not comply with the requirements, the Agriculture and Food Board shall apply the measures provided for in Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

§ 45 Veterinary supervision over compliance of animals, products of animal origin and germinal products in transit within the European Union

(1) In the event of suspicion of non-compliance with the requirements for the consignment or transport of animals, products of animal origin or germinal products, the Agriculture and Food Board may verify the compliance of the consignment and transport with the requirements during their transit within the European Union.

(2) Transit within the European Union means the conveyance of a consignment through Estonia from one Member State to another.

(3) If, as a result of veterinary supervision carried out during transit within the European Union, it is established that an animal, animal product or germinal product does not comply with the requirements, the Agriculture and Food Board shall apply the measures provided for in Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

3. Section 2 Non-commercial movement of pet animals

§ 46 Conditions for the non-commercial movement of pet animals

(1) Non-commercial movement of pet animals into Estonia from a country or territory outside the customs territory of the European Union which is not mentioned in the list drawn up in accordance with Article 13(1) or Article 15 of Regulation (EU) No 576/2013 of the European Parliament and of the Council takes place through a border crossing point located at the external border of the European Union for international traffic, including travellers, on the basis of the State Borders Act.

(2) The non-commercial movement into Estonia of pet animals complying with the conditions laid down in Article 7(1) of Regulation (EU) No 576/2013 of the European Parliament and of the Council is permitted under the conditions laid down in Article 7(2) of that Regulation.

4. Section 2 Exports

§ 47 Conditions for the export of animals, products of animal origin and germinal products

- (1) Animals, products of animal origin and germinal products to be exported must comply with the veterinary requirements for trade therein and those of a country outside the European Union.
- (2) Animals, products of animal origin and germinal products may be exported via a border control post open for international traffic.
- (3) When exporting animals, products of animal origin and germinal products, they must be transported under customs supervision until they leave the territory of the European Union.

5. Section 2 Demonstration of compliance

§ 48 Certificate of compliance

- (1) The Agricultural and Food Board shall publish the type and format of the certificate certifying compliance with the requirements and the information concerning animals, products of animal origin and germinal products contained in the certificate on its website, based on the requirements of a country outside the European Union.
- (2) The certificate is issued by the Agriculture and Food Board.
- (3) In order to obtain a certificate, a written application shall be submitted to the Agricultural and Food Board as follows:
 - 1) at least 48 hours before the animal is exported or moved to another Member State;
 - 2) at least 24 hours before the product of animal origin and germinal products are exported or moved to another Member State;
 - 3) at least 24 hours before the goods in transit are to be transported from the border inspection post to a vessel leaving the territory of the European Union if the consignment is intended to equip that vessel.
- (4) The application specified in subsection (3) of this section shall contain information which enables to perform the necessary supervision activities and to fill in the form of the certificate. The Agriculture and Food Board may require the applicant to submit the necessary information also in the language of the country of destination.
- (5) A certificate shall not be issued if the Agricultural and Food Board has established at least one of the following circumstances:
 - 1) the animal, animal product or germinal product does not comply with the relevant veterinary requirements;
 - 2) the application has not been submitted in accordance with the requirements provided for in subsections (3) and (4) of this section;
 - 3) the application is false.

Chapter 5

Prevention and control of infectious animal diseases

1.

Section 2

General principles for the prevention and control of infectious animal diseases

§ 49 Obligation to notify of suspicion and diagnosis of infectious animal disease and to keep records thereof

- (1) The keeper of animals, pet keeper, veterinarian, laboratory or other relevant person shall immediately inform the Agricultural and Food Board of suspicion and diagnosis of an especially dangerous infectious animal disease.
- (2) The keeper of the animal, the pet keeper or any other relevant person shall inform the veterinarian of any suspicion of an infectious animal disease other than an extremely dangerous compulsorily notifiable disease and of any anomaly in the health of the animal found during surveillance in accordance with Article 24 of Regulation (EU) 2016/429 of the European Parliament and of the Council.
- (3) A veterinarian shall notify the Agricultural and Food Board, the keeper of animals and the keeper of pet animals of the diagnosis of an infectious animal disease subject to notification specified in subsection (2) of this section.
- (4) The laboratory shall notify the Agricultural and Food Board of the laboratory finding of a notifiable infectious animal disease or zoonotic agent specified in subsection (2) of this section, keep records of the laboratory findings of the notifiable animal disease or other infectious animal disease or zoonotic agent and submit a report on the findings to the Agricultural and Food Board.
- (5) The list of zoonoses the finding of which pathogens must be notified to the Agricultural and Food Board and the list of other animal diseases and zoonotic pathogens concerning which the laboratory must keep records shall be established by a regulation of the minister responsible for the area.
- (6) The requirements for the content of notices to be submitted to the Agriculture and Food Board and the procedure for submission thereof, the more detailed procedure for keeping records of laboratory findings of infectious animal diseases and zoonotic agents in laboratories and for submission of reports thereon and the requirements for the content of reports shall be established by a regulation of the minister responsible for the area.
- (7) When establishing and diagnosing a suspicion of a notifiable or emerging animal disease, the Agriculture and Food Board proceeds from the requirements of Article 9 of Commission Delegated Regulation (EU) 2020/689 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases (OJ L 174, 03.06.2020, p. 211–340).
- (8) The Agricultural and Food Board shall forward a notification pursuant to Article 19 and a report pursuant to Article 20 of Regulation (EU) 2016/429 of the European Parliament and of the Council concerning an outbreak of a listed animal disease referred to in Article 9(1)(e) of that Regulation to the European Commission and the other Member States.
- (9) The Agriculture and Food Board shall submit to the European Commission an overview of trends and sources of zoonoses, zoonotic agents and related antimicrobial resistance and food-borne outbreaks registered during the previous calendar year by 31 May each year.
- (10) The relevant notification and reporting areas referred to in Article 21 of Regulation (EU) 2016/429 of the European Parliament and of the Council shall be designated by the Agriculture and Food Board.

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§ 50 Contingency plan and simulation exercise

- (1) In order to prepare for the outbreak of an especially dangerous infectious animal disease, the Agriculture and Food Board shall draw up the contingency plan and, where necessary, the code of conduct referred to in Article 43 of Regulation (EU) 2016/429 of the

European Parliament and of the Council, and organise simulation exercises to verify the functioning of the disease control cooperation carried out on the basis of the contingency plan.

(2) The Agriculture and Food Board will inform the European Commission and the Member States of the results of the simulation exercise.

§ 51 Prevention and control of infectious animal diseases in wild animal populations

In the prevention and control of infectious animal diseases in wild animal populations, the Agricultural and Food Board, in cooperation with the Environmental Board and persons with the right to hunt, implements measures related to hunting, including relevant biosecurity measures published on the website of the Agricultural and Food Board.

§ 52 Handling of pathogens causing infectious animal diseases and handling of biological products

The handling of pathogens causing infectious animal diseases and the handling of biological products shall comply with the requirements for biosecurity, biosafety and biocontrol in accordance with Article 16 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

§ 53 Suspicion and diagnosis of an infectious animal disease

(1) The presence of an infectious animal disease is suspected, depending on the causative agent, on the basis of clinical signs, autopsy findings or laboratory tests specific to the disease in one or more animals, as well as in the case of direct or indirect contact with an infected herd or animal.

(2) The presence of a pathogen causing an infectious animal disease in a product of animal origin or germinal products is suspected on the basis of a decision of the Agricultural and Food Board if, according to the information available to the Agricultural and Food Board, the product or material may contain or be contaminated with the pathogen.

(3) The Agricultural and Food Board shall notify the keeper of animals and the handler of products of animal origin or germinal products of the measures taken in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council due to suspicion or diagnosis of an infectious animal disease in an establishment keeping animals, in a household where pet animals are kept and in an establishment handling products of animal origin or germinal products.

(4) An infectious animal disease shall be diagnosed by a veterinarian taking into account the following circumstances:

- 1) the epidemiological situation;
- 2) clinical signs;
- 3) autopsy;
- 4) results of laboratory tests.

(5) Where necessary, in order to check whether an animal is suspected of being infected for the purpose of taking a sample, a check-killing operation shall be carried out using a stunning and slaughtering device provided for that purpose and using a stunning and slaughtering method.

(6) The Agricultural and Food Board appoints an animal for control slaughter.

(7) An official diagnosis of an infectious animal disease subject to notification shall be made by the Agricultural and Food Board on the basis of the clinical signs of the infectious animal disease, autopsy findings, epidemiological data and the results of laboratory tests.

2.

Section 2

Infectious animal disease control programme, disease control measures and disease-free status

§ 54 Preparation and implementation of infectious animal disease control programmes

(1) For the purposes of this Act, an infectious animal disease control programme is an eradication programme within the meaning of Article 31 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(2) With regard to a listed animal disease referred to in Article 9(1)(b) of Regulation (EU) 2016/429 of the European Parliament and of the Council (*hereinafter compulsorily controlled animal disease*), for which a certain region or compartment of a country does not have disease-free status, the Agriculture and Food Board shall draw up and implement an animal disease control programme taking into account the requirements laid down in Commission Delegated Regulation (EU) 2020/689.

(3) Where necessary, the Agriculture and Food Board shall draw up and implement an infectious animal disease control programme for an infectious animal disease included in the list referred to in Article 9(1)(c) of Regulation (EU) 2016/429 of the European Parliament and of the Council (*hereinafter disease subject to control on an ad hoc basis*) taking into account the requirements of Article 32 of the same Regulation.

(4) If the Agricultural and Food Board has not prepared an infectious animal disease control programme for an infectious animal disease to be controlled on an ad hoc basis, the programme may also be prepared and implemented by a keeper of animals, an association of farmers or another person, taking into account the requirements of Article 32 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(5) The infectious animal disease control programme specified in subsection (4) of this section shall be submitted by the keeper of animals, an association of farmers or another person for approval to the Agricultural and Food Board, which shall decide on the approval of or refusal to approve the programme within 30 working days as of the date of receipt thereof.

(6) The Agricultural and Food Board shall forward to the European Commission the information specified in Article 34 of Regulation (EU) 2016/429 of the European Parliament and of the Council concerning the programme for the control of an infectious animal disease which is subject to compulsory control and which is subject to control on an ad hoc basis.

(7) The expenses related to the implementation of the infectious animal disease control programme specified in subsection (4) of this section shall be covered by the person submitting the programme.

§ 55 Measures to control an infectious animal disease subject to compulsory control and controlled on a need-to-know basis

(1) In the event of suspicion of a compulsorily controlled and ad hoc controlled animal disease, the Agriculture and Food Board and the keeper of animals shall, in order to prevent the spread of the disease, apply Articles 72 to 76 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Commission Delegated Regulation (EU) 2020/687 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards certain

the rules for the prevention and control of listed diseases (OJ L 174, 03.06.2020, p. 64–139), the measures referred to in Article 68 for terrestrial animals and Article 110 for aquatic animals.

(2) In the event of a diagnosis of an animal disease that is compulsorily controlled and, where necessary, controlled, the Agriculture and Food Board and the keeper of animals shall implement the measures referred to in Articles 77 to 83 of Regulation (EU) 2016/429 of the European Parliament and of the Council and in Article 69 of Commission Delegated Regulation (EU) 2020/687 in the case of terrestrial animals and Article 111 in the case of aquatic animals, in order to prevent the spread of the disease.

(3) More detailed measures for the prevention and control of an infectious animal disease which is subject to compulsory control and which is controlled according to needs may be established by a regulation of the minister responsible for the area in accordance with the requirements provided for in legislation of the European Union.

§ 56 Disease-free status and proof thereof

(1) In order to obtain the disease-free status specified in Articles 36 and 37 of Regulation (EU) 2016/429 of the European Parliament and of the Council, the Agriculture and Food Board shall submit to Estonia or a part thereof an application and other documents arising from the legislation of the European Union to the European Commission and inform the European Commission and the Member States of changes in the conditions necessary for maintaining the disease-free status arising from Article 41 of the same Regulation.

(2) The Agriculture and Food Board keeps records of the disease status of the holding where a programme for the control of an infectious animal disease subject to compulsory control and controlled according to needs is implemented.

(3) On the basis of an application of a keeper of animals, the Agricultural and Food Board shall issue a document certifying the disease-free status of his or her holding establishment to the keeper of animals within 20 working days as of the receipt of the application.

3.

Section 2

Measures to control an especially dangerous infectious animal disease and an emerging infectious animal disease

§ 57 Risk of an especially dangerous infectious animal disease

(1) A particularly dangerous infectious animal disease threat (hereinafter in this Division *infectious animal disease threat*) means the widespread spread of an especially dangerous infectious animal disease in another Member State or in a neighbouring country of Estonia and a situation where a protection zone or surveillance zone extending to the territory of Estonia has been established in a neighbouring country or where, as a result of a risk assessment, it has become evident that the disease may spread to the territory of Estonia. The spread of an especially dangerous infectious animal disease or an emerging infectious animal disease in the territory of Estonia is also deemed to be a threat of an infectious animal disease if the spread of the disease in one or several administrative units endangers the rest of the territory of Estonia.

(2) In the event of a threat of an infectious animal disease, the Agricultural and Food Board may apply the measures to be applied in the event of suspicion or diagnosis of an infectious animal disease in accordance with the results of the risk assessment of the threat of the existing infectious animal disease.

(3) In the event of a threat of an infectious animal disease, the Agriculture and Food Board shall inform the population through the media of the need to implement appropriate infectious animal disease control measures.

§ 58 Suspicion and termination of an especially dangerous infectious animal disease

(1) The suspicion of an especially dangerous infectious animal disease is raised by a veterinarian and decided by the Agriculture and Food Board.

(2) In the event of suspicion of an especially dangerous animal disease, the Agriculture and Food Board and the keeper of animals shall take the measures provided for in Articles 53 to 59 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Articles 5 to 10 of Commission Delegated Regulation (EU) 2020/687 in the case of terrestrial animals and Articles 70 to 76 in the case of aquatic animals and, where necessary, other appropriate measures to prevent the spread of the disease.

(3) The Agricultural and Food Board shall notify the keeper of animals and the handler of products of animal origin or germinal products of the termination of suspicion of an especially dangerous infectious animal disease within 24 hours as of making the decision.

§ 59 Control of particularly dangerous infectious animal diseases and emerging infectious animal diseases

(1) In the event of a diagnosis of an especially dangerous animal disease, the Agriculture and Food Board and the keeper of animals shall implement the measures provided for in Articles 60 to 71 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Articles 11 to 67 of Commission Delegated Regulation (EU) 2020/687 in the case of terrestrial animals and Articles 77 to 109 in the case of aquatic animals, in order to prevent the spread of the disease.

(2) In the event of a diagnosis of an emerging infectious animal disease, the Agriculture and Food Board and the keeper of animals shall implement the control measures established on the basis of Article 6(3) and (4) of Regulation (EU) 2016/429 of the European Parliament and of the Council in order to prevent the spread of the disease.

(3) The minister responsible for the area may, in accordance with the requirements provided for in legislation of the European Union, establish by a regulation more specific measures for the prevention and control of an especially dangerous infectious animal disease and an emerging infectious animal disease.

(4) The Agricultural and Food Board shall notify the keeper of animals and the handler of products of animal origin or germinal products of the measures and restrictions established in their establishments and the termination thereof.

(5) The Agricultural and Food Board may also perform necessary disease control activities without prior notice to the keeper of animals, handler of products of animal origin or handler of germinal products.

(6) The Agriculture and Food Board shall inform the public through the media of the establishment and termination of restrictions.

(7) The Agriculture and Food Board shall immediately inform the European Commission of the infectious animal disease control measures applied on the basis of this section.

(8) In the event of an outbreak of an especially dangerous infectious animal disease or an emerging infectious animal disease, the person engaged in slaughtering or killing animals and the operator of products of animal origin or germinal products shall apply infectious

animal disease control measures pursuant to a precept of the Agricultural and Food Board.

§ 60 Emergency and emergency situation

(1) The widespread and rapid spread of an especially dangerous infectious animal disease or an emerging infectious animal disease is deemed to be an emergency within the meaning of subsection 2 (1) of the Emergency Act.

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(2) If, in order to prevent the spread of an especially dangerous infectious animal disease or an emerging infectious animal disease, it is necessary to immediately implement extensive infectious animal disease control measures and the implementation of the emergency response measures provided for in this Act and the Emergency Act cannot sufficiently effectively eliminate the threat and assist the victims, the minister responsible for the area shall make a proposal to the Government of the Republic to declare an emergency situation pursuant to the Emergency Act.

4. Section 2 Transmissible spongiform encephalopathies

§ 61 Control of transmissible spongiform encephalopathies

(1) Transmissible spongiform encephalopathies are controlled in accordance with Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.05.2001, p. 1–40).

(2) The Feed Act applies to the handling and use of animal protein and feed containing it.

(3) If a slaughterhouse has a system in place to prevent contamination between carcasses, the Agricultural and Food Board may apply the specification provided for in point 6.5 of Part I of Chapter A of Annex III to Regulation (EC) No 999/2001 of the European Parliament and of the Council when examining a bovine carcass in a slaughterhouse and applying control measures in the event of a positive or inconclusive result of an examination for bovine spongiform encephalopathy.

(4) The spinal cord of sheep and goats may be removed by a person who has obtained an activity licence for cutting meat on the basis of the Food Act.

5. Section 2 Zoonoses surveillance and food-borne outbreak

§ 62 Organisation of monitoring of zoonoses

(1) Zoonoses monitoring is a system for collecting, analysing and publishing data on the occurrence of zoonoses, zoonotic agents and related antimicrobial resistance.

(2) The monitoring of zoonoses is organised by the Agriculture and Food Board.

(3) The Agriculture and Food Board cooperates with the Health Board in organising the monitoring of zoonoses with regard to the epidemiology of human zoonoses.

(4) The requirements for organising the monitoring of zoonoses shall be established by a regulation of the minister responsible for the area.

(5) The rules for the control of salmonellosis shall be established by a regulation of the minister responsible for the area.

§ 63 Food-borne outbreak

(1) The epidemiological investigation of a food-borne outbreak shall be carried out by the Health Board on the basis of the Communicable Diseases Prevention and Control Act and by the Agriculture and Food Board on the basis of this Act and the Food Act.

(2) The Health Board shall prepare a report summarising the results of epidemiological investigations of food-borne outbreaks carried out during the previous calendar year and submit it to the Agricultural and Food Board by 31 March each year.

(3) The Health Board shall immediately notify the Agricultural and Food Board of the diagnosis of zoonoses in humans.

(4) The list of zoonoses subject to notification shall be established by a regulation of the minister responsible for the area.

(5) The epidemiological investigation of a food-borne outbreak will determine the epidemiological nature of the outbreak, the possible foods involved and the possible causes of the outbreak.

(6) The minister responsible for the area may, by a regulation, establish more detailed requirements for the investigation of food-borne outbreaks.

§ 64 Obligations of the operator

(1) The operator shall carry out surveys for the monitoring of zoonoses on the presence of zoonoses and zoonotic pathogens in accordance with the requirements established on the basis of subsection 62 (4) of this Act, preserve the results of the survey, organise the preservation of the relevant isolated zoonotic pathogen (hereinafter *isolate*) for the prescribed period and submit the results of the survey or isolate to the relevant authority specified in subsection (2) of this section at its request.

(2) Where a business operator submits information to the Agriculture and Food Board in accordance with Article 19(3) of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 01.02.2002, pp. 1-24), it shall store the relevant food or a sample thereof in order to allow for its investigation in a laboratory or for the epidemiological investigation of a food-borne outbreak.

(3) For the implementation of subsection (1) of this section, the minister responsible for the area may, by a regulation, establish more detailed requirements for the conduct of surveys by handlers and for the preservation of the results of surveys and isolates and for the submission thereof to the relevant authority.

Section 6 Damage caused by infectious animal disease control and support for disease damage

§ 65. Compensation for damage caused by infectious animal disease control

(1) The following damage caused by infectious animal disease control shall be compensated to keepers of animals in the cases,

pursuant to the procedure and at the rate provided for in this Act and the relevant legislation of the European Union and in accordance with the requirements provided for in subsection 3 (3) of the Rural Development and Agricultural Market Regulation Act:

- (1) the value of the animal slaughtered, including control slaughtered, and culled and killed as a result of the epizootic disease;
- (2) the value of the equipment, feed, packaging material and products of animal origin or germinal products destroyed in accordance with the prescription.

(3) The damage specified in subsection (1) of this section shall be compensated for from the state budget funds allocated from the reserve of the Government of the Republic for this purpose if the damage has been caused by the control of an especially dangerous infectious animal disease and pursuant to the relevant legislation of the European Union, the damage is compulsorily

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the control of an infectious animal disease to be controlled or an infectious animal disease to be controlled on an ad hoc basis in accordance with a programme prepared by the Agricultural and Food Board.

(4) The damage provided for in subsection (1) of this section shall not be compensated to the keeper of animals to whom compensation has been paid in connection with the outbreak of the same infectious animal disease in the same holding.

(5) Subsection (3) of this section does not apply if the holding specified in the same subsection was repopulated with animals at a time when, due to the occurrence of an infectious animal disease specified in subsection (3), it was located outside the area of trade restrictions established by a legislation of the European Commission.

(6) If the damage specified in subsection (1) of this section which is caused in connection with the control of an especially dangerous infectious animal disease, an infectious animal disease subject to compulsory control or which is controlled according to need is compensated from the funds of the budget of the European Union pursuant to Regulation (EU) 2021/690 of the European Parliament and of the Council establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme) and repealing Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014 and (EU) No 652/2014 (OJ L 153, 03.05.2021, pp. 1–47), the provisions of § 54 of the State Budget Act apply.

(7) The list of animal diseases to be compulsorily controlled and, where necessary, controlled provided for in subsection (2) of this section, in the case of which the damage caused by the disease specified in subsection (1) is compensated for, shall be established by a regulation of the minister responsible for the area.

(8) Commission Regulation (EU) 2022/2472 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 327, 21.12. 2022, pp. 1-81), Article 26 and other relevant European Union legislation. [RT I, 11.03.2023, 5 - entry into force 21.03.2023, applied retroactively as of 1 January 2023]

§ 66 Aid for compensation for damage caused by infectious animal disease control

(1) A keeper of animals may apply for support for compensation for damage caused by the control of an infectious animal disease provided for in subsection 65 (2) of this Act and provided for in subsection (1) of the same section to the extent that no insurance contract has been concluded for compensation (hereinafter *support for damage caused by an infectious animal disease*).

(2) The amount of damage provided for in subsection 65 (1) of this Act shall be determined as follows:

- 1) the book value of the animal, with the exception of the breeding animal;
- 2) in the case of a breeding animal within the meaning of Article 2(3) of Regulation (EU) 2016/1012 of the European Parliament and of the Council on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the field of animal breeding ('Animal Breeding Regulation') (OJ L 171, 29.6.2016, p. 66–143), the value of the breeding animal determined on the basis of expert opinion;
- 3) the intrinsic value of the device, feed, packaging material and products of animal origin or germinal products.

(3) The Agricultural and Food Board shall bear the costs related to obtaining the expert opinion specified in clause (2) 2) of this section.

(4) The requirements for expert opinions and the procedure for calculation of the value of animals, including breeding animals, shall be established by a regulation of the minister responsible for the area.

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§ 67 Application for support for damage caused by disease

(1) A keeper of animals shall submit an application (hereinafter application) to the Agricultural and Food Board for the payment of support for damage caused by an infectious animal disease within ten working days as of the date of killing of animals for the purpose of controlling the disease in his or her holding, including control killing, termination of killing or death due to an infectious animal disease. The keeper of animals shall append to the application documents certifying the amount of damage provided for in subsection 65 (1) of this Act.

(2) If a keeper of animals has entered into an insurance contract on the basis of which the animal, breeding animal, equipment, feedingstuff, packaging material and animal product or animal propagating material which is the object thereof is insured against the damage provided for in subsection 65 (1) of this Act, the keeper of animals shall indicate this in the application and shall immediately inform the Agricultural and Food Board of the insurance indemnity paid to the keeper on the basis of the insurance contract.

(3) Procedural time limits arising from this Section shall not be reinstated.

§ 68 Acceptance and rejection of the application

(1) The Agricultural and Food Board shall review the application and the documents appended thereto and verify the correctness of the submitted data on the basis of the relevant documents and databases.

(2) An application shall be refused if at least one of the following grounds for refusal exists:

- 1) the animal was slaughtered, including control slaughtered, killed or killed in an animal experiment carried out for the purpose of scientific investigation of an animal disease;
- 2) the animal was slaughtered, including control slaughter, or killed without an appropriate prescription;
- 3) the animal died for reasons other than the animal disease;

- 4) the requirements provided for in this Act were not complied with upon conveyance of the animal to Estonia;
- 5) the animal was not identified or registered in accordance with the requirements provided for in subsection 30 (1) of this Act;
- 6) the applicant hindered the exercise of state supervision necessary for the control of infectious animal diseases or did not comply with the requirements of the precept;
- 7) the applicant knowingly made false statements or influenced the processing of the application by fraud, threat or other unlawful means;
- 8) the equipment, feedingstuffs, packaging material, animal product or germinal products were destroyed without an appropriate prescription;
- 9) an insurance contract has been concluded to compensate for the damage provided for in subsection 65 (1) of this Act.

(3) The applicant must have complied with an order for recovery of State aid declared unlawful and incompatible with the internal market, as referred to in Article 1(4) of Commission Regulation (EU) 2022/2472 or in any other legal act of the European Union, if such a claim arises from legal acts of the European Union.

[RT I, 11.03.2023, 5 - entry into force 21.03.2023, applied retroactively as of 1 January 2023]

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(4) The Agricultural and Food Board shall decide on the approval or refusal of an application within ten working days as of the receipt of the application.

(5) Within ten working days as of the approval of the application, the Agriculture and Food Board shall submit to the minister responsible for the area information concerning the need to allocate funds from the reserve of the Government of the Republic together with a detailed calculation and relevant budget and a justification concerning the use of the funds. On the basis of these data, the Ministry of Regional Affairs and Agriculture shall forward to the Ministry of Finance an application for payment of support for compensation for damage caused by infectious animal disease control from the reserve of the Government of the Republic.

[RT I, 30.06.2023, 1 - entry into force 01/07/2023]

§ 69 Rate of support for disease damage, payment of support and refusal to pay support

(1) Damage caused by infectious animal disease control is compensated to the extent of up to 100 per cent.

(2) The Agriculture and Food Board distributes the state budget funds allocated from the reserve of the Government of the Republic for payment of support for damage caused by diseases among keepers of animals in proportion to the number of applications granted, taking into account the funds allocated for payment of support for damage caused by diseases by applications, and calculates the amount of support for damage caused by diseases to be paid to the applicant. If the amount of support for damage caused by diseases according to approved applications exceeds the funds allocated for payment of support for damage caused by diseases, the Agriculture and Food Board shall reduce the rate specified in subsection (1) of this section proportionally, taking into account the funds prescribed for payment of support for damage caused by diseases and observing the principle of equal treatment of applicants.

(3) The Agriculture and Food Board shall decide on the payment or non-payment of support for disease damage within 20 working days as of the date of allocation or non-allocation of state budget funds from the Government of the Republic reserve for the payment of support. After the application has been granted, but before the support for disease damage has been paid, the decision not to pay the support shall be taken if at least one of the following grounds exists:

- 1) lack of financial resources to pay the grant;
- 2) the grounds for rejection of the application are identified.

(4) If the applicant has received insurance compensation for the damage provided for in subsection 65 (1) of this Act, the Agricultural and Food Board shall reduce the amount of the support for disease damage by this amount or refuse to pay the support for disease damage.

§ 70 Partial compensation for damage caused by infectious animal disease control

An application for partial compensation of the damage provided for in subsection 65 (1) of this Act in the case provided for in the legislation of the European Union shall be submitted to the European Commission by the Agriculture and Food Board.

§ 71 Recovery of aid

After payment of the support for disease damage, the Agricultural and Food Board shall demand repayment of the support in full or in part from the beneficiary on the bases, within the term and pursuant to the procedure provided for in § 42 of the Rural Development and Agricultural Market Regulation Act.

Chapter 6

Veterinary supervision, veterinary checks and administrative supervision

Section 1

General organisation of veterinary supervision and checks and of administrative supervision

§ 72 Scope of veterinary supervision and veterinary checks

Veterinary supervision is exercised and veterinary checks are carried out on compliance with veterinary requirements.

§ 73 Organisation of veterinary supervision and veterinary checks

(1) Veterinary supervision and veterinary checks are carried out by the Agriculture and Food Board.

(2) In the cases provided for in European Union legislation, veterinary supervision and veterinary checks may be carried out only by an official veterinarian.

(3) In the cases prescribed by legislation of the European Union, the Agriculture and Food Board may use an assistant veterinarian in the performance of veterinary supervision and performance of veterinary control operations. The training of assistant veterinarians shall be organised by the Agricultural and Food Board in accordance with the Adult Education Act.

(4) A veterinarian who has entered into a contract under public law with the Agricultural and Food Board on the basis of subsection 78 (3) of this Act (hereinafter *authorised veterinarian*) shall perform, to the extent prescribed in the contract, such veterinary supervision activities as diagnostic examination, taking of samples, vaccination and participation in the prevention of the spread of an infectious animal disease or zoonoses or in the eradication thereof.

(5) If the Agricultural and Food Board needs the assistance of a veterinarian in order to perform an infectious animal disease control operation, the Agricultural and Food Board shall notify thereof on its website, describing the infectious animal disease control operation. A veterinarian shall be paid a fee for participating in an infectious animal disease control operation.

(6) The rates of fees for participation of veterinarians in infectious animal disease control activities and the procedure for payment of fees to veterinarians shall be established by a regulation of the minister responsible for the area.

(7) Veterinary supervision and veterinary checks shall be carried out in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and other relevant legislation.

(8) The Agricultural and Food Board is the authority responsible for the multiannual control plan referred to in Article 109(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council. The Agriculture and Food Board shall submit the multi-annual control plan and the annual report on its implementation to the European Commission in accordance with the procedure laid down in Article 113 of the same Regulation. Pursuant to Article 111(1) of that regulation, the control plan is published on the website of the Agriculture and Food Board.

(9) The Government of the Republic may, by a regulation, establish a procedure for cooperation between law enforcement authorities for the preparation of the multiannual control plan specified in subsection (8) of this section.

§ 74 Organisation of cooperation

- (1) The Agriculture and Food Board is the liaison body for supervisory cooperation within the meaning of Article 103(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council.
- (2) Other law enforcement authorities, administrative authorities or government agencies shall immediately notify the Agricultural and Food Board of the following potential violations of veterinary requirements:
 - 1) a breach that may pose a risk to animal or human health or animal welfare;
 - 2) an infringement committed by knowingly misrepresenting the facts.

§ 75 Specific veterinary supervision measures

- (1) In order to exercise the veterinary supervision provided for in this Act, the Agriculture and Food Board may apply the special state supervision measures provided for in §§ 30-32, 44 and 49-53 of the Law Enforcement Act on the basis of and pursuant to the procedure provided for in the Law Enforcement Act.
- (2) Upon application of the prohibition on stay provided for in § 44 of the Law Enforcement Act, the Agriculture and Food Board may prohibit a person from staying in a certain place, require him or her to leave that place or refrain from approaching that place at a certain distance if this is necessary for the prevention or control of an infectious animal disease.
- (3) A veterinarian may apply the prohibition on stay provided for in § 44 of the Law Enforcement Act for up to 12 hours. A prohibition on stay for more than 12 hours may be applied only by a decision of the Director General of the Agricultural and Food Board.
- (4) If, in the course of exercising veterinary supervision, the Agricultural and Food Board finds that an animal, animal product or germinal product does not comply with the veterinary requirements, it shall apply the measures provided for in Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.
- (5) Where animals or goods which do not comply with veterinary requirements are brought into Estonia, the Agriculture and Food Board shall apply the measures provided for in Articles 66 to 69 of Regulation (EU) 2017/625 of the European Parliament and of the Council.
- (6) The Agricultural and Food Board is not permitted to use direct coercion upon application of a veterinary supervision measure.

§ 76 Involvement of law enforcement authority in event of outbreak of especially dangerous infectious animal disease and emerging infectious animal disease

If necessary, the Agricultural and Food Board shall involve another law enforcement agency in the performance of its functions in order to support veterinary supervision on the bases and pursuant to the procedure provided for in the Administrative Co-operation Act in order to verify compliance with the restrictions on the movement of means of transport, animals and people at the outbreak site and in the protection and surveillance zones.

§ 77 Administrative supervision

Administrative supervision over the performance of contracts under public law specified in subsections 30 (4), 33 (8) and 73 (4) of this Act shall be exercised by the Agriculture and Food Board.

Section 2**Procedure for authorisation of veterinarian and rights and obligations of authorised veterinarian****§ 78 Authorisation of veterinarian**

- (1) The Agricultural and Food Board shall announce a competition for entry into the contract under public law specified in subsection 73 (4) of this Act. The announcement of the competition will be published on the website of the Agricultural and Food Board.
- (2) A person applying for the right to practise as an authorised veterinarian shall hold a valid professional authorisation and comply with the conditions laid down in Article 30(b) of Regulation (EU) 2017/625 of the European Parliament and of the Council.
- (3) The Agricultural and Food Board makes a decision to grant authorisation to operate as an authorised veterinarian and enters into a contract under public law for the performance of an administrative duty with a veterinarian or legal person who has passed a competition. In the latter case, the contract shall state the name of the authorised veterinarian exercising veterinary supervision with whom the legal person has a contractual relationship.
- (4) If a person complies with the requirements provided for in subsection (2) of this section, the Agricultural and Food Board shall decide on the grant of authorisation to the person within 30 working days as of the receipt of the application.
- (5) The right to practise as an authorised veterinarian shall be granted for a period not exceeding five years.
- (6) The Agricultural and Food Board may refuse to grant authorisation if the person does not comply with the requirements provided for in subsection (2) of this section.
- (7) A decision to grant or refuse to grant authorisation shall be served on the person within five working days as of the making of the decision.

§ 79 Rights of authorised veterinarian

- (1) An authorised veterinarian has the right, within the limits of his or her authority, to apply the measures provided for in §§ 30, 49 and 50 of the Law Enforcement Act without the use of direct coercion.
- (2) The authorised veterinarian has the right to waive the authorisation by notifying the Agricultural and Food Board thereof in writing at least 30 days in advance.
- (3) If an authorised veterinarian dies or dies as a result of the performance of a duty related to the authorisation, his or her child, parent and widow or widower and another person who has been maintained by him or her within the meaning of the Family Act shall be paid a single allowance in the total amount of ten years' average remuneration of the deceased or deceased veterinarian. The funeral of a person who died or died in these circumstances shall be organised at the expense of the state.
- (4) An authorised veterinarian whose capacity for work has decreased due to the performance of a task related to the authorisation shall be paid a lump-sum allowance as follows:

- 1) in the case of partial capacity for work, to the extent of his or her average annual remuneration;
- 2) in the case of incapacity for work, to the extent of his or her five-year average remuneration.

(5) If necessary, the connection specified in subsection (4) of this section between the extent of the capacity for work of an authorised veterinarian and an injury or illness caused as a result of the performance of a duty related to the authorisation of an authorised veterinarian shall be established by the Social Insurance Board pursuant to the procedure provided for in § 49¹ of the Public Service Act.

§ 80 Certificate of Authorised Veterinarian

- (1) The Agriculture and Food Board shall issue an official certificate of competence to an authorised veterinarian.
- (2) When performing a veterinary supervision act, an authorised veterinarian shall present an official certificate of an authorised veterinarian to a person at his or her request.

§ 81 Obligations of the authorised veterinarian

Authorised veterinarian:

- 1) exercise impartially the functions delegated to it;
- 2) comply with the obligations laid down in Article 32 of Regulation (EU) 2017/625 of the European Parliament and of the Council;
- 3) preserves the documents related to the functions performed within the limits of its authority and delivers them to the Agricultural and Food Board at the request thereof or upon termination of the authority.

§ 82 End of mandate

- (1) The authorisation granted by a contract under public law shall expire:
 - 1) in the event of a renunciation of the mandate;
 - 2) upon expiry of the term of the mandate;
 - 3) in the event of the death of the authorised person;
 - 4) in the event of withdrawal of the authorisation;
 - 5) in the event of a waiver of the authorisation to pursue a professional activity;
 - 6) in the event of withdrawal of the authorisation to pursue a professional activity.
- (2) If a contract under public law is terminated unilaterally or if there is another reason which prevents a legal or natural person from continuing to perform an administrative duty, the Agricultural and Food Board shall immediately take measures to ensure the performance of the administrative duty.

§ 83 Suspension and withdrawal of authorisation

- (1) In the event of suspension of the professional activity licence of an authorised veterinarian, the authorisation granted to the authorised veterinarian shall also be suspended.
- (2) If the activities related to the authorisation of an authorised veterinarian are not in compliance with the requirements, the Agricultural and Food Board shall suspend the authorisation and grant a term for elimination of the deficiencies. If the authorised veterinarian does not eliminate the deficiencies by the due date, the Agricultural and Food Board withdraws the authorisation and unilaterally terminates the contract under public law.

§ 84 Fee of authorised veterinarian

- (1) An authorised veterinarian has the right to receive a fee for performing a veterinary supervision act related to the authorisation.
- (2) A fee for performing a veterinary supervision act related to the authorisation of an authorised veterinarian shall be paid from the budget of the Agricultural and Food Board.
- (3) The rates of the fee payable for the performance of a veterinary supervision act related to the authorisation of an authorised veterinarian and the procedure for payment of the fee to an authorised veterinarian shall be established by a regulation of the minister responsible for the [HYPERLINK "https://www.riigiteataja.ee/akt/dyn=130062023103&id=120112021003" area](https://www.riigiteataja.ee/akt/dyn=130062023103&id=120112021003).
- (4) If the travel expenses necessary for the performance of a veterinary supervision act related to *the authorisation of an authorised veterinarian (hereinafter travel expenses of an authorised veterinarian)* are not covered from the budget of the Agricultural and Food Board, the authorised veterinarian shall organise the travel to and from the place where the act is performed or the travel expenses of the authorised veterinarian shall be reimbursed by the person with regard to whom the veterinary supervision act is performed.
- (5) When performing a veterinary supervision act related to the authorisation, an authorised veterinarian may demand from a person specified in subsection (4) of this section compensation per vehicle kilometre for travel expenses at a rate calculated on the basis of the average cost of using the vehicles of authorised veterinarians, including the average fuel consumption per vehicle kilometre in the calendar year preceding the performance of the act, to which value added tax shall be added if the authorised veterinarian is a taxable person for value added tax. Compensation per journey to and from the place of performance of the act may be claimed for a total of up to 90 vehicle kilometres.
- (6) The rate of compensation per kilometre for travel expenses of authorised veterinarians shall be established by a regulation of the minister responsible for the area. <https://www.riigiteataja.ee/akt/dyn=130062023103&id=120112021003>

Section 3 Veterinary supervision fee

§ 85 Veterinary supervision fee

- (1) The veterinary supervision fee is the amount to be paid for the performance of *veterinary supervision and veterinary control activities (hereinafter together referred to as veterinary supervision activities)* in this Act and at the rate established on the basis thereof (hereinafter referred to as *the supervision fee*).
- The supervision fee shall be paid into the bank account of the State Treasury within the group account of the Ministry of Finance. The costs of dispatching an official veterinarian to a factory ship for the performance of veterinary supervision and veterinary checks shall be included in the costs of carrying out a veterinary supervision act.

(2) No supervision fee shall be paid for the performance of veterinary supervision activities in an establishment engaged in primary production within the meaning of Article 3(17) of Regulation (EC) No 178/2002 of the European Parliament and of the Council.

(3) A supervision fee shall be charged on the bases of and pursuant to the procedure provided for in the Food Act for the performance of veterinary supervision acts in establishments handling food of animal origin, establishments handling food of animal origin not specified in Chapter II of Annex IV to Regulation (EU) 2017/625 of the European Parliament and of the Council and establishments engaged in retail trade within the meaning of Article 3(7) of Regulation (EC) No 178/2002 of the European Parliament and of the Council which are subject to the notification or authorisation obligation and have complied with the notification or authorisation obligation under the Food Act.

§ 86 Person obligated to pay supervision fee

(1) A person obligated to pay the supervision fee (hereinafter '*obligated person*') is a person with regard to whom a veterinary supervision act has been performed.

(2) Several obligated persons shall be jointly and severally liable for the performance of a joint veterinary supervision act upon payment of the supervision fee.

§ 87 Principles of determining the supervisory fee and rates of the supervisory fee

(1) The rate of the supervision fee shall be calculated on the basis of the costs provided for in Article 81 of Regulation (EU) 2017/625 of the European Parliament and of the Council relating to the performance of veterinary supervision activities of the Agricultural and Food Board.

(2) A supervision fee shall be charged for the performance of the veterinary supervision activities listed in Regulation (EU) 2017/625 of the European Parliament and of the Council at the rate laid down in Annex IV to that Regulation as follows:

1) the operator engaged in the slaughter of animals pays the supervision fee for carrying out the ante-mortem and post-mortem veterinary supervision of the slaughtered animal according to the type of animal;

2) the food business operator of food of animal origin pays the supervision fee on the basis of the area of operation of the food business operator or a part thereof and the quantity of food of animal origin handled;

3) in the case of processing of milk, the operator shall pay the supervision fee on the basis of the quantity of milk processed;

4) in the case of conveyance of an animal product to Estonia, the person responsible for the consignment shall pay the supervision fee according to the quantity of the consignment;

5) in the case of transit of animals and goods, the person responsible for the consignment shall pay the supervision fee in accordance with the number of official veterinarians carrying out the operation and the time taken to carry out the operation;

6) in the case of conveyance of animals to Estonia, the person responsible for the consignment shall pay the supervision fee according to the live weight of the consignment and the species of animals.

(3) The supervision fee shall be charged as an hourly fee pursuant to subsection (4) of this section for the performance of the following veterinary supervision acts:

1) assessment of the compliance of an undertaking subject to the notification or authorisation obligation under this Act and which has complied with the notification or authorisation obligation;

2) assessment of the compliance of a feed handling establishment containing animal by-products of an undertaking which is subject to the notification or authorisation obligation under the Feed Act and has complied with the notification or authorisation obligation;

3) veterinary checks prior to trade in and export of animals, products of animal origin and germinal products;

4) veterinary checks on germinal products, hay and straw upon conveyance to Estonia.

(4) The obligated person shall pay an hourly fee for the time spent on performing the veterinary supervision act, but not more than for eight hours per veterinary supervision act. The time spent on performing a veterinary supervision act shall be calculated with the accuracy of half an hour. The time spent travelling to the place where the veterinary supervision measure is performed shall not be taken into account.

(5) The hourly rate shall be calculated on the basis of the costs specified in Article 81 of Regulation (EU) 2017/625 of the European Parliament and of the Council which are related to the performance of veterinary supervision acts of the Agricultural and Food Board, except for the performance of veterinary supervision acts specified in subsection 84 (3) of this Act. Wages and economic costs related to veterinary supervision activities, including the costs of laboratory analyses and tests, shall be calculated on the basis of the actual costs in the calendar year preceding the activity. The total cost of veterinary supervision activities during that period shall be divided by the number of hours worked during the same period for the performance of veterinary supervision activities, with the exception of laboratory analyses and tests.

(6) The cost of additional laboratory tests specified in subsection (9) shall not be taken into account upon calculation of the economic costs related to the performance of the veterinary supervision acts specified in subsection (5) of this section.

(7) The rate of the hourly fee charged for the performance of veterinary supervision acts for each year shall be established by a regulation of the minister responsible for the area.

(8) In the course of performance of veterinary supervision activities, the Agricultural and Food Board has the right to charge an additional fee for the waiting period of a late consignment and for veterinary supervision activities performed at the request of a person outside working hours as follows:

1) for the waiting time of a late consignment during working time, an additional fee shall be charged as an hourly fee per official veterinarian in accordance with subsection (4) of this section;

2) for the waiting time of a late consignment outside working time, an additional fee shall be charged in the form of twice the hourly fee per official veterinarian in accordance with subsection (4) of this section;

3) an additional fee in the form of an hourly fee per official veterinarian in accordance with subsection (4) of this section shall be charged in addition to the supervision fee charged for the performance of the relevant veterinary supervision step for veterinary supervision steps performed at the request of the person outside working time.

(9) In the case provided for in Article 79(2)(c) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the obligated person shall pay the supervision fee for additional veterinary supervision in the form of an hourly fee pursuant to subsection (4) of this section. If it is necessary to carry out additional laboratory tests in connection with an established violation of veterinary requirements, the obligated person shall also pay a supervision fee in the amount of the total cost of these tests.

§ 88. Payment of supervisory fee

(1) The Agricultural and Food Board shall make a decision to collect the supervision fee for veterinary supervision activities performed during the previous calendar month by the seventh day of each calendar month.

(2) The decision specified in subsection (1) of this section concerning the collection of the supervision fee shall not be made if the supervision fee is less than 5 euros.

(3) A decision on the collection of the supervision fee shall be communicated to the obligated person within five working days as of the date of making the decision by electronic service if the person has granted consent therefor.

(4) In the case provided for in subsection (3) of this section, the decision to collect the supervision fee is deemed to be delivered to the obligated person not specified in clauses 27 (2) 3) and 4) of the Administrative Procedure Act if the decision or extract of the decision has been sent to the e-mail address of the obligated person.

(5) If the obligated person has not consented to being notified of the decision to collect the supervision fee by electronic delivery, the Agricultural and Food Board shall notify the person of the specified decision by delivering a paper copy or extract of the decision to the person directly or by post within five working days as of the date of making the decision.

(6) The obligated person shall transfer the supervision fee to the bank account indicated in the decision within 28 days as of the date of receipt of the decision to collect the supervision fee.

(7) If the obligated person fails to pay the supervision fee within the term specified in subsection (6) of this section, the Agricultural and Food Board has the right to subject the decision to collect the supervision fee to compulsory enforcement pursuant to the procedure provided for in the Code of Enforcement Procedure.

(8) In the case of conveyance of animals and goods to Estonia, the obligated person shall pay the supervision fee in the amount indicated in the decision on collection of the supervision fee submitted by the Agricultural and Food Board before placing the consignment under the customs procedure.

(9) The Agriculture and Food Board may exempt an obligated person from paying the supervision fee upon conveyance of animals and goods to Estonia before placing the consignment under a customs procedure if both of the following conditions are met:

- 1) the obligated party has provided an adequate guarantee;
- 2) the obliged entity has previously paid the supervisory fee in the correct amount and on time.

(10) The procedure for payment, acceptance in cash and verification of payment of the supervision fee shall be established by a regulation of the minister responsible for the area.

§ 89. Reimbursement of overpaid supervisory fees

(1) The Agricultural and Food Board shall make a decision to refund the overpaid supervision fee and refund the overpaid supervision fee (hereinafter *overpaid supervision fee*) to the obligated person in an amount exceeding the prescribed amount as soon as possible but not later than two months after the date of making the decision to collect the supervision fee.

(2) An obligated person has the right to apply for the refund of overpaid supervision fee within two years as of the date of payment of the supervision fee if the overpaid supervision fee has not been refunded pursuant to subsection (1) of this section.

(3) In order to apply for the refund of an overpaid supervision fee, the obligated person shall submit a written application and a document certifying the payment of the supervision fee to the Agricultural and Food Board.

(4) In the case provided for in subsection (3) of this section, the Agricultural and Food Board shall make a decision to refund or refuse to refund the overpaid supervision fee within ten working days as of the receipt of the application.

(5) Overpaid supervision fees shall not be refunded if it is not possible to identify the person who paid the supervision fee or the person for whom the supervision fee has been paid, or if the person has no right to receive a refund.

(6) The procedure for the refund of overpaid supervision fees shall be established by a regulation of the minister responsible for the area.

4. Section 2 Sampling and analysis and laboratories

§ 90 Sampling and analysis in the performance of veterinary supervision and in the performance of veterinary checks

(1) The Agricultural and Food Board may, upon exercising veterinary supervision and carrying out veterinary checks, take samples at the expense of a person upon examination of a movable. If the movable cannot be used normally after examination, the person shall not be compensated for the cost of the movable or the cost of restoring the movable to normal use.

(2) A person has the right to demand that, in addition to a sample taken in the course of exercising veterinary supervision and carrying out veterinary checks, an additional sample is taken under the same conditions at the expense of the person and remains at his or her disposal. Additional samples shall be taken where appropriate and technically feasible.

(3) In the event of a dispute between the Agricultural and Food Board and a person arising from the second expert opinion provided for in Article 35 of Regulation (EU) 2017/625 of the European Parliament and of the Council, the person may, at his or her own expense, request the review of the documents of the initial analysis and, if necessary, have the sample specified in subsection (2) of this section analysed at his or her own expense in another laboratory provided for in Article 37(1) of the same Regulation.

(4) Irrespective of requesting a second expert opinion, the Agriculture and Food Board shall take the necessary measures provided for in Articles 66 or 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

§ 91 Authorisation of the laboratory

(1) Samples taken in the course of veterinary supervision and veterinary checks shall be analysed in an official laboratory authorised to carry out such analyses (hereinafter *the authorised laboratory*). The authorised laboratory shall comply with the requirements laid down in Article 37(4) and (5) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(2) Non-accredited laboratories may also be authorised to act as authorised laboratories in the cases provided for in Articles 40 and 42 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) In order to apply for authorisation to operate as an authorised laboratory, the applicant shall submit a written application to the Agricultural and Food Board together with documents certifying that the laboratory complies with the requirements laid down in Article 37(4) and (5) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(4) If it is necessary to authorise a laboratory provided for in Article 37(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council to act as an authorised laboratory, the Agriculture and Food Board shall contact the relevant laboratory for consent and, if so, initiate:

to grant authorisation for administrative procedures.

(5) The Agricultural and Food Board shall make a decision to grant or refuse to grant authorisation to operate as an authorised laboratory within 30 working days as of the receipt of the written application of the applicant. In the case of authorisation of a laboratory provided for in Article 37(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the Agricultural and Food Board shall make a decision within 45 working days as of the receipt of the consent of the laboratory concerned. The decision authorising the operation of an authorised laboratory shall set out the details and description required by Article 37(3) of the same Regulation.

(6) The Agriculture and Food Board may refuse to grant authorisation to operate as an authorised laboratory if the laboratory does not comply with the requirements provided for in Article 37(4) and (5) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(7) The Agricultural and Food Board shall revoke the authorisation to operate as an authorised laboratory in the cases provided for in Article 39(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(8) In the case provided for in subsection (3) of this section, a state fee shall be paid for the review of the first application for authorisation to operate as an authorised laboratory at the rate provided for in the State Fees Act.

(9) A new authorisation shall be applied for in order to amend the scope of the authorisation pursuant to subsection (3) of this section.

(10) An authorised laboratory shall immediately notify the Agricultural and Food Board of any changes in the information submitted upon application for authorisation or in the conditions prevailing in the laboratory at the time of application, which may affect the performance of its duties, in a format which can be reproduced in writing.

§ 92 Authorisation of a reference laboratory

(1) For the purposes of this Act, a national *reference laboratory* (*hereinafter reference laboratory*) is a laboratory provided for in Article 100 of Regulation (EU) 2017/625 of the European Parliament and of the Council, which performs the functions of a reference laboratory in the field of animal health.

(2) For each European Union reference laboratory in the area of animal health referred to in Article 93(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council, a reference laboratory shall be authorised.

(3) In order to be authorised to operate as a reference laboratory, the applicant shall submit a written application to the minister responsible for the area together with documents certifying the compliance of the laboratory with the requirements provided for in Article 100(2) and (3) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(4) The authorisation to operate as a reference laboratory shall be granted or refused by a directive of the minister responsible for the area within 20 working days as of the receipt of the application. The directive granting the authorisation to operate as a reference laboratory shall describe the scope of the authorisation.

(5) The authorisation to act as a reference laboratory may be refused if the laboratory does not comply with the requirements laid down in Article 100(2) and (3) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(6) The authorisation to act as a reference laboratory shall be granted for an indeterminate period of time.

(7) A directive on the grant of or refusal to grant authorisation to operate as a reference laboratory shall be delivered to the applicant within three working days as of the date of issue of the directive.

(8) A state fee shall be paid for the review of a first application for authorisation to operate as a reference laboratory at the rate provided for in the State Fees Act.

(9) If the reference laboratory does not perform its functions properly, the minister responsible for the area has the right to grant a term of up to three months for elimination of deficiencies. If the deficiencies are not remedied by the deadline, the authorisation shall be revoked in part or in full. During the period prescribed for the elimination of deficiencies, the authorisation shall be deemed to be suspended.

(10) The reference laboratory shall operate on the basis of a state order submitted by the minister responsible for the area. The execution of the order shall be financed from the funds allocated to the Ministry of Regional Affairs and Agriculture in the state budget.

(11) In order to change the scope of the authorisation to operate as a reference laboratory, a new authorisation shall be applied for in accordance with subsection (3) of this section.

(12) A reference laboratory shall immediately inform the minister responsible for the area in a format which can be reproduced in writing of any changes in the information submitted upon application for authorisation or in the conditions prevailing in the laboratory at the time of application which may affect the performance of its duties.

§ 93 Entry into civil law contract for performance of tasks of reference laboratory

(1) The minister responsible for the area or a person authorised thereby may enter into a civil law contract with a laboratory located in a contracting state of the European Economic Area for the performance of the functions of a reference laboratory in the field of animal health in Estonia.

(2) The provisions of Articles 100 and 101 of Regulation (EU) 2017/625 of the European Parliament and of the Council and other relevant circumstances shall be taken into account when deciding on the conclusion of a civil law contract for the performance of the tasks of the reference laboratory and determining the terms and conditions of the contract.

5. Section 2 **Contestation**

§ 94 Contestation of activities of authorised veterinarian

(1) If a person finds that his or her rights have been violated by an act related to the authorisation of an authorised veterinarian, he or she may file a written challenge with the Agricultural and Food Board within 30 days as of the date of becoming aware of the act.

(2) The Agricultural and Food Board shall make a decision to satisfy or deny a challenge within ten working days as of the receipt of the challenge.

§ 95 Contestation of quality of veterinary service provided by veterinarian

(1) A person to whom veterinary services were provided has the right to apply for an assessment of the quality of the veterinary services provided by the Agricultural and Food Board.

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(2) The Agricultural and Food Board does not give an assessment of the quality of the veterinary service if:

- 1) more than one year has passed since the provision of the veterinary service;
- 2) there is a final judgment in the same case; or
- 3) there are legal proceedings in the same case.

(3) The Agricultural and Food Board shall assess the quality of the veterinary services specified in subsection (1) of this section Within 30 working days of receipt of the application.

(4) If a person does not agree with the assessment specified in subsection (3) of this section, he or she may contest it in an administrative court under the conditions and pursuant to the procedure provided for in the Code of Administrative Court Procedure.

Chapter 7 Responsibility

§ 96 Failure to perform obligations of veterinarian

Failure to perform or improper performance of the duties of a veterinarian:
is punishable by a fine of up to 200 fine units.

§ 97 Violation of veterinary requirements for keeping animals, including biosecurity

- (1) Violation of the veterinary requirements for keeping animals, including biosecurity, is punishable by a fine of up to 200 fine units.
- (2) The same act, if committed by a legal person,
is punishable by a fine of up to EUR 32 000.

§ 98 Violation of obligation to trace animals

- (1) Failure to perform or improper performance of the obligation to identify and register an animal is punishable by a fine of up to 200 fine units.
- (2) The same act, if committed by a legal person, is punishable by a fine of up to EUR 32 000.

§ 99 Violation of veterinary requirements for organisation of animal exhibitions, competitions, fairs and auctions and other public events related to bringing animals together and for movement of animals, including trade in animals, export of animals and transport of animals to Estonia

- (1) A fine of up to 200 fine units shall be imposed for the organisation of an animal exhibition, competition, fair or auction or any other public event related to bringing animals together, or for violation of veterinary requirements for the movement of animals, including trade in animals, export of animals or transport of animals to Estonia.
- (2) The same act, if committed by a legal person, is punishable by a fine of up to EUR 20 000.

§ 100 Violation of veterinary requirements for transport of animals and products of animal origin, handling of products of animal origin and germinal products and storage of goods in transit in free zones and customs warehouses

- (1) Violation of veterinary requirements for transport of animals and products of animal origin, handling of products of animal origin and germinal products or storage of goods in transit in free zones or customs warehouses
is punishable by a fine of up to 200 fine units.
- (2) The same act, if committed in a manner which endangers human health or the environment, is punishable by a fine of up to 300 fine units.
- (3) An act provided for in subsection (1) of this section, if committed by a legal person, is punishable by a fine of up to 20 000 euros.
- (4) An act provided for in subsection (2) of this section, if committed by a legal person, is punishable by a fine of up to 32 000 euros.

§ 101 Violation of veterinary requirements for trade in products of animal origin and germinal products, export and conveyance thereof to Estonia and conveyance of hay and straw to Estonia

- (1) Violation of veterinary requirements for trade in, export or conveyance to Estonia of animal products and germinal products or conveyance of hay and straw to Estonia
is punishable by a fine of up to 200 fine units.
- (2) The same act, if committed by a legal person,
is punishable by a fine of up to EUR 20 000.

§ 102 Violation of requirements for use and replacement of certificates issued for animals, products of animal origin and germinal products and use of identification documents for dogs, cats and ferrets

- (1) Violation of the requirements for the use of certificates issued for animals, products of animal origin or germinal products or for the use of identification documents for dogs, cats and ferrets
is punishable by a fine of up to 200 fine units.
- (2) The same act, if committed by a legal person,
is punishable by a fine of up to EUR 20 000.

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§ 103. Violation of requirements for handling pathogens causing infectious animal diseases and handling of biological products

- (1) Violation of the requirements for handling pathogenic agents causing infectious animal diseases and handling biological products
is punishable by a fine of up to 300 fine units.
- (2) The same act, if committed by a legal person,

is punishable by a fine of up to EUR 32 000.

§ 104 Violation of requirements for notification of suspicion and diagnosis of infectious animal disease, including extensive illness and death of kept animals

(1) Violation of requirements for notification of suspicion and diagnosis of an infectious animal disease, including large-scale morbidity or death of kept animals:

is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,

is punishable by a fine of up to EUR 32 000.

§ 105 Violation of measures applied for control of infectious animal disease in case of threat, suspicion or outbreak of especially dangerous infectious animal disease and violation of requirements for control of infectious animal disease

(1) Irregularity of measures taken in the event of a danger, suspicion or outbreak of an especially dangerous infectious animal disease or violation of the requirements for controlling an infectious animal disease

is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,

is punishable by a fine of up to EUR 50 000.

§ 106 Irregularity of measures applied for prevention and control of infectious animal diseases subject to compulsory control and controlled on basis of need and violation of requirements for control of infectious animal diseases

(1) Irregularity of measures applied for the prevention and control of an infectious animal disease subject to compulsory control and controlled on a need-to-know basis or violation of the requirements for the control of infectious animal diseases

is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person,

is punishable by a fine of up to EUR 32 000.

§ 107 Procedure

(1) The Agricultural and Food Board or a court may, in the cases provided for in subsections 99 (2) and (4) of this Act, apply confiscation of the animals, products of animal origin and germinal products which were the direct object of commission of the misdemeanour pursuant to § 83 of the Penal Code.

(2) Extra-judicial proceedings concerning the misdemeanours provided for in §§ 96-106 of this Act shall be conducted by the Agriculture and Food Board.

Chapter 8 Implementing provisions

Section 1 Transitional provisions

§ 108. Obligations of veterinarians

A veterinarian operating at the time of entry into force of this Act shall perform the obligation provided for in clause 19 (1) 6) as of 2022. From 1 June.

§ 109 Persons who have fulfilled the notification and authorisation obligations pursuant to the Infectious Animal Disease Control Act

(1) A person who has complied with the notification obligation pursuant to § 19⁶ of the Infectious Animal Disease Control Act in force before the entry into force of this Act shall be deemed to have complied with the notification obligation pursuant to § 24 of this Act.

(2) A person who has complied with the activity licence obligation pursuant to § 19¹ of the Infectious Animal Disease Control Act in force before the entry into force of this Act shall be deemed to have complied with the activity licence obligation pursuant to § 25 of this Act.

(3) A person who holds an activity licence pursuant to § 19¹ of the Infectious Animal Disease Control Act before the entry into force of this Act and in the case of which the notification obligation replaces the obligation to hold an activity licence as of the entry into force of this Act shall be deemed to have complied with the notification obligation.

(4) A person who has fulfilled the registration obligation pursuant to Article 84 of Regulation (EU) 2016/429 of the European Parliament and of the Council before the entry into force of this Act and after 21 April 2021 shall be deemed to have fulfilled the notification obligation.

(5) A person who has been approved in accordance with Article 94 of Regulation (EU) 2016/429 of the European Parliament and of the Council before the entry into force of this Act and after 21 April 2021 is deemed to have fulfilled the activity licence obligation.

§ 110 Administrative contract for the issue of means of identification used for marking farm animals

A contract under public law entered into on the basis of the Infectious Animal Disease Control Act in force before the entry into force of this Act and entered into at the time of entry into force of this Act for the issue of means of identification used for marking farm animals shall remain in force until termination thereof.

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§ 111 Individual labelling instruments

An individual marking device installed on an animal on the basis of the Infectious Animal Disease Control Act in force before the entry into force of this Act is deemed to have been approved pursuant to Article 48(3)(b), Article 59(2)(b), Article 70(b), Article 75(1)(b) and Article 76(2)(a) of Commission Delegated Regulation (EU) 2019/2035.

§ 112 Biosecurity plan

The keeper of animals shall bring the biosecurity plan prepared before the entry into force of this Act into compliance with the

requirements of the biosecurity plan by 2022.
by 1 March.

§ 113 Validity of contract under public law entered into with Estonian University of Life Sciences

A contract under public law entered into with the Estonian University of Life Sciences on the basis of the Veterinary Organisation Act in force before the entry into force of this Act for additional financing of covering the operating expenses related to the organisation of clinical training in veterinary medicine and valid at the time of entry into force of this Act shall be valid until the end of its term of validity.

§ 114 Validity of professional activity licence of veterinarian

A professional activity licence of a veterinarian valid at the time of entry into force of this Act shall be valid until its suspension, revocation or revocation pursuant to the procedure provided for in this Act.

§ 115 Validity of certificate confirming professional activities of veterinarian

A certificate certifying the professional activities of a veterinarian issued on the basis of the Veterinary Activities Organisation Act in force before the entry into force of this Act and valid at the time of entry into force of this Act shall be valid until the expiry thereof.

§ 116 Register of veterinarians

The official register of veterinarians established on the basis of subsection 22 (1) of the Veterinary Activities Organisation Act in force before the entry into force of this Act shall be deemed to be the register of veterinarians specified in § 21 of this Act.

§ 117 Register of farm animals

The register of farm animals established on the basis of subsection 11 (3) of the Infectious Animal Disease Control Act in force before the entry into force of this Act is deemed to be the register of farm animals specified in § 34 of this Act.

§ 118 Validity of contract under public law entered into for operation as authorised veterinarian

An authorisation granted to a veterinarian by a contract under public law entered into on the basis of the Veterinary Activities Organisation Act in force before the entry into force of this Act and valid at the time of the entry into force of this Act shall be valid until the termination thereof pursuant to the procedure provided for in this Act.

§ 119 Application of hourly rate

Until 31 December 2021, an hourly fee shall be charged for the performance of a veterinary supervision act at the rate established for 2021 on the basis of subsection 35³ (8) of the Veterinary Activities Organisation Act in force before the entry into force of this Act.

§ 120 Validity of authorisation of authorised laboratory and reference laboratory

An authorisation granted for operating as an authorised laboratory and a national reference laboratory on the basis of the Veterinary Activities Organisation Act in force before the entry into force of this Act and valid at the time of entry into force of this Act shall remain in force until it is revoked pursuant to the procedure provided for in this Act.

§ 121 Border crossing points

A border control post designated before 14 December 2019 shall be deemed to be a border control post designated in accordance with the requirements of Article 59(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

2. Section 2
Amendment and repeal of Acts

§ 122. – Paragraph 135. [Omitted from this text.]

3. Section 2
Entry into force

§ 136 Entry into force of the Act

- (1) This Act enters into force on 1 December 2021.
- (2) Clause 3 (2) 1) of this Act enters into force on 28 January 2022.
- (3) Clause 19 (1) 7) and subsection 19 (3) and clause 21 (2) 4) and subsection 21 (7) of this Act enter into force on 1 January 2023.

Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications (OJ L 255, 30.09.2005, p. 22–142), as amended by Directives 2006/100/EC (OJ L 363, 20.12.2006, p. 141–237), 2013/25/EU (OJ L 158, 10.06.2013, p. 368–375) and 2013/55/EU (OJ L 354, 28.12.2013, p. 132–170), Regulations (EC) No 1430/2007 (OJ L 320, 06.12.2007, p. 3–11), (EC) No 755/2008 (OJ L 205, 01.08.2008, p. 10–12), (EC) No 1137/2008 (OJ L 311, 21.11.2008, p. 1–54), (EC) No 279/2009 (OJ L 93, 07.04.2009, p. 11–12), (EU) No 213/2011 (OJ L 59, 04.03.2011, p. 4–7) and (EU) No 623/2012 (OJ L 180, 12.07.2012, p. 9–11) and Decisions (EU)

2016/790 (OJ L 134, 24.05.2016, p. 135–228), (EU) 2017/2113 (OJ L 317, 01.12.2017, p. 119–220), (EU) 2019/608 (OJ L 104, 15.04.2019, p. 1–91) and (EU) 2020/548 (OJ L 131, 24.04.2020, p. 1–104);

Directive 2003/99/EC of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC (OJ L 325, 12.12.2003, p. 31–40), as amended by Directives 2006/104/EC (OJ L 363, 20.12.2006, p. 352–367) and 2013/20/EU (OJ L 158, 10.06.2013, p. 234–239), Regulation (EC) No 219/2009 (OJ L 87, 31.03.2009, p. 109–154) and Decision 2009/470/EC (OJ L 155, 18.06.2009, p. 30–45).