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Veterinary Act[1]

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01.06.2022	RT I, 20.06.2022, 4	01.07.2022

Chapter 1
General Provisions

§ 1. Scope of application of Act

(1) This Act regulates:
1) the bases of the professional activities of a veterinarian;
2) the keeping of an animal, the handling of a product of animal origin, germinal product, animal by-product and derived product, clarifying 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, pp 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, pp 1–33);
3) the bringing of animals and goods to Estonia, trading in animals and goods and export of animals and goods, clarifying 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, pp 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*), clarifying and supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council and Regulation (EU) 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003 (OJ L 178, 28.06.2013, pp 1–26);
5) the bases of prevention and control of an animal disease required for protection of animal and human health, clarifying and supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council;
6) the bases of monitoring zoonoses and a foodborne outbreak of a disease;
7) compensation for damage caused by an animal disease;
8) the bases of the organisation of controls of the compliance of activities performed in the course of official veterinary supervision (hereinafter *veterinary supervision*) required for the protection of animal and human health and animal welfare and controls of the compliance of activities performed in the course of proceedings of granting an activity licence or another licence (hereinafter *veterinary controls*), clarifying and supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council;
9) liability for non-compliance with veterinary requirements.

(2) The definitions used in this Act have the meaning attributed to them in Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council and in legislation adopted for the purpose of implementation of the same, unless otherwise provided in this Act.

(3) Within the limits of their competence, the minister in charge of the policy sector may establish requirements for prevention and control of animal diseases and for the application of other veterinary measures aimed at the protection of animal and human health regarding a matter where the decision-making authority lies with a Member State under the European Union legislation specified in subsection 1 of this section or delegated legislation or implementing legislation adopted on the basis thereof.

(4) Within the limits of their competence, the minister in charge of the policy sector may issue a decree on prevention and control of animal diseases and on the application of other veterinary measures aimed at the protection of animal and human health regarding a matter where the decision-making authority lies with a Member State under the European Union legislation specified in subsection 1 of this section or delegated legislation or implementing legislation adopted on the basis thereof.

§ 2. Application of Acts

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

(2) The Law Enforcement Act applies to veterinary supervision performed on the basis of this Act, taking account of the specificities provided in this Act.

(3) The Emergency Act applies to the control of an animal disease entered in the list set out in Article 9(1)(a) of Regulation (EU) 2016/429 of the European Parliament and of the Council exercised on the basis of this Act, taking account of the specificities provided in this Act.

(4) The Communicable Diseases Prevention and Control Act applies to medical examination of a person involved in the keeping of a farmed animal and handling a product of animal origin, except for a person involved in the handling of an animal by-product.

§ 3. Veterinary requirements

(1) For the purposes of this Act, ‘veterinary requirements’ means requirements established in European Union legislation, this Act and legislation established on the basis thereof for the purpose of protection of human life and health and animal health and welfare regarding the following:
1) professional activities of a veterinarian;
2) prevention and control of an animal disease;
3) ensuring the safety of a product of animal origin, animal by-product, derived product and germinal product.

(2) The following are also considered veterinary requirements:
1) requirements for prescription of medicated feed established in and on the basis of the Feed Act;
2) requirements for the hygiene of food of animal origin established in and on the basis of the Food Act;
3) requirements for ensuring animal welfare established in and on the basis of the Animal Protection Act, except for requirements for protection of animals living freely in the wild and experimental animals.

(3) The performance of the duties of a legal person, which arise from veterinary requirements, is organised by its legal representative.

§ 4. Product of animal origin

(1) For the purposes of this Act, ‘product of animal origin’ means a product of animal origin specified 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, pp 55–205).

(2) Provisions applicable to a product of animal origin also apply to an animal by-product and a derived product, unless otherwise provided in this Act.

§ 5. Animal keeper and animal establishment

(1) For the purposes of this Act, ‘animal keeper’ means 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, ‘animal establishment’ means 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 another animal disease caused by a biological pathogen that may either directly or via the environment transfer from one animal to another, from an animal to a human and vice versa. For the purposes of this Act, a widespread animal disease caused by a non-transmissible pathogen is also considered an animal disease.

(2) For the purposes of this Act, ‘especially dangerous animal disease’ means an animal disease specified in the list referred to in Article 9(1)(a) of Regulation (EU) No 2016/429 of the European Parliament and of the Council.

(3) For the purposes of this Act, ‘other animal disease’ means an animal disease not listed in Article 5(1)(a) of or Annex II to Regulation (EU) No 2016/429 of the European Parliament and of the Council and that is not considered an emerging disease for the purposes of Article 6 of the same Regulation.

(4) For the purposes of this Act, ‘compulsorily notifiable disease’ means an animal disease specified in Article 9(1) of Regulation (EU) No 2016/429 of the European Parliament and of the Council.

§ 7. Zoonosis and food-borne outbreak

(1) ‘Zoonosis’ means a disease or infection which is naturally transmissible directly or indirectly between animals and humans. Provisions applicable to animal diseases are applied to zoonoses.

(2) ‘Zoonotic agent’ means a virus, a bacterium, a fungus or a biological factor that may cause a zoonosis.

(3) For the purposes of this Act, ‘food-borne outbreak’ means the occurrence of a disease or transmission case or a situation where the number of disease and transmission cases exceeds a projected number and where these are related or likely related to the same food.

§ 8. Veterinary supervision and veterinary controls

For the purposes of this Act, ‘veterinary supervision’ and ‘veterinary controls’ mean 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 in this Act, the Agriculture and Food Board is the competent authority for the purposes of:
1) Article 4(55) of Regulation (EU) 2016/429 of the European Parliament and of the Council;
2) Regulation (EU) No 576/2013 of the European Parliament and of the Council, except in the situations specified in Articles 33–35 of the same Regulation where the Tax and Customs Board is the competent authority;
3) Chapters 3 and 3^1 of the Recognition of Foreign Professional Qualifications Act.

§ 10. Delivery of decision

Where a decision made on the basis of this Act is delivered by mail, it may be delivered either by unregistered mail, registered mail or registered mail with advice of delivery.

Chapter 2
Professional Activities of a Veterinarian

§ 11. Qualifications of a veterinarian

(1) To obtain the qualifications of a veterinarian, a veterinary medicine curriculum is completed either in the Estonian University of Life Sciences or in an appropriate educational institution abroad. The qualifications of a veterinarian acquired outside Estonia are recognised in accordance with the Recognition of Foreign Professional Qualifications Act and this Act.

(2) Operating expenses relating to the organisation of the clinical studies of veterinary medicine in the Estonian University of Life Sciences are additionally financed from the state budget via the budget of the Ministry of Rural Affairs. In the additional financing of the clinical studies of veterinary medicine, the Ministry of Rural Affairs takes into account the proposals of the Estonian University of Life Sciences and the funds allocated to the clinical studies of veterinary medicine in the state budget.

(3) The Ministry of Rural Affairs concludes an administrative contract with the Estonian University of Life Sciences for the additional financing required for covering the operating expenses relating to the organisation of the clinical studies of veterinary medicine.

§ 12. Professional activity licence

(1) For the purposes of this Act, ‘veterinarian’ means a person who is qualified in veterinary medicine and holds a professional activity licence of a veterinarian required for provision of the veterinary service (hereinafter *professional activity licence*).

(2) For the purposes of this Act, ‘veterinary service’ means the treatment, prevention and diagnosis, including laboratory diagnosis, of an animal disease and other proceedings necessary for ensuring animal health and welfare.

(3) A veterinarian provides the veterinary service personally as a self-employed person or via an undertaking that has a contractual relationship with the veterinarian.

(4) The Agriculture and Food Board decides whether to grant, suspend the validity, revoke or refuse to grant a professional activity licence.

(5) A professional activity licence is granted for an unspecified term.

§ 13. Application for a professional activity licence

(1) An applicant for a professional activity licence submits to the Agriculture and Food Board:
1) an application;
2) a curriculum vitae that contains, among other things, the full name, the former forename(s) and surname(s), the personal identification code or, upon absence thereof, the date of birth, the name and number of the identity document, contact details, the country of the previous place of work and a description of professional work experience;
3) a copy of the document certifying the qualifications in veterinary medicine;
4) a copy of the document certifying professional upskilling.

(2) The document specified in clause 1 of subsection 4 of this section does not need to be submitted when applying for a professional activity licence within five years after the acquisition of qualifications in veterinary medicine.

(3) Before the submission of an application, the applicant for an activity licence must pay a state fee for reviewing the application at the rate provided in the State Fees Act.

(4) An applicant for a professional activity licence may submit an application in a digitally signed electronic form or in another similar manner that allows for identifying the applicant.

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

(1) An applicant for a professional activity licence who has acquired qualifications in veterinary medicine in a member state of the European Union, contracting state of the European Economic Area or in Switzerland submits to the Agriculture and Food Board the documents and information specified in clauses 1–3 of subsection 1 of § 13 of this Act and, where the person has a European Professional Card, information on the European Professional Card as well.

(2) The Agriculture and Food Board gives the applicant for a professional activity licence a confirmation of the receipt of the application within three working days as of the receipt of the documents and information specified in clauses 1–3 of subsection 1 of § 13 of this Act.

(3) Qualifications in veterinary medicine acquired in a Member State, a contracting state of the European Economic Area or Switzerland are certified by a document that entitles the veterinarian to provide the veterinary service in the relevant Member State, contracting state of the European Economic Area or Switzerland.

(4) The list of documents certifying qualifications in veterinary medicine in a Member State, contracting state of the European Economic Area or in Switzerland, which serve as the basis for the issue of a professional activity licence are established by a regulation of the minister in charge of the policy sector.

(5) Where a document certifying the qualifications of a person who acquired these in veterinary medicine in a Member State, contracting state of the European Economic Area or Switzerland is not included in the list established on the basis of subsection 4 of this section, the Agriculture and Food Board decides on the granting of the licence in accordance with the provisions of the Recognition of Foreign Professional Qualifications Act, asking for an opinion of the Estonian University of Life Sciences, where necessary.

(6) Where the European Professional Card has been introduced in the veterinarian profession by an implementing regulation of the European Commission based on 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, 22–142) and the competent authority of a Member State, a contracting state of the European Economic Area or Switzerland has submitted to the Estonian competent authority an application for the working of a person in

Estonia, the European Professional Card is applied for and processed in accordance with §§ 21^1, $21^4$and $21^5$of the Recognition of Foreign Professional Qualifications Act.

§ 15. Application for a professional activity licence in the event of acquisition of qualifications in veterinary medicine in another foreign country

(1) In order to receive a professional activity licence, a person who has acquired qualifications in veterinary medicine in a foreign country not specified in § 14 of this Act submits to the Agriculture and Food Board, in addition to the documents and information specified in subsection 1 of § 13 of this Act, the curriculum in veterinary medicine of the educational institution that issued the document certifying the qualifications in veterinary medicine.

(2) The Agriculture and Food Board confirms the receipt of an application to the applicant for a professional activity licence within three working days after receiving the documents and information specified in subsection 1 of this section and within three working days after receiving the documents and information submits compliant documents and information to the Estonian University of Life Sciences for the purpose of receiving an opinion.

(3) The Estonian University of Life Sciences expresses an opinion on the compliance of the curriculum completed by the applicant with the appropriate Estonian curriculum and, where necessary, makes a proposal concerning upskilling, taking into account the person's work experience and completed upskilling, within 40 working says as of the receipt of the documents and information specified in subsection 1 of this section.

(4) Where, based on the opinion of the Estonian University of Life Sciences, the curriculum completed by the applicant does not considerably differ from the Estonian veterinary medicine curriculum, the Agriculture and Food Board processes the application in accordance with the rules provided in this Act.

(5) Where in the opinion of the Estonian University of Life Sciences the curriculum completed by the applicant differs considerably from the Estonian veterinary medicine curriculum and the applicant must undergo appropriate upskilling, the applicant can take an aptitude test drawn up and organised by the Estonian University of Life Sciences within 60 working days following the receipt of the opinion in order to prove their knowledge or undergo, to the required extent, upskilling corresponding to the conditions of the veterinary medicine curriculum along with final evaluation in the framework of tuition-based studies in the Estonian University of Life Sciences in accordance with the organisation of studies. The aptitude test examines and assesses the professional, specialised and occupational knowledge, skills and experience of the applicant for the activity licence.

(6) The rules of preparation, organisation and assessment of a veterinarian aptitude test and of communicating the results of an aptitude test are established by a regulation of the minister in charge of the policy sector.

(7) Where the qualifications of a person who has acquired their qualifications in a foreign country not specified in § 14 of this Act have been previously recognised by another Member State, contracting state of the European Economic Area or Switzerland and the person has acquired three years of work experience as a veterinarian in the state, the Agriculture and Food Authority decides the granting of a professional activity licence in accordance with the rules provided in this Act, taking into account the provisions of the Recognition of Foreign Professional Qualifications Act. To apply for a professional activity licence, the person submits, in addition the documents and information specified in subsection 1 of § 13 of this Act, a document certifying the person's work experience and the right to provide the veterinary service in a Member State, contracting state of the European Economic Area or Switzerland.

(8) In the event specified in subsection 7 of this section, where the European Professional Card has been introduced in the veterinarian profession by an implementing regulation of the European Commission based on Article 4a(7) of Directive 2005/36/EC of the European Parliament and of the Council and the competent authority of a Member State, contracting state of the European Economic Area or Switzerland has submitted to the Estonian competent authority an application for enabling a person to work in Estonia, the European Professional Card is applied for and processed in accordance with §§ 21^1, $21^4$and $21^5$of the Recognition of Foreign Professional Qualifications Act.

§ 16. Grant of and refusal to grant professional activity licence

(1) The Agriculture and Food Board processes an application for a professional activity licence and makes a decision to grant or refuse to grant a licence within 20 working days after the receipt of the documents and information required for making a decision.

(2) Where in the course of processing an application for a professional activity licence a circumstance specified in subsection 5 of § 14 of this Act becomes evident, the Agriculture and Food Board may extend the time limit of making a decision to 60 working days, informing the applicant thereof without delay and stating the reason for the extension.

(3) The following is indicated on a professional activity licence:
1) the full name of the licence holder;
2) the personal identification code or, in the absence thereof, the date of birth of the licence holder;
3) the date and place of issue of the licence;
4) the number of the licence.

(4) The Agriculture and Food Board refuses to grant a professional activity licence where:
1) false information has been knowingly given in applying for the licence;
2) a judgment depriving the veterinarian of the right to provide the veterinary service is in force with regard to the veterinarian;
3) the applicant's qualifications do not correspond to the qualifications required for engaging in the respective specialty;
4) the applicant works in a general pharmacy, veterinary pharmacy or for a holder of an activity licence for wholesale distribution or manufacturing of medicinal products in accordance with subsection 7 of § 43 of the Medicinal Products Act;
5) the applicant serves as an official veterinarian and based on subsection 2 of § 60 of the Civil Service Act is prohibited from engaging in providing the veterinary service as a secondary activity.

§ 17. Suspension of the validity of a professional activity license

(1) The Agriculture and Food Board can suspend the validity of a professional activity licence, making an appropriate notation in the register specified in subsection 1 of § 21 of this Act where:
1) the veterinarian fundamentally violates a requirement of law that is of importance in their professional activities or where the violation poses a serious threat to the life or health of an animal;
2) in their professional activities, the veterinarian does not follow the rules of professional ethics of veterinarians or the good veterinary practice;
3) the veterinarian has not submitted to the Agriculture and Food Board their relevant information or entered it in the register specified in subsection 1 of § 21;
4) the veterinarian has repeatedly violated the requirements for prescribing, dispensing, and using a medicinal product in the course of acquisition of a medicinal product or provision of the veterinary service, which are provided in a legal instrument of the European Union or in the Medicinal Products Act or in a legal instrument established on the basis thereof;
[RT I, 20.06.2022, 4 – entry into force 01.07.2022]
5) the veterinarian obstructs the performance of veterinary supervision and has failed to comply with a compliance notice issued to them in respect thereof, where the veterinary has been warned of the suspension of the validity of the licence.

(2) In the situations specified in subsection 1 of this section, the validity of a professional activity licence is suspended until a violation has been eliminated, it is decided to revoke the licence or the performance of veterinary supervision is enabled.

§ 18. Revocation and termination of professional activity licence

(1) The Agriculture and Food Board revokes a professional activity licence on the following grounds:
1) the violation serving as the basis for the suspension of the professional activity licence, which is specified in subsection 1 of § 17 of this Act, has not been eliminated by the deadline set in a compliance notice;
2) the veterinarian has knowingly given false information upon applying for the licence and this information affected the granting of the licence and the licence would not have been granted if the information had not been given;
3) a judgment depriving the veterinarian of the right to provide the veterinary service is in force with regard to the veterinarian;
4) the veterinarian gives up their professional activity licence on their own initiative.

(2) The professional activity licence terminates in the event of the death of the veterinarian.

(3) The Agriculture and Food Board implements an alert mechanism in accordance with the rules established in Chapter 3^2 of the Recognition of Foreign Professional Qualifications Act.

§ 19. Duties of a veterinarian

(1) A veterinarian is required to:
1) follow the requirements of Article 12 of Regulation (EU) 2016/429 of the European Parliament and of the Council in their activities;
2) adhere to the professional code of ethics of veterinarians and follow the good veterinary practice;
3) give up their professional activity licence on their own initiative in accordance with subsection 7 of § 43 of the Medicinal Products Act where they take up a job with a general pharmacy, veterinary pharmacy or holder of a licence for wholesale distribution or manufacturing of medicinal products;
4) undergo professional upskilling at least once every five calendar years;
5) keep records of disease cases, including animal diseases, treatment and other procedures performed, medicinal products prescribed on the basis of a veterinary prescription and medicinal products contained in a medicated feedingstuff prescribed on the basis of a veterinary prescription (hereinafter *prescribed medicinal*

product) and medicinal products dispensed and used in the course of provision of the veterinary service in accordance with the rules established in legislation and retain the information for three years;
[RT I, 20.06.2022, 4 – entry into force 01.07.2022]
6) submit to the Agriculture and Food Board reports on disease cases, including animal diseases and treatment and other procedures performed;
7) via a designated client portal submit to the Agriculture and Food Board information on prescribed medicinal products and medicinal products dispensed and used in the course of provision of the veterinary service;
[RT I, 17.11.2021, 1 – entry into force 01.01.2023, amended in part [RT I, 20.06.2022, 4]]
8) add their professional title and the number of their professional activity licence to the identification document of a pet animal and to a certificate of a veterinary procedure performed on a pet animal issued by the veterinarian;
9) perform tasks given by the Agriculture and Food Board in connection with the prevention and control of an especially dangerous or emerging animal disease;
10) draw an animal keeper's, pet animal keeper's and germinal product handler's attention to a violation of veterinary requirements, make proposals for elimination of the violation and give primary instructions for the organisation of animal disease control in an animal establishment or household.

(2) More detailed requirements and rules for keeping records of the information and submission of the reports and information specified in clauses 5–7 of subsection 1 of this section are established by a regulation of the minister in charge of the policy area.

(3) Information on prescribed medicinal products and medicinal products dispensed and used in the course of provision of the veterinary service, which has been submitted in accordance with clause 7 of subsection 1 of this section, is entered in the national register of veterinarians.
[RT I, 17.11.2021, 1 – entry into force 01.01.2023, amended in part [RT I, 20.06.2022, 4]]

§ 20. Professional upskilling

The professional development of a veterinarian means:
1) participating in a professional briefing day, training day, course, seminar or conference organised by a university teaching a veterinary medicine curriculum or by a state authority or professional organisation;
2) practicing in a university teaching a veterinary medicine curriculum;
3) acquisition of a professional research degree;
4) supervision of the theoretical, practical or clinical studies of a student of the veterinary medicine curriculum of a university;
5) publication of a research and practical work or a professional article in an Estonian or foreign professional publication or publication of professional study or research literature;
6) giving a professional presentation in a briefing day, training day, course, conference or seminar organised by a university teaching a veterinary medicine curriculum or by a state authority or professional organisation.

§ 21. National register of veterinarians

(1) The national register of veterinarians (hereinafter *register of veterinarians*) and its statutes are established by a regulation of the minister in charge of the policy sector.

(2) The purpose of the register of veterinarians is to ensure:
1) that the consumer is provided with information on veterinarians holding the right to provide the veterinary service;
2) efficient veterinary supervision regarding the veterinary service;
3) collection of required information for the purpose of improving the organisation of the veterinary area;
4) responsible prescription, dispensation, and use of medicinal products in the course of provision of the veterinary service.
[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 is required to submit data to the controller.

(5) The controller has the right to make queries to and receive data from other databases by way of cross-usage for the purpose of obtaining data to be entered in the register of veterinarians.

(6) The following information is gathered in the register of veterinarians regarding a veterinarian:
1) the full name, former first name(s) and surname(s), the personal identification code or, upon absence thereof, the date of birth, the name and number of the identity document, contact details and the country of the previous place of work;
2) information certifying the qualifications and professional upskilling;
3) the place of work and competence of an authorised veterinarian;
4) details of the professional activity licence and the validity thereof;

5) information on the registration of the activities performed.

(7) Information on medicinal products prescribed for the prevention and treatment of animal diseases and on medicinal products dispensed and used in the course of provision of the veterinary services is collected in the register of veterinarians.
[RT I, 17.11.2021, 1 – entry into force 01.01.2023, amended in part [RT I, 20.06.2022, 4]]

(8) The data entered in the register of veterinarians have an informative meaning. The data entered in the digital database of the register of veterinarians in accordance with subsection 6 of this section are kept in the archives for five years as of making a decision to refuse to grant or revoke a professional activity licence or as of the expiry of a professional activity licence. Logs are retained in accordance with the statutes of the register of veterinarians.

(9) The person who submits data is responsible for the correctness of the data entered in the register of veterinarians. In the event of a change of the data entered in the register of veterinarians, a request for a change of the data must be submitted without delay.

(10) Data on professional upskilling is submitted after the passing of each five-year period following the acquisition of the qualifications in veterinary medicine by 31 January of the year following the period.

§ 22. Right to provide the veterinarian service temporarily

A person who has held the qualifications of a veterinarian in a Member State, contracting state of the European Economic Area or in Switzerland may, in accordance with Chapters 3 and 3^1 of the Recognition of Foreign Professional Qualifications Act, temporarily provide the veterinarian service in Estonia without holding a professional activity licence provided in subsection 1 of § 12 of this Act. The Agriculture and Food Board is the competent authority for the purposes of Chapters 3 and 3^1 of the Recognition of Foreign Professional Qualifications Act.

§ 23. Certificate certifying professional activities of veterinarian

(1) Where a veterinarian wishes to work outside Estonia, the veterinarian asks the Agriculture and Food Board for a certificate of their professional activities, where necessary.

(2) To obtain a certificate specified in subsection 1 of this section, a veterinarian must submit to the Agriculture and Food Board an application containing the following information:
1) the full name of the applicant;
2) the number of the applicant's professional activity licence;
3) the state where the recognition of professional qualifications will be requested;
4) a description of the work experience.

(3) Before filing an application, a veterinarian applying for the certificate specified in subsection 1 of this section pays a state fee at the rate provided in the State Fees Act for having the application processed.

(4) A veterinarian may submit the application specified in subsection 1 of this section in a digitally signed electronic form or in another similar secure manner that allows for identifying the applicant.

(5) The Agriculture and Food Board gives a certificate of the professional activities of a veterinarian to the veterinarian within 20 working days after the submission of a request.

(6) A certificate of the professional activities of a veterinarian remains in force for three months as of its issue.

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

(8) Where the European Professional Card has been introduced in the veterinarian profession by an implementing regulation of the European Commission based on Article 4a(7) of Directive 2005/36/EC of the European Parliament and of the Council and the person applying for registration requests the European Professional Card for working outside the Republic of Estonia, the European Professional Card is applied for and reviewed in accordance with §§ 21^1–21^3 of the Recognition of Foreign Professional Qualifications Act.

Chapter 3
Keeping of Animals and Handling of Products of Animal Origin and Germinal Products

Subchapter 1

Notification and Authorisation Requirement for Operators and Other Persons

§ 24. Notification requirement

(1) For the purposes of this Act, ‘notification requirement’ means the registration of an establishment or plant within the meaning of Part IV of Regulation (EU) 2016/429 of the European Parliament and of the Council and Article 23 of Council Regulation (EC) No 1069/2009.

(2) A notice of economic activities is submitted to the Agricultural Registers and Information Board for engaging in the following fields of activity:

(1) the fields of activity specified in Articles 84(1), 87(1), 90(1), 172(1) and 176(2) of Regulation (EU) 2016/429 of the European Parliament and of the Council;
2) the fields of activity 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 fields of activity specified in Articles 3(1)(a) and (b) of Commission Delegated Regulation (EU) 2020/691 supplementing Regulation (EU) 2016/429 of the European Parliament and of Council as regards rules for aquaculture establishments and transporters of aquatic animals (OJ L 174, 03.06.2020, pp 345–378);
4) the fields of activity specified in Article 23(1)(a) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council;
5) the keeping of the animals specified in Article 4(4) of Regulation (EU) 2016/429 of the European Parliament and of the Council for the purpose of production of food and feed.

(3) In addition to the information required in the General Part of the Economic Activities Code Act, a notice of economic activities must contain the following information:
1) the information specified 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 information specified in Article 3 of Commission Delegated Regulation (EU) 2019/2035;
3) the information specified in Article 23(1)(b) of Regulation (EC) 1069/2009 of the European Parliament and of the Council.

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

(5) In the notice specified in subsection 4 of this section, the following information is submitted to the Agricultural Registers and Information Board in addition to the information referred to in the same subsection:
1) the contact details and personal identification code of the person specified in subsection 4 or, in the event of absence thereof, the date of birth, and the name and number of the identity document;
2) the name and contact details of the person who submits the notice.

(6) No state fee is charged for entering information received in complying with the notification requirement in the register.

§ 25. Authorisation requirement

(1) For the purposes of this Act, ‘authorisation requirement’ means:
1) approval for the purposes of Part IV of Regulation (EU) 2016/429 of the European Parliament and of the Council and Article 2(9) 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, transhipment 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, pp 73–98);
2) approval for the purposes 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 order to engage in the following fields of activity or establishments:
1) the field of activity specified in Article 94(1) of Regulation (EU) 2016/429 of the European Parliament and of the Council;

2) keeping animals in an establishment specified in Article 95 of Regulation (EU) 2016/429 of the European Parliament and of the Council;
3) the field of activity specified in Article 9 of Commission Delegated Regulation (EU) 2019/2035;
4) the field of activity specified in Article 176(1) of Regulation (EU) No 2016/429 of the European Parliament and of the Council;
5) the field of activity specified in Articles 178 and 179 of Regulation (EU) 2016/429 of the European Parliament and of the Council and the field of activity specified in Article 4 of Commission Delegated Regulation (EU) 2020/691;
6) an establishment specified in Article 23(1) of Commission Delegated Regulation (EU) 2019/2124 where a germinal product, an animal by-product, a derived product, hey or straw is stored;
7) the field of activity specified in Article 24(1) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.

(3) An activity licence can be applied for in order to engage in a field 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 event and on the conditions specified in Article 176(6) of the same Regulation.

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

(5) An activity licence entitles the operator to commence economic activities and to engage in the field of activity only in the establishment or in a part thereof specified in the activity licence.

§ 26. Applying for an activity licence

(1) An application for an activity licence is submitted to the Agriculture and Food Board via the e-service environment of the Agricultural Registers and Information Board and it must contain, in addition to the information required in the General Part of the Economic Activities Code Act, 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 required in the General Part of the Economic Activities Code Act, the following information and documents must be submitted in an application for an activity licence on an establishment specified in clause 6 of subsection 2 of § 25 of this Act:
1) details of the handled germinal product, animal by-product, derived product, hey or straw and the requirements for storage thereof;
2) floor plan of the buildings of the establishment along with the layout of the rooms;
3) cleaning and disinfection plan that contains information on the measures taken and substances used for cleaning and disinfecting the equipment and rooms;
4) pest control plan along with information on control measures;
5) information on keeping records of the germinal product, animal by-product, derived product, hey or straw.

(3) In addition to the information required in the General Part of the Economic Activities Code Act, the following information and documents must be submitted in an application for an activity licence regarding an establishment in the case of the field of activity specified in clause 7 of subsection 2 of § 25 of this Act:
1) details of the means of transport;
2) site map along with the layout of the outdoor water supply and sewerage lines;
3) layout of the rooms along with the layout of the equipment and indoor water supply and sewerage lines;
4) information on the finishing materials used in the handling room;
5) technological scheme of the handling process along with a technical specification of the equipment used;
6) information on the designed and the planned or actual production or processing capacity;
7) information on the capacity of the warehouses and the estimated production volume;
8) cleaning and disinfection plan that contains information on the measures taken and substances used for cleaning and disinfecting the equipment and rooms;
9) pest control plan along with information on control measures;
10) description of treatment of generated waste water;
11) description of the cleaning of the means of transport of the raw material and animal by-products;
12) information on and descriptions of the measures planned for the preclusion of the cross-contamination of animal by-products and derived products of different categories and for ensuring that they are permanently under conditions of strict separation.

(4) No state fee is charged for processing an application for an activity licence.

(5) The Agriculture and Food Board submits the data of the establishments and plants of operators to whom an activity licence has been granted to the European Commission and to other Member States in accordance with the requirements provided in the legislation of the European Union.

(6) The Agriculture and Food Board decides an application for an activity licence by granting or refusing to grant it within 90 days after the date of receiving the application, taking account of Article 99 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

§ 27. Object of inspection of activity licence

An operator is granted an activity licence where their establishment complies with this Act and legislation established on the basis thereof and with the following relevant requirements of the provisions of the legislation of the European Union:

1) Articles 97 and 181 of Regulation (EU) 2016/429 of the European Parliament and of the Council;
2) Articles 5–8 and 10–17 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, pp 1–63);
4) Articles 5–19 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. Specifics of suspension and revocation of an activity licence

In addition to the situations provided in §§ 37 and 43 of the General Part of the Economic Activities Code Act, the Agriculture and Food Board can fully or partially suspend an activity licence or revoke an activity licence where the licence holder has violated the requirements of this Act or those of a legal instrument established on the basis of this Act or legal instrument of the European Union, which are not the subject matter of controls regarding the activity licence.

Subchapter 2
Traceability of Animals

§ 29. Ways of identification of an animal

(1) The ways of identification of an animal include marking, description and ownership.

(2) The marking of an animal means equipping the animal with a means of electronic identification or another permanent and unique artificial distinction-enabling feature, which allows for identifying the ownership of the animal.

(3) The description of an animal for the purpose of its distinction is used in the case of an animal that cannot be marked or whose marking is impractical.

(4) An animal that cannot be marked or whose marking is impractical and whose description cannot be drawn up due to the high external similarity of the individuals of the animal species is identified via its ownership.

(5) In the event of identification via ownership an animal is deemed as belonging to the person in whose possession or confined territory or in whose building or facility the animal is located, unless a person interested in its ownership proves otherwise.

§ 30. Identification of a kept animal

(1) An animal keeper identifies a terrestrial animal kept by them, except for a dog, cat or ferret, in accordance with the rules provided in Articles 112–115 and 117 of Regulation (EU) 2016/429 of the European Parliament and of the Council and in Commission Delegated Regulation (EU) 2019/2035.

(2) The Agriculture and Food Board approves an electronic means of identification that complies with 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 Agriculture and Food Board decides the approval of the use of an electronic means of identification specified in subsection 2 of this section within 30 days after it was applied for.

(4) A means of identification used for making a terrestrial animal and an equid (hereinafter *farmed animal*) kept for the purpose of obtaining a product of animal origin and a germinal product in the ordinary manner is, on the basis of an application and at the expense of the applicant, issued by a person that has concluded an administrative contract with the Agriculture and Food Board. An injectable electronic means of identification used for marking a farmed animal is issued only to a veterinarian.

(5) The person that has concluded the administrative contract with the Agriculture and Food Board transmits information on issued means of identification to the Agricultural Registers and Information Board in a machine-readable form.

(6) To conclude the administrative contract specified in subsection 4 of this section, the Agriculture and Food Board announces a competition. A competition notice is published on the website of the Agriculture and Food Board.

§ 31. Keeping records of farmed animals and aquaculture animals

(1) An animal keeper keeps records of their activities in accordance with the following legislation:
1) Articles 102–107 and 186–190 of Regulation (EU) No 2016/429 of the European Parliament and of the Council;
2) Articles 22–37 of Commission Delegated Regulation (EU) 2019/2035;
3) Articles 8 and 9 of Commission Delegated Regulation (EU) 2020/686;
4) Articles 22–35 of Commission Delegated Regulation (EU) 2020/691.

(2) Based on records kept of their activities, an animal keeper submits information to the register of farmed animals in accordance with the rules provided in this Act and legislation established on the basis thereof.

(3) The rules of marking and registration of farmed animals, issue of cattle passports, rules of notification of slaughtering, death and elimination of farmed animals and requirements for removal and replacement of means of identification of farmed animals are established by a regulation of the minister in charge of the policy sector.

(4) The minister in charge of the policy sector may by a regulation establish rules of granting exemptions specified in Articles 39–41, 47, 48, 53, 54 and 59–62 of Commission Delegated Regulation (EU) 2019/2035, applying for exemptions and processing applications for exemptions.

§ 32. Identification of a dog, cat and ferret and keeping records thereof

(1) The keeper of a dog, cat and ferret organises the identification of their animal.

(2) In the event of movement of a dog, cat or ferret to another Member State for a commercial purpose or movement of more than five dogs, cats or ferrets to another Member State for a non-commercial purpose the animals are marked in accordance with Article 70 of Commission Delegated Regulation (EU) 2019/2035.

(3) In the event of movement to another Member State for a non-commercial purpose, a dog, cat and fetter is marked in accordance with Article 17 of Regulation (EU) No 576/2013 of the European Parliament and of the Council.

(4) The municipality organises the keeping of record of dogs and, where necessary, of other pet animals.

(5) Regarding a dog, cat and ferret marked with an electronic means of identification in accordance with subsection 2 of § 29 of this Act the data of the means of identification are entered in a database used for record-keeping in accordance with subsection 4 of this section.

§ 33. Approval of an injectable electronic means of identification used for marking a dog, cat and ferret and the pet animal passport

(1) An injectable electronic means of identification used for marking a dog, cat and ferret is approved by the Agriculture and Food Board.

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

(3) To have an injectable electronic means of identification used for marking a dog, cat and ferret approved, the manufacturer or distributor submits an application to the Agriculture and Food Board.

(4) The Agriculture and Food Board makes a decision to approve or not to approve a means of identification specified in subsection 3 of this section within 30 days after the submission of an application specified in subsection 3.

(5) The Agriculture and Food Board publishes a manufacturer-based list of approved electronic means of identification on its website.

(6) A veterinarian issues a duly completed identification document specified in Article 6(d) of Regulation (EU) No 576/2013 of the European Parliament and of the Council (hereinafter *pet animal passport*) to an animal keeper in accordance with Article 22 of the same Regulation.

(7) A veterinarian issuing a pet animal passport retains the information specified in Article 21(1)(a)–(c) and Article 21(3) of Regulation (EU) No 576/2013 of the European Parliament and of the Council for at least ten years from the issue of the pet animal passport.

(8) A person that has concluded an administrative contract with the Agriculture and Food Board organises the printing of blank pet animal passports and issue thereof to a veterinarian and the keeping of records of the issue of pet animal passports to a veterinarian.

(9) To conclude the administrative contract specified in subsection 8 of this section, the Agriculture and Food Board announces a competition. A competition notice is published on the website of the Agriculture and Food Board.

Subchapter 3
Register of Farmed Animals

§ 34. Register of farmed animals

(1) The register of farmed animals is a register for the purposes of Articles 101 and 185 and a computer database for the purposes of Article 109 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(2) The purpose of the register of farmed animals is, with the aim of ensuring efficient veterinary supervision and veterinary controls, to keep records of the following persons and their activities:
1) a person that has been granted an activity licence or a person that has submitted a notice of economic activities on the basis of this Act and a person specified in subsection 4 of § 24 of this Act;
2) a person that, under the Animal Protection Act, has been granted a transporter authorisation and a long journeys transporter authorisation and a person that, under the Animal Protection Act, has been granted an activity licence for breeding, supplying or using experimental animals;
3) a person that has been granted an activity licence under the Farmed Animals Breeding Act.

(3) The register of farmed animals and the statutes thereof are established by a regulation of the minister in charge of the policy sector.

(4) The controller of the register of farmed animals is the Ministry of Rural Affairs and the processor is specified in the statutes of the register of farmed animals.

§ 35. Information entered in the register of farmed animals

(1) The following information is entered in the register of farmed animals regarding a person and their activities:
1) the information specified in subsection 1 of § 51 of the General Part of the Economic Activities Code Act;
2) the relevant information specified in Articles 93, 101, 109, 173 and 185 of Regulation (EU) 2016/429 of the European Parliament and of the Council;
3) the relevant information specified in Articles 18–21, 42, 49, 56 and 64 of Commission Delegated Regulation (EU) 2019/2035;
4) the information specified in Articles 6 and 7 of Commission Delegated Regulation (EU) 2020/686;
5) the information specified in Articles 20 and 21 of Commission Delegated Regulation (EU) 2020/691;
6) the information specified in Articles 23(1) and 24(1) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.

(2) The details of a person that has been granted an activity licence for slaughtering farmed animals under the Food Act are obtained from the national register of food and feed business operators.

(3) The Agricultural Registers and Information Board refuses to make an entry to the register of farmed animals regarding a farmed animal and an aquaculture animal where a person has knowingly given false information or where a person has by a court judgment been deprived of the right to keep a farmed animal or aquaculture animal of such a species.

(4) Information is submitted to the register of farmed animals on paper, via the e-service environment of the Agricultural Registers and Information Board or another e-service environment, which communicates with the register of farmed animals via the data exchange layer of the information systems of the state.

(5) The person who submits information is responsible for the correctness of the information entered in the register of farmed animals. Where information entered in the register of farmed animals on a person and their place of business and on animals and their movement changes, an application for an update of the information is submitted without delay but not later than within five working days after the information changes.

(6) Information entered in the register of farmed animals is public, except for information subject to restricted access. Revoked registry information and the underlying documents thereof are retained in accordance with the rules and for a period provided in subsection 3 of § 64 of the General Part of the Economic Activities Code Act.

(7) The provisions of the General Part of the Economic Activities Code Act regulating registers apply to the register of farmed animals, taking account of the specificities provided in this Act, the Animal Protection Act and the Farmed Animals Breeding Act.

Subchapter 4
Keeping, Public Exhibition, Assembly and Transport of Animals

§ 36. Biosecurity plan

(1) A biosecurity plan regarding biosecurity measures applied in the establishment is drawn up by a person who submitted a notice of economic activities under clauses 1–3 of subsection 2 of § 24 of this Act and was granted an activity licence to engage in a field of activity or establishment specified in clauses 1–4 of subsection 2 of § 25 of this Act.

(2) The list of animal species the keeping of which requires a person to draw up a biosecurity plan is established by a regulation of the minister in charge of the policy sector.

(3) The list specified in subsection 2 of this section is, where necessary, established based on the types of keeping animals or types of production.

(4) In drawing up and updating a biosecurity plan, the biosecurity measures provided 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 in Article 25 of the same Regulation are taken into account.

(5) A person draws up a biosecurity plan within 30 days after the submission of a notice of economic activities in accordance with clauses 1–3 of subsection 2 of § 24 of this Act or being granted an activity licence in accordance with clauses 1–5 of subsection 2 of § 25 of this Act, updates the plan and keeps records of its implementation.

(6) A biosecurity plan is retained for a term of two years after the expiry of the requirement to implement it.

§ 37. Keeping of an animal, a stray and ownerless animal and capture of an animal

(1) An animal keeper and a pet animal keeper ensure the keeping of their animal in accordance with veterinary requirements and apply measures necessary to prevent the animal from straying.

(2) An animal or pet animal that has strayed from their keeper means an animal that is, without the presence of the owner or a person responsible for the animal, located outside the territory belonging to or used by the keeper.

(3) An animal keeper and a pet animal keeper is required to arrange the capture of their stray animal.

(4) An ownerless animal means an animal without identification, whose owner cannot be identified.

(5) The municipality arranges the capture, keeping and slaughter of an ownerless animal in accordance with the Animal Protection Act.

(6) Where an animal keeper or a pet animal keeper fails to arrange the capture of their animal, the municipality arranges it in accordance with subsection 5 of this section.

(7) Costs related to capturing and keeping an animal are borne by the animal keeper.

§ 38. Animal exhibition, competition, fair and auction and other public event involving bringing animals together

(1) A clinically healthy and duly identified animal that complies with relevant veterinary requirements may be brought to an animal exhibition, animal competition, animal fair, animal auction and other public event involving the bringing of animals together (hereinafter *event*).

(2) The event organiser ensures the well-being of the animal and the availability of the veterinary service throughout the event.

(3) The event organiser notifies the Agriculture and Food Board at least ten days before the start of the event of at least the following:
1) type of the event: exhibition, competition, fair or auction or other public event involving the bringing of animals together;
2) start and end dates of the event;
3) the location of the event;
4) the animal species 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) the health information of the animal required for participating in the event;
8) the name and contact details of the event organiser.

(4) The Agriculture and Food Board keeps records of events held. Information about events is public and retained for three years starting from the date of registration of the event.

(5) The Agriculture and Food Board may ban the bringing of animals of a certain species together or the use thereof at an event where a threat of the transmission of an animal disease has been identified by a risk analysis.

(6) The Agriculture and Food Board informs the event organiser without delay of banning the bringing of animals of a certain species together or the use thereof at the event and, where necessary, informs the public via the mass media. The event organiser informs participants of the banning of the bringing of animals together or of using them at the event.

(7) In transporting an animal from an event venue to the place of permanent keeping of the animal, an animal keeper and a pet animal keeper apply biosecurity measures appropriate to the control of a possible spread of an animal disease.

§ 39. Transport of farmed animals and aquaculture animals

(1) The means of transport is cleaned and disinfected after each journey with farmed animals and aquaculture animals or, where necessary, also before the next journey.

(2) A sick or suspected farmed and aquaculture animal is transported as a separate cargo under the supervision of a veterinarian. The carrier informs the veterinarian of the sickness and death of such an animal without delay.

(3) The carrier retains documents serving as the basis for the accounting of the carriage of farmed and aquaculture animals for a period of three years following the carriage.

§ 40. Derogation in respect of assembly of ungulates and poultry

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

Subchapter 5
Veterinary Requirements for Handling of Slaughter Animals, Products of Animal Origin and Germinal Products

§ 41. Handling of a slaughter animal, product of animal origin, germinal product, animal by-product and derived product

(1) A slaughter animal means an animal intended for slaughter for the purpose of producing meat and meat products.

(2) A slaughter animal and a product of animal origin is handled in accordance with the veterinary requirements provided in Regulations (EU) 2016/429 and (EC) 853/2004 of the European Parliament and of the Council.

(3) In the situations specified in Articles 1(3)(d) and (e) of Regulation (EC) 853/2004 of the European Parliament and of the Council, an animal may be slaughtered and a product of animal origin obtained from it may be handled in accordance with the requirements of subsection 3 of § 26 of the Food Act and Article 1(4) of the same Regulation.

(4) A germinal product is handled in accordance with the veterinary requirements provided 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 allow for variations in handling animal by-products and derived products provided in Article 19 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council.

(6) Veterinary requirements for products of animal origin and the handling thereof, including those of slaughtering an animal for personal use are established by a regulation of the minister in charge of the policy sector.

(7) Requirements for marking a germinal product are established by a regulation of the minister in charge of the policy sector.

Chapter 4
Bringing Animals and Goods to Estonia, Trading therein and Export thereof and Non-commercial Movement of Pet Animals

Subchapter 1
Bringing to Estonia

§ 42. Conditions of bringing to Estonia

(1) A product of animal origin, germinal product, hey and straw (hereinafter collectively *goods*) and an animal may be brought to Estonia only via a border control post 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, 'bringing an animal and goods to Estonia' means the activity specified in Article 3(40) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) For the purposes of this Act, 'border control post' means 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 regarding a consignment containing an animal or goods brought to Estonia from a third country.

(4) In delivering an animal and goods included 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 to Estonia, the animal and goods are subject to veterinary checks.

(5) For the purpose of performance of veterinary checks at a border control post, the person in charge of the consignment including an animal or goods notifies the border control post via which the entry has been planned of bringing such a consignment to Estonia no less than one working day in advance. The border control post via which the entry has been planned is notified of entry via a road checkpoint at least four hours in advance.

(6) When bringing an animal or goods to Estonia by ship or airplane, the person in charge of the consignment submits a cargo manifest to the official veterinarian of the border control post.

(7) An animal and goods regarding which veterinary requirements have not been established may be brought to Estonia with the permission of the Agriculture and Food Board from a country having an animal health situation similar to that of Estonia or from a region of such a country, provided that the animal is or the goods are safe to animal and human health. To bring such an animals or goods to Estonia, the importer must request the communication of appropriate veterinary requirements.

(8) The Agriculture and Food Board ascertains on the basis of the results of a risk analysis the potential risks to human and animal health involved in bringing the animal or goods specified in subsection 7 of this section to Estonia, including the need to submit a certificate for the attestation of compliance with veterinary requirements, and communicates to the importer the veterinary requirements for bringing the animal or goods to Estonia.

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

(10) To store in transit food of animal origin in a free zone or customs warehouse, the operator must hold an authorisation in accordance with the Food Act.

§ 43. Designation of a border control post

(1) Based on a request of the owner or possessor of a border control post, the Agriculture and Food Board designates the border control post through which it is permitted to bring animals and goods to Estonia, provided that a Member State has the right to determine the border control post in accordance with the relevant legislation of the European Union.

(2) The list of border control posts is published on the website of the Agriculture and Food Board in accordance with the requirements of Article 60 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) The owner or possessor of the border control post submits to the Agriculture and Food Board a written request for the designation of the border control post specified in subsection 1 of this section.

(4) For the purpose of performance of veterinary checks, the Agriculture and Food Board has the right to be provided with premises and, where possible, furnished office rooms that comply with occupational safety and health requirements by the lawful possessor thereof or, where the owner is not the possessor, by the owner thereof for use without charge at the border control post. The Agriculture and Food Board pays for telecommunications services. The owner or possessor of the border control post who, upon the transfer of

possession of the post, was granted the respective right by the owner, pays for public utility services and other services necessary for the maintenance of the premises.

(5) In accordance with Article 59(2) of Regulation (EU) No 2017/625 of the European Parliament and of the Council, the Agriculture and Food Board notifies the European Commission of the intent to designate a border control post.

(6) After receiving a notice specified in Articles 59(3)–(5) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the Agriculture and Food Board makes a respective decision without delay.

(7) In a situation provided in Article 62(1) and Articles 63(1) and (4) of Regulation (EU) No 2017/625 of the European Parliament and of the Council, the Agriculture and Food Board makes an appropriate decision and change in the list of border control posts and notifies the European Commission and other Member States thereof in accordance with Articles 62 and 63 of the same Regulation.

(8) The Agriculture and Food Board delivers a decision to designate or refuse to designate a border control post to the owner or possessor of the border control post within three working days after making the decision.

Subchapter 2
Trade

§ 44. Terms of trade

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

(2) A trade animal, product of animal origin and germinal product must comply with veterinary requirements.

(3) In trading, veterinary supervision and veterinary controls are performed in accordance with the requirements provided in Regulation (EU) 2017/625 of the European Parliament and of the Council.

(4) Where it has been established by way of veterinary supervision or veterinary controls that an animal, product of animal origin or germinal product does not comply with the requirements, the Agriculture and Food Board applies the measures provided in Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

§ 45. Veterinary supervision regarding the compliance of an animal, product of animal origin and germinal product in Union transit

(1) In the event of a suspected violation of the requirements for a consignment or carriage of an animal, product of animal origin or germinal product, the Agriculture and Food Board may check the compliance of the consignment and carriage in the course of its Union transit.

(2) ‘Union transit’ means conveyance of a consignment from one Member State to another via Estonia.

(3) Where it has been established by way of veterinary supervision performed in the course of Union transit that an animal, product of animal origin or germinal product does not comply with the requirements, the Agriculture and Food Board applies the measures provided in Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

Subchapter 3
Non-commercial Movement of Pet Animals

§ 46. Terms of non-commercial movement of pet animals

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

(2) The non-commercial movement of pet animals that comply with the conditions set out in Article 7(1) of Regulation (EU) No 576/2013 of the European Parliament and of the Council to Estonia is permitted on the terms provided in Article 7(2) of the same Regulation.

Subchapter 4
Export

§ 47. Terms of export of an animal, product of animal origin and germinal product

(1) An exported animal, product of animal origin and germinal product must comply with veterinary requirements applicable to trading therein and with those established by a third country.

(2) An animal, product of animal origin and germinal product may be exported via a border control post open for international traffic.

(3) In exporting an animal, product of animal origin and germinal product, their carriage must take place under customs supervision until exiting the territory of the European Union.

Subchapter 5
Proof of Conformity

§ 48. Certificate of conformity

(1) The Agriculture and Food Board publishes the type and form of a conformity-proving certificate and the information given on the certificate regarding an animal, product of animal origin and germinal product on its website, following the requirements of the third country.

(2) A certificate is issued by the Agriculture and Food Board.

(3) To obtain a certificate, a written application is submitted to the Agriculture and Food Board as follows:
1) at least 48 hours prior to the export of an animal or transportation of an animal to another Member State;
2) at least 24 hours prior to the export of a product of animal origin and germinal product or transportation of a product of animal origin and germinal product to another Member State;
3) at least 24 hours prior to the carriage of goods in transit from a border control post to a ship leaving from the territory of the European Union, provided that the consignment is designated for supplying the ship.

(4) An application specified in subsection 3 of this section must contain information which allows for performing the necessary supervisory operations and filling in the form of the certificate. The Agriculture and Food Board may demand that the applicant submit the required data also in the language of the country of destination.

(5) A certificate is not issued where the Agriculture and Food Board has established at least one of the following circumstances:
1) the animal, product of animal origin or germinal product does not comply with the relevant veterinary requirements;
2) the application has not been submitted in accordance with the requirements provided in subsections 3 and 4 of this section;
3) the application contains false information.

Chapter 5
Prevention and Control of Animal Disease

Subchapter 1
General Principles of Prevention and Control of Animal Disease

§ 49. Requirement to notify of a suspected and diagnosed animal disease and keep records thereof

(1) The animal keeper, pet animal keeper, veterinarian, laboratory or other relevant person notifies the Agriculture and Food Board of a suspicion and diagnosis of an especially dangerous animal disease without delay.

(2) The animal keeper, pet animal keeper or other relevant person notifies the veterinarian of a suspicion of an animal disease other than a compulsorily notifiable especially dangerous animal disease and of an anomaly in the health of the animal detected in the course of surveillance in accordance with Article 24 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(3) The veterinarian notifies the Agriculture and Food Board, the animal keeper and a pet animal keeper of diagnosing a compulsorily notifiable animal disease specified in subsection 2 of this section.

(4) The laboratory notifies the Agriculture and Food Board of a laboratory finding of a compulsorily notifiable animal disease or zoonotic agent specified in subsection 2 of this section, keeps records of the laboratory findings of a compulsorily notifiable and other animal disease and zoonotic agent and submits a report on the findings to the Agriculture and Food Board.

(5) The list of zoonoses a finding of the agents of which must be reported to the Agriculture and Food Board and the list of other animal diseases and zoonotic agents the records of a finding of which must be kept by the laboratory is established by a regulation of the minister in charge of the policy sector.

(6) Requirements for a notice submitted to the Agriculture and Food Board, the rules of submission of a notice, the rules of keeping records of laboratory findings of zoonotic agents, submission of reports thereon and contents of reports are established by a regulation of the minister in charge of the policy sector.

(7) In entertaining suspicion of and diagnosing a compulsorily notifiable or emerging animal disease, the Agriculture and Food Board follows 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, pp 211–340).

(8) The Agriculture and Food Board submits to the European Commission and other Member States a notice of an outbreak in accordance with Article 19 of Regulation (EU) 2016/429 of the European Parliament and of the Council as well as a report in accordance with Article 20 thereof regarding an animal disease entered in the list referred to in Article 9(1)(e) of the same Regulation.

(9) By 31 May, the Agriculture and Food Board annually submits to the European Commission an overview of zoonoses, zoonotic agents and related drug-resistant tendencies and sources and foodborne outbreaks registered in the course of the preceding calendar year.

(10) The Agriculture and Food Board designates the appropriate notification and reporting regions referred to in Article 21 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

§ 50. Contingency plan and simulation exercise

(1) In order to be prepared for an outbreak of an especially dangerous animal disease, the Agriculture and Food Board draws up a contingency plan and, where necessary, a detailed instruction manual specified in Article 43 of Regulation (EU) 2016/429 of the European Parliament and of the Council and carries out simulation exercises for the purpose of verifying the functionality of cooperation in combating the animal disease.

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

§ 51. Prevention and control of an animal disease in a wild animal population

In preventing and controlling an animal disease in a wild animal population, the Agriculture and Food Board, in cooperation with the Environmental Board and persons holding the right to hunt, applies hunting-related measures, including appropriate biosecurity measures published on the website of the Agriculture and Food Board.

§ 52. Handling of an animal disease agent and biological product

In handling an animal disease agent and biological product, the biosecurity, biosafety and bio-containment requirements compliant with Article 16 of Regulation (EU) 2016/429 of the European Parliament and of the Council are followed.

§ 53. Suspected animal disease and diagnosis thereof

(1) Depending on the nature of an animal disease agent, an animal disease is suspected where clinical symptoms characteristic to the disease occur in one or more animals, or on the basis of an autopsy finding or the results of laboratory testing or in the event of direct or indirect contact with the infected herd or animal.

(2) A product of animal origin or germinal product is suspected of having a disease agent by a decision of the Agriculture and Food Board in a situation where, according to information available to it, the product may contain or be contaminated with a disease agent.

(3) The Agriculture and Food Board notifies an animal keeper and a handler of a product of animal origin or germinal product of measures applied due to a suspected or diagnosed animal disease in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council in an animal establishment, household where pet animals are kept and in an establishment handling a product of animal origin or germinal product.

(4) An animal disease is diagnosed by a veterinarian, taking into account the following circumstances:
1) the epidemiological situation;
2) the clinical manifestations;
3) the autopsy finding;
4) the results of a laboratory analysis.

(5) Where necessary, a diagnostic slaughter is carried out for the purpose of sampling in order to confirm a suspected disease using the prescribed means and method of stunning and killing.

(6) An animal is designated for a diagnostic slaughter by the Agriculture and Food Board.

(7) The official diagnosis of a compulsorily notifiable animal disease is given by the Agriculture and Food Board on the basis of the clinical manifestations of the animal disease, the autopsy finding, epidemiological information and results of a laboratory analysis.

Subchapter 2
Animal Disease Control Programme, Animal Disease Control Measures and Disease-free Status

§ 54. Drawing up and implementing an animal disease control programme

(1) For the purposes of this Act, ‘animal disease control programme’ means an eradication programme for the purposes of Article 31 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(2) On an animal disease entered in the list referred to in Article 9(1)(b) of Regulation (EU) 2016/429 of the European Parliament and of the Council (hereinafter *animal disease subject to compulsory control*) regarding which a certain region or compartment of the state does not have a disease-free status, the Agriculture and Food Board draws up and implements an animal disease control programme, taking into account the requirements provided in Commission Delegated Regulation (EU) 2020/689.

(3) Where necessary, the Agriculture and Food Board draws up and implements an animal disease control programme regarding an animal disease entered in the list referred to in Article 9(1)(c) of Regulation (EU) 2016/429 of the European Parliament and of the Council (hereinafter *animal disease subject to ad hoc control*), taking into account the requirements of Article 32 of the same Regulation.

(4) Where the Agriculture and Food Board has not drawn up a programme for controlling an animal disease that is subject to ad hoc control, a programme may be drawn up and implemented also by an animal keeper, association of agricultural producers or other person, taking into account the requirements of Article 32 of Regulation (EU) 2016/429 of the European Parliament and of the Council.

(5) An animal disease control programme specified in subsection 4 of this section is submitted by an animal keeper, association of agricultural producers or other person to the Agriculture and Food Board for approval and the latter decides whether to approve or refuse to approve the programme within 30 working days as of the day of receipt of the programme.

(6) Information specified in Article 34 of Regulation (EU) 2016/429 of the European Parliament and of the Council on a control programme of an animal disease subject to compulsory and ad hoc control is submitted to the European Commission by the Agriculture and Food Board.

(7) Costs related to the implementation of an animal control programme specified in subsection 4 of this section are covered by the submitter of the programme.

§ 55. Control measures of an animal disease subject to compulsory and ad hoc control

(1) In the event of a suspected animal disease subject to compulsory control and ad hoc control, the Agriculture and Food Board and the animal keeper apply measures specified in Articles 72–76 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Article 68 of Commission Delegated Regulation (EU) 2020/687 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 03.06.2020, pp 64–139) regarding terrestrial animals and Article 110 of the same regarding aquatic animals.

(2) In the event of a diagnosed animal disease subject to compulsory control and ad hoc control, the Agriculture and Food Board and the animal keeper apply measures specified in Articles 77–83 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Article 69 of Commission Delegated Regulation (EU) 2020/687 regarding terrestrial animals and Article 111 of the same regarding aquatic animals.

(3) More detailed measures for prevention and control of animal diseases subject to compulsory and ad hoc control may be established by a regulation of the minister in charge of the policy sector in accordance with the requirements provided in the legislation of the European Union.

§ 56. Disease-free status and proof thereof

(1) In order to obtain a disease-free status specified in Articles 36 and 37 of Regulation (EU) 2016/429 of the European Parliament and of the Council for Estonia or a part thereof, the Agriculture and Food Board submits an application and other documents prescribed by the legislation of the European Union to the European Commission and informs the European Commission and Member States of a change in the conditions that need to be fulfilled for maintaining a disease-free status under Article 41 of the same Regulation.

(2) The Agriculture and Food Board keeps records of the animal disease-related status of an animal establishment that implements a control programme regarding an animal disease subject to compulsory control and ad hoc control.

(3) At the request of an animal keeper, the Agriculture and Food Board issues to the animal keeper a document certifying a disease-free status of their animal establishment within 20 working days as of the receipt of the request.

Subchapter 3
Especially Dangerous Animal Disease and Emerging Disease Control Measures

§ 57. Threat of an especially dangerous animal disease

(1) 'Threat of an especially dangerous animal disease' (further on in this Subchapter referred to as *animal disease threat*) means large-scale spread of an especially dangerous animal disease in another Member State or in a neighbouring state of Estonia and a situation where a neighbouring state has established an endangered zone or surveillance zone that extends to the territory of Estonia or where, as a result of a risk analysis, it has become evident that the disease may spread to the territory of Estonia. An animal disease threat also means the spread of an especially dangerous or emerging animal disease in the territory of Estonia in a situation where the spread of the disease in one administrative unit or in several administrative units endangers the remaining territory of Estonia.

(2) In the event of an animal disease threat, the Agriculture and Food Board may apply measures applicable in the event of a suspected or diagnosed animal disease where the results of a risk analysis of an animal disease threat call for it.

(3) In the event of an animal disease threat, the Agriculture and Food Board notifies the population via the mass media of the need to apply appropriate animal disease control measures.

§ 58. Suspicion of an especially dangerous animal disease and end thereof

(1) A veterinarian reports and the Agriculture and Food Board decides the existence of a suspicion of an especially dangerous animal disease.

(2) In the event of a suspicion of an especially dangerous animal disease, the Agriculture and Food Board and the animal keeper apply measures provided in Articles 53–59 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Articles 5–10 of Commission Delegated Regulation (EU) 2020/687 regarding terrestrial animals and Articles 70–76 of the same regarding aquatic animals as well as other appropriate measures.

(3) The Agriculture and Food Board notifies an animal keeper and a handler of a product of animal origin or germinal product of the end of a suspicion of an especially dangerous animal disease within 24 hours after making a respective decision.

§ 59. Control of an especially dangerous animal disease and emerging disease

(1) In the event of diagnosing an especially dangerous animal disease, the Agriculture and Food Board and the animal keeper apply measures provided in Articles 60–71 of Regulation (EU) 2016/429 of the European Parliament and of the Council and Articles 11–67 of Commission Delegated Regulation (EU) 2020/687 regarding terrestrial animals and Articles 77–109 of the same regarding aquatic animals.

(2) In the event of diagnosing an emerging disease, the Agriculture and Food Board and the animal keeper apply control measures applicable based on Articles 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) More detailed measures for prevention and control of especially dangerous animal diseases and emerging diseases may be established by a regulation of the minister in charge of the policy sector in accordance with the requirements provided in the legislation of the European Union.

(4) The Agriculture and Food Board notifies an animal keeper and a handler of a product of animal origin or germinal product of measures and restrictions established and terminated in their establishments.

(5) The Agriculture and Food Board may perform the required disease control operations also without the presence or advance notification of an animal keeper, handler of a product of animal origin or germinal product.

(6) The Agriculture and Food Board informs the public of the establishment and termination of restrictions via the mass media.

(7) Without delay, the Agriculture and Food Board notifies the European Commission of the animal disease control measures applied on the basis of this section.

(8) In the event of an outbreak of an especially dangerous animal disease or emerging disease, a person engaged in slaughtering or killing animals and a handler of a product of animal origin or germinal product apply animal disease control measures in accordance with the Agriculture and Food Board's compliance notice.

§ 60. Emergency and emergency situation

(1) A wide and rapid spread of an especially dangerous animal disease or emerging disease is deemed an emergency for the purposes of subsection 1 of § 2 of the Emergency Act.

(2) Where extensive animal disease control measures need to be applied without delay in order to control the spread of an especially dangerous animal disease or emerging disease and the application of the emergency-resolving measures provided in this Act and in the Emergency Act do not allow for eliminating the threat or assisting the victims with sufficient effectiveness, the minister in charge of the policy sector makes a proposal to the Government of the Republic to declare an emergency situation in accordance with the Emergency Act.

Subchapter 4
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, pp 1–40).

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

(3) Where a system for the prevention of inter-carcass contamination has been introduced in a slaughterhouse, the Agriculture and Food Board may, in applying control measures in the event of a positive or unclear result of an analysis of a bovine animal carcass or a bovine spongiform encephalopathy, apply the variation provided 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.

(4) The spinal cord of ovine or caprine animals may be removed by a person that has been granted a meat-cutting activity licence under the Food Act.

Subchapter 5
Monitoring of Zoonoses and a Food-borne Outbreak

§ 62. Organisation of the monitoring of zoonoses

(1) 'Monitoring of zoonoses' means a system of collection, analysis and disclosure of data on zoonoses, zoonotic agents and related antimicrobial resistance.

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

(3) In organising the monitoring of zoonoses, the Agriculture and Food Board cooperates with the Health Board regarding the epidemiology of a zoonosis spreading among humans.

(4) Requirements for organisation of the monitoring of zoonoses are established by a regulation of the minister in charge of the policy sector.

(5) Rules of controlling salmonelloses are established by a regulation of the minister in charge of the policy sector.

§ 63. Food-borne outbreak

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

(2) The Health Board draws up a report summarising the results of epidemiological investigations of food-borne outbreaks carried out during the preceding calendar year and submits it to the Agriculture and Food Board annually by 31 March.

(3) The Health Board notifies the Agriculture and Food Board without delay of diagnosing a zoonosis in a human.

(4) The list of zoonoses subject to notification is established by a regulation of the minister in charge of the policy sector.

(5) Via an epidemiological investigation of a food-borne outbreak, the epidemiological nature of the outbreak, possible relevant foods and possible reasons of the outbreak are identified.

(6) More detailed requirements for an investigation into a food-borne outbreak may be established by a regulation of the minister in charge of the policy sector.

§ 64. Requirements for a food business operator

(1) For the purpose of monitoring zoonoses, a food business operator carries out investigations into the occurrence of zoonoses and zoonotic agents in accordance with requirements established on the basis of subsection 4 of § 62 of this Act, retains the results of the investigation, organises the preservation of the appropriate isolated zoonotic agent (hereinafter *isolate*) for the prescribed period and submits to the relevant authority specified in subsection 2 of this section the results of the investigation or the isolate at the authority's request.

(2) When a food business operator submits to the Agriculture and Food Board information 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), the operator conserves the relevant food or a sample thereof in order to allow for analysing it in a laboratory or for the epidemiological investigation of a food-borne outbreak.

(3) For the purpose of implementing subsection 1 of this section, more detailed requirements for carrying out an investigation, retaining results thereof, preserving an isolate and submitting these to the relevant authority may be established for handlers by a regulation of the minister in charge of the policy sector.

Subchapter 6
Damage Arising from Animal Disease Control and Support for Covering Disease Damage

§ 65. Compensation for damage arising from animal disease control

(1) The following damage caused by animal disease control is compensated to an animal keeper in the situations provided in this Act and in relevant legislation of the European Union, in accordance with the rules and at the rate provided therein and in accordance with the requirements provided in subsection 3 of § 3 of the Rural Development and Agricultural Market Regulation Act:
1) the value of an animal slaughtered on the basis of a compliance notice, including the value of a diagnostically slaughtered or killed animal and an animal deceased due to an animal disease;
2) the value of equipment, feed, packaging materials and product of animal origin or germinal product destroyed on the basis of a compliance notice.

(2) Damage specified in subsection 1 of this section is compensated out of the state budget funds allocated for that purpose from the reserves of the Government of the Republic where the damage has been caused by controlling an especially dangerous animal disease and by controlling an animal disease subject to compulsory control in accordance with relevant legislation of the European Union or subject to ad hoc control under a programme drawn up by the Agriculture and Food Board.

(3) Damage specified in subsection 1 of this section is not compensated to an animal keeper to whom compensation has been paid in connection with an outbreak of the same animal disease in the same animal establishment.

(4) Subsection 3 of this section is not applied where the animal establishment specified in the same subsection was repopulated with animals at a time when it was outside the area of trade restrictions established by a legal instrument of the European Commission due to the occurrence of the animal disease specified in subsection 3.

(5) Where damage specified in subsection 1 of this section, which has been suffered in connection with the control of an especially dangerous animal disease or an animal disease subject to compulsory or ad hoc control is compensated from the funds of the budget of the European Union in accordance with Regulation (EU) 2021/690 of the European Union 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), § 54 of the State Budget Act is applied.

(6) The list of animal diseases subject to compulsory and ad hoc control specified in subsection 2 of this section, whereby the disease damage specified in subsection 1 is compensated, is established by a regulation of the minister in charge of the policy sector.

(7) In the event of the support granted under subsection 1 of this section and the measures applied by the Agriculture and Food Board under §§ 55 and 59 of this Act, Article 26 of Commission Regulation (EU) 702/2014 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 193, 01.07.2014, pp 1–75) and other relevant legal instruments of the European Union are applied.

§ 66. Support for covering damage arising from animal disease control

(1) An animal keeper may apply for support for covering damage arising from the control of an animal disease specified in subsection 2 of § 65 of this Act and damage specified in subsection 1 of the same section to the extent that no insurance contract has been made for the indemnification of such damage (hereinafter *support for covering disease damage*).

(2) The amount of the damage specified in subsection 1 of § 65 of this Act is determined as follows:
1) the book value of the animal, except for that of a breeding animal;
2) in the event 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 area of animal breeding (‘Animal Breeding Regulation’) (OJ L 171, 29.06.2016, pp 66–143), the value of the breeding animal determined on the basis of an expert opinion;
3) the actual value of the equipment, feed, packaging materials and product of animal origin or germinal product.

(3) The Agriculture and Food Board bears costs related to obtaining an expert opinion specified in clause 2 of subsection 2 of this section.

(4) Requirements for an expert opinion and rules for the calculation of the value of an animal, including a breeding animal, are established by a regulation of the minister in charge of the policy sector.

§ 67. Application for support for covering disease damage

(1) In order to receive support for covering disease damage, an animal keeper submits and application to the Agriculture and Food Board (hereinafter *application*) within ten working days after the end of the slaughtering or killing of animals in their establishment based on a compliance notice, including diagnostic slaughtering, or after the death of animals in their establishment due to an animal disease. The animal keeper annexes to the application the documents proving the amount of the damage specified in subsection 1 of § 65 of this Act.

(2) Where an animal keeper has concluded an insurance contract under which the animal, breeding animal, equipment, feed, packaging material and product of animal origin or germinal product has been insured against the damage provided for in subsection 1 of § 65 of this Act, the animal keeper indicates it in the application and without delay informs the Agriculture and Food Board of the insurance indemnity paid out to the animal keeper thereunder.

(3) The time-limit of the proceedings arising from this Subchapter is not restored.

§ 68. Approval of an application and refusal to approve an application

(1) The Agriculture and Food Board reviews the application and the documents annexed thereto and verifies the correctness of the submitted information on the basis of relevant documents and databases.

(2) An application is refused where at least one of the following grounds of refusal to approve the application exists:
1) an animal was slaughtered, including diagnostically slaughtered or killed or died in the course of animal experimentation carried out for the purpose of scientific research of an animal disease;

2) an animal was slaughtered, including diagnostically slaughtered or killed without a relevant compliance notice;
3) an animal deceased for a reason other than an animal disease;
4) the requirements provided in this Act were not complied with in bringing an animal to Estonia;
5) an animal has not been identified or registered in accordance with the requirements provided in subsection 1 of § 30 of this Act;
6) the applicant obstructed regulatory enforcement required for controlling an animal disease or failed to comply with the requirements of a compliance notice;
7) the applicant knowingly submitted false information or influenced the processing of the application by fraud or a threat or in another unlawful manner;
8) equipment, feed, packaging material, product of animal origin or germinal product was destroyed without an appropriate compliance notice;
9) an insurance contract has been made for compensation of the damage specified in subsection 1 of § 65 of this Act.

(3) The applicant must have complied with an order specified in Article 1(5) of Commission Regulation (EU) No 702/2014 or another legal instrument of the European Union on refunding state aid declared illegal and incompatible with the internal market, provided that such a requirement arises from the legislation of the European Union.

(4) The Agriculture and Food Board decides to approve an application or to refuses to approve an application within ten working days after receiving the application.

(5) Within ten working days after approval of an application, the Agriculture and Food Board submits to the Minister of Rural Affairs information about the need for allocation of funds from the reserves of the Government of the Republic along with a detailed calculation, relevant budget and reasons for the use of the funds. On the basis of this information the Ministry of Rural Affairs submits to the Ministry of Finance an application for payment of support for covering damage arising from the control of an animal disease.

§ 69. Rate of support for damage arising from an animal disease, payment of support and refusal to pay support

(1) Damage arising from the control of an animal disease is compensated for to the extent of up to 100 per cent.

(2) The Agriculture and Food Board distributes the state budget funds allocated for payment of support for covering disease damage proportionally between animal keepers based on the number of approved applications, taking into account the funds required for payment of the support and calculates the amount of the support to be paid to the applicant. Where the total amount of the support based on the approved applications exceeds the funds allocated for payment of the support, the Agriculture and Food Board proportionally reduces the rate specified in subsection 1 of this section, taking into account the funds allocated for payment of the support and following the principle of the equal treatment of applicants.

(3) The Agriculture and Food Board decides whether to pay support for covering disease damage within 20 working days after the date of allocation or non-allocation of state budget funds from the reserves of the Government of the Republic. After the approval of the application, but before payment of the support it is decided not to pay the support where at least one of the following grounds for refusal to pay the support exists:
1) there are no funds for payment of the support;
2) grounds of refusal to pay the support are identified.

(4) Where an applicant has received an insurance indemnity for the damage specified in subsection 1 of § 65 of this Act, the Agriculture and Food Board reduces the support amount or leaves the support unpaid to the respective extent.

§ 70. Partial compensation of damage arising from animal disease control

An application for the partial coverage of the damage specified in subsection 1 of § 65 of this Act in a situation specified in the legislation of the European Union is submitted to the European Commission by the Agriculture and Food Board.

§ 71. Recovery of support

After payment of support for covering disease damage, the Agriculture and Food Board demands that the recipient of the support refund the support in full or in part on the grounds, within the time limit and in accordance with the rules provided in § 42 of the Rural Development and Agricultural Market Regulation Act.

Chapter 6

Veterinary Supervision, Veterinary Controls and Administrative Oversight

Subchapter 1
Overall Organisation of Veterinary Supervision, Veterinary Controls and Administrative Oversight

§ 72. Scope of veterinary supervision and veterinary controls

Veterinary supervision and veterinary controls are performed on compliance with veterinary requirements.

§ 73. Organisation of veterinary supervision and veterinary controls

(1) Veterinary supervision and veterinary controls are performed by the Agriculture and Food Board.

(2) In a situation provided in a legal instrument of the European Union, veterinary supervision and veterinary controls may be performed solely by an official veterinarian.

(3) In a situation prescribed by a legal instrument of the European Union, the Agriculture and Food Board may use an assistant official veterinarian in performing veterinary supervision and veterinary controls. The training of assistant official veterinarians is organised by the Agriculture and Food Board in accordance with the Adult Education Act.

(4) A veterinarian who has concluded an administrative contract with the Agriculture and Food Board on the basis of subsection 3 of § 78 of this Act (hereinafter *authorised veterinarian*) performs to the extent agreed on in the contract such veterinary supervision as diagnosis, sampling, vaccination and participation in the prevention or liquidation of an animal disease and a zoonosis.

(5) Where the Agriculture and Food Board needs the assistance of a veterinarian to perform an animal disease control activity, the Agriculture and Food Board notifies thereof via its website, describing the activity. The veterinarian is paid a fee for taking part in the animal disease control activity.

(6) Rates and rules of payment of the fee to a veterinarian for participation in an animal disease control activity are established by a regulation of the minister in charge of the policy sector.

(7) Veterinary supervision and veterinary controls are performed in accordance with Regulation (EU) No 2017/625 of the European Parliament and of the Council and other relevant legislation.

(8) The Agriculture and Food Board is the authority responsible for coordinating the preparation of a multiannual national control plan specified in Article 109(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council. The Agriculture and Food Board submits the multiannual national control plan and a report on the implementation of the plan to the European Commission in accordance with Article 113 of the same Regulation. The control plan is published on the website of the Agriculture and Food Board in accordance with Article 111(1) of the same Regulation.

(9) The Government of the Republic may by a regulation establish the rules for cooperation between law enforcement authorities in 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 of control-related cooperation for the purposes of Article 103(1) of Regulation (EU) No 2017/625 of the European Parliament and of the Council.

(2) Another law enforcement authority, administrative body or governmental agency notifies the Agriculture and Food Board without delay of the following possible violations of veterinary requirements:
1) a violation that may pose a threat to animal or human health or to animal welfare;
2) a violation that has been committed by knowingly creating a misconception of the actual circumstances.

§ 75. Special measures of veterinary supervision

(1) The Agriculture and Food Board may, for the purpose of performing the veterinary supervision provided in this Act, take special measures of regulatory enforcement provided in §§ 30–32, 44 and 49–53 of the Law Enforcement Act on the grounds and in accordance with the rules provided in the Law Enforcement Act.

(2) Applying the prohibition on stay provided in § 44 of the Law Enforcement Act, the Agriculture and Food Board may ban a person from staying at a certain place, order them to leave the place or keep a certain distance from the place, provided that this is necessary for the prevention or control of an animal disease.

(3) An official veterinarian may impose a prohibition on stay provided in § 44 of the Law Enforcement Act for a period of up to 12 hours. A prohibition on stay that lasts for more than 12 hours may be applied only by a decision of the Director General of the Agriculture and Food Board.

(4) Where the Agriculture and Food Board detects in the course of veterinary supervision that an animal, a product of animal origin or germinal product does not comply with veterinary requirements, the Agriculture and Food Board takes the actions provided in Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(5) Where animals or goods that don not comply with veterinary requirements are brought to Estonia, the Agriculture and Food Board applies the measures provided in Articles 66–69 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(6) The Agriculture and Food Board is not allowed to use direct coercion in taking a veterinary supervision action.

§ 76. Involvement of a law enforcement authority in the event of an outbreak of an especially dangerous animal disease and emerging disease

Where necessary, the Agriculture and Food Board involves a law enforcement authority in the performance of its functions for the purpose of supporting veterinary supervision on the grounds and in accordance with the rules provided in the Administrative Co-operation Act in order to check adherence to restrictions on the movement of means of transport, animals and people in an endangered zone and control zone.

§ 77. Administrative oversight

Administrative supervision over the performance of administrative contracts specified in subsection 4 of 30, subsection 8 of § 33 and subsection 4 of § 73 of this Act is exercised by the Agriculture and Food Board.

Subchapter 2
Rules of Authorisation of a Veterinarian and Rights and Duties of an Authorised Veterinarian

§ 78. Authorisation of a veterinarian

(1) To conclude an administrative contract specified in subsection 4 of § 73 of this Act, the Agriculture and Food Board announces a competition. A competition notice is published on the website of the Agriculture and Food Board.

(2) A person who applies for the rights of an authorised veterinarian must hold a valid professional activity licence and they must meet the criteria provided in Article 30 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) The Agriculture and Food Board makes a decision to grant authorisation to operate as an authorised veterinarian and concludes an administrative contract for the performance of the administrative function with a veterinarian or legal person who has successfully passed a competition. In the latter event, the contract sets out the name of the authorised veterinarian performing veterinary supervision in relation thereto with whom the legal person has a contractual relationship.

(4) Where a person complies with the requirements provided in subsection 2 of this section, the Agriculture and Food Board decides the granting of authorisation to the person within 30 working days after receiving an application.

(5) The right to act as an authorised veterinarian is granted for up to five years.

(6) The Agriculture and Food Board may refuse to grant authorisation where the person does not comply with the requirements provided in subsection 2 of this Act.

(7) A decision to grant or to refuse to grant authorisation is communicated to a person within five working days after making the decision.

§ 79. Rights of an authorised veterinarian

(1) Within the limits of their authorisation, an authorised veterinarian has the right to apply the measures provided in §§ 30, 49 and 50 of the Law Enforcement Act without exercising direct coercion.

(2) An authorised veterinarian has the right to surrender their authorisation by notifying the Agriculture and Food Board thereof in writing no less than 30 days in advance.

(3) Where an authorised veterinarian is killed or dies due to the performance of an authorisation-related function, one-off support is paid to their child, parent and spouse and to another person maintained by the authorised veterinarian within the meaning of the Family Law Act in the total amount of the ten years' average salary of the killed or deceased veterinarian. The funeral costs of a person killed or deceased under such circumstances are borne by the state.

(4) One-off support is paid to an authorised veterinarian whose capacity for work has decreased due to the performance of an authorisation-related function as follows:
1) in the event of a partial capacity for work, to the extent of their one year's average salary;
2) in the event of incapacity for work, to the extent of their five years' average salary.

(5) Where necessary, the connection specified in subsection 4 of this section between the scope of the person's capacity for work and an injury or disease suffered as a result of performance of the functions related to the authorisation of the authorised veterinarian is established by the Social Insurance Board in accordance with § 49^1 of the Civil Service Act.

§ 80. Identification of an authorised veterinarian

(1) The Agriculture and Food Board issues a competence-certifying identification to an authorised veterinarian.

(2) At a person's request, an authorised veterinarian must present to the person their veterinarian identification when performing a veterinary supervision activity.

§ 81. Duties of an authorised veterinarian

An authorised veterinarian:
1) impartially performs the duties vested in them by their authorisation;
2) performs the obligations provided in Article 32 of Regulation (EU) No 2017/625 of the European Parliament and of the Council;
3) retains the documents related to the duties performed in the framework of their authorisation and hands these over to the Agriculture and Food Board at the request of the latter or upon termination of their authorisation.

§ 82. Termination of authority

(1) Authorisation granted by an administrative contract terminates in the event of:
1) surrender of the authorisation;
2) expiry of the term of the authorisation;
3) the death of the authorised person;
4) withdrawal of the authorisation;
5) in the event of giving up the professional activity licence;
6) revocation of the professional activity licence.

(2) Where an administrative contract is terminated unilaterally or where there is another reason that prevents a legal or natural person to continue performing an administrative function, the Agriculture and Food Board takes without delay measures to ensure that the administrative function is performed.

§ 83. Suspension and withdrawal of authority

(1) In the event of suspension of the professional activity licence of an authorised veterinarian, the authorisation granted to them is suspended as well.

(2) Where the activities related to the authorisation of an authorised veterinarian are not in compliance with requirements, the Agriculture and Food Board suspends the authorisation and sets a time limit for elimination of the deficiencies. Where the authorised veterinarian fails to eliminate the deficiencies within the time limit, the Agriculture and Food Board withdraws the authorisation and unilaterally terminates the administrative contract.

§ 84. Remuneration of authorised veterinarians

(1) An authorised veterinarian has the right to receive remuneration for performing a veterinary supervision activity related to the authorisation.

(2) Remuneration for the performance of a veterinary supervision activity related to the authorisation of an authorised veterinarian is paid from the budget of the Agriculture and Food Board.

(3) Rates of remuneration paid for veterinary supervision activities related to the authorisation of authorised veterinarians and rules of remuneration of authorised veterinarians are established by a regulation of the minister in charge of the policy sector.

(4) Where the round trip travel costs required for the performance of a veterinary supervision activity related to the authorisation of an authorised veterinarian (hereinafter *authorised veterinarian's travel costs*) are not covered from the budget of the Agriculture and Food Board, the person with respect to whom the veterinary supervision activity is performed arranges the authorised veterinarian's travel to and from the place of performance of the activity or compensates for the authorised veterinarian's travel costs.

(5) In the event of using their personal vehicle in the performance of a veterinary supervision activity related to the authorisation, an authorised veterinary may demand that the person specified in subsection 4 of this section compensate for the travel costs per kilometre at a rate that is calculated on the basis of the average cost of use of the vehicles of authorised veterinarians, including on the basis of the average fuel consumption per kilometre in the calendar year preceding the performance of the activity plus value added tax where the authorised veterinarian is a person liable to value added tax. Compensation for travelling to and from the place of performance of the activity may be demanded for up to 90 kilometres.

(6) The rate of compensation payable for covering authorised veterinarians' travel costs per kilometre is established by a regulation of the minister in charge of the policy area.

Subchapter 3
Veterinary Supervision Fee

§ 85. Veterinary supervision fee

(1) The veterinary supervision fee (hereinafter *supervision fee*) is a charge paid at the rate established in and on the basis of this Act for performing veterinary supervision and veterinary controls (hereinafter collectively *veterinary supervision activity*). The supervision fee is transferred to a bank account that forms a part of the state treasury cash pool of the Ministry of Finance. The costs of a veterinary supervision activity include the costs of sending an official veterinarian to a factory vessel for the purpose of performing veterinary supervision and veterinary controls.

(2) No supervision fee is paid for the performance of a veterinary supervision activity in an establishment engaged in primary production for the purposes of Article 3(17) of Regulation (EC) No 178/2002 of the European Parliament and of the Council.

(3) For the performance of a veterinary supervision activity in an establishment handling food of animal origin of an operator subject to the notification requirement or the authorisation requirement or that of an operator who has complied with the notification requirement or with the approval requirement, in an establishment 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 in a retail establishment for the purposes of Article 3(7) of Regulation (EC) No 178/2002 of the European Parliament and of the Council, the supervision fee is charged on the grounds and in accordance with the rules provided in the Food Act.

§ 86. Person required to pay supervision fee

(1) A person required to pay the supervision fee (hereinafter *obligated person*) is a person in respect of whom a veterinary supervision activity has been performed.

(2) Several obligated persons are jointly and severally liable for payment of a supervision fee charged for the performance of a joint veterinary supervision activity.

§ 87. Principles of charging a supervision fee and rates of a supervision fee

(1) A supervision fee rate is calculated on the basis of the costs provided in Article 81 of Regulation (EU) No 2017/625 of the European Parliament and of the Council, which are related to veterinary supervision activities performed by the Agriculture and Food Board.

(2) A supervision fee for the performance of the veterinary supervision activities listed in Regulation (EU) No 2017/625 of the European Parliament and of the Council is charged at a rate provided in Annex IV to the same Regulation as follows:
1) a handler engaging in the slaughter of animals pays a supervision fee for the performance of an *ante mortem*or *post mortem*veterinary supervision activity regarding a slaughter animal based on the animal species;
2) a handler of food of animal origin pays a supervision fee based on the handling area of the handling establishment or that of a part of the handling establishment and the quantity of the handled food of animal origin;
3) in the event of processing milk, the handler pays a supervision fee based on the quantity of milk processed;
4) in the event of bringing a product of animal origin to Estonia, the person responsible for the consignment pays a supervision fee based on the quantity of the consignment;

5) in the event of the transit of an animal and goods, the person responsible for the consignment pays a supervision fee based on the number of official veterinarians performing the activity and the time spent on the activity;
6) in the event of bringing animals to Estonia, the person responsible for the consignment pays a supervision fee based on the live weight of the consignment and the animal species;

(3) A supervision fee is charged as an hourly fee in accordance with subsection 4 of this section for the following veterinary supervision activities:
1) assessment of the compliance of an establishment of an operator who is subject to the notification requirement or the approval requirement under this Act or who has complied with the notification requirement or with the approval requirement;
2) assessment of the compliance of an establishment of handling feed containing an animal by-product operated by an operator who is subject to the notification requirement or the approval requirement under the Feed Act or who has complied with the notification requirement or with the approval requirement;
3) veterinary controls preceding trade in and export of animals, products of animal origin and germinal products;
4) veterinary controls aimed at germinal products, hey and straw brought to Estonia.

(4) An obligated person must pay an hourly fee for the time spent on a veterinary supervision activity, but not more than for eight hours per activity. The time spent on the performance of a veterinary supervision activity is calculated with the accuracy of half-hour. The time spent on driving to the place of performance of a veterinary supervision activity is not taken into account.

(5) 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 activities by the Agriculture and Food Board, except for the performance of the veterinary supervision activities specified in subsection 3 of § 84 of this Act, serve as the basis for the calculation of the hourly rate. The remuneration and operating costs related to veterinary supervision activities, including laboratory analyses and investigations are calculated on the basis of the actual costs in the calendar year preceding the activity. The total costs related to veterinary supervision activities in the given period are divided by the work hours spent on the activities performed during the same period, except on carrying out laboratory analyses and investigations.

(6) In calculating the operating costs related to the veterinary supervision activities specified in subsection 5 of this section, the costs of additional laboratory analyses specified in subsection 9 are not taken into account.

(7) The rate of an hourly fee charged for the performance of veterinary supervision activities is established annually by a regulation of the minister in charge of the policy sector.

(8) In the course of performing a veterinary supervision activity, the Agriculture and Food Board has the right to charge an additional fee for the waiting time of a late consignment and a veterinary supervision activity performed outside the working hours at the request of a person as follows:
1) for the waiting time of a late consignment during the working hours, an additional fee is charged as an hourly rate per official veterinarian in accordance with subsection 4 of this section;
2) an additional fee for the waiting time of a late consignment outside the working hours is charged in the form of a double hourly fee per official veterinarian in accordance with subsection 4 of this section;
3) in addition to the supervision fee charged for the relevant veterinary supervision activity, an additional fee is charged in the form of an hourly fee per official veterinarian in accordance with subsection 4 of this section for performing an appropriate veterinary supervision activity outside the working hours at the request of a person.

(9) In the event specified in Article 79(2)(c) of Regulation (EU) No 2017/625 of the European Parliament and of the Council the obligated person pays a supervision fee for the performance of an additional veterinary control activity in the form of an hourly fee in accordance with subsection 4 of this section. Where any additional laboratory analyses need to be carried out in connection with an established violation of the veterinary requirements, the obligated person also pays the supervision fee to the extent of the total costs of these analyses.

§ 88. Payment of a supervision fee

(1) The Agriculture and Food Board makes a decision to charge a supervision fee for veterinary supervision activities performed during the previous calendar month by the seventh date of each calendar month.

(2) A decision to charge a supervision fee specified in subsection 1 of this section is not made where the supervision fee is less than 5 euros.

(3) A decision to charge a supervision fee is communicated to the obligated person electronically within five working days after the day of making the decision where the person has granted consent to such form of delivery.

(4) In the event specified in subsection 3 of this section a decision to charge a supervision fee is deemed delivered to an obligated person not specified in clauses 3 and 4 of subsection 2 of § 27 of the Administrative Procedure Act where the decision or an extract thereof has been sent to the email address of the obligated person.

(5) Where the obligated person has not consented to the electronic communication of a decision to charge a supervision fee, the Agriculture and Food Board communicates the decision to the person by delivering a written decision or an extract thereof to the person directly or by mail within five working days after making the decision.

(6) The obligated person transfers the supervision fee to the bank account indicated in the decision within 28 days after the day of receipt of the decision to charge the supervision fee.

(7) Where the obligated person does not pay the supervision fee within the time limit specified in subsection 6 of this section, the Agriculture and Food Board has the right to submit the decision to charge the supervision fee for enforcement in accordance with the rules provided in the Code of Enforcement Procedure.

(8) In the event of bringing an animal and goods to Estonia, the obligated person pays the supervision fee in the amount specified in a decision to charge the supervision fee, which was submitted by the Agriculture and Food Board before the consignment is placed under a customs procedure.

(9) When bringing an animal and goods to Estonia, the Agriculture and Food Board may exempt the obligated person from paying the supervision fee before placing the consignment under a customs procedure, provided that both of the following criteria are met:
1) the obligated person has presented a sufficient guarantee;
2) the obligated person has previously paid the supervision fee in the prescribed amount and by the due date.

(10) The rules of payment, receipt in cash and monitoring of payment of the supervision fee is established by a regulation of the minister in charge of the policy sector.

§ 89. Refund of overpaid supervision fee

(1) The Agriculture and Food Board makes a decision to refund an overpaid supervision fee and returns the fee to the obligated person to the extent that it was overpaid (hereinafter *overpaid supervision fee*) as soon as possible but not later than two months after the day of making the decision to charge the fee.

(2) The obligated person has the right to apply for a refund of an overpaid supervision fee within two years after the day of payment of the fee, provided that the overpaid fee has not been refunded in accordance with subsection 1 of this section.

(3) To apply for a refund of overpaid supervision fee, an obligated person submits to the Agriculture and Food Board a written application and a document certifying payment of the fee.

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

(5) The supervision fee is not refunded where the person who paid the fee or the person for whom the fee was paid cannot be identified or where the person is not entitled to a refund.

(6) The rules of refunding overpaid supervision fees are established by a regulation of the minister in charge of the policy sector.

Subchapter 4
Sampling, Analysis and Laboratories

§ 90. Taking and analysing samples in performing veterinary supervision and veterinary controls

(1) The Agriculture and Food Board may take samples at the expense of a person when inspecting a movable in performing veterinary supervision and veterinary controls. Where the movable is no longer fit for ordinary use following the inspection, the cost of the movable or the cost of restoring the movable for ordinary use is not compensated to the person.

(2) A person has the right to demand that, in addition to a sample taken in the course of performance of veterinary supervision and veterinary controls, an additional sample be taken on the same conditions and such sample remain at the person’s disposal. An additional sample is taken where appropriate and technically feasible.

(3) In the event of a dispute between the Agriculture and Food Board and a person, which arises from a second expert opinion provided in Article 35 of Regulation (EU) 2017/625 of the European Parliament and of the Council, the person may at their own expense request a review of the documents of the initial analysis

and, where necessary, have a sample specified in subsection 2 of this section analysed in a second laboratory specified in Article 37(1) of the same Regulation.

(4) Regardless of whether a second expert opinion has been requested, the Agriculture and Food Board takes the necessary measures provided in Article 66 or 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

§ 91. Authorisation of a laboratory

(1) Samples taken in the course of performing veterinary supervision and veterinary controls are analysed in an official laboratory authorised to carry out these analyses (hereinafter *authorised laboratory*). An authorised laboratory must comply with the requirements provided in Articles 37(4) and (5) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(2) In situations specified in Articles 40 and 42 of Regulation (EU) 2017/625 of the European Parliament and of the Council, a non-accredited laboratory may be authorised to operate as an authorised laboratory.

(3) To apply for the authorisation to operate as an authorised laboratory, an applicant submits to the Agriculture and Food Board a written application along with documents that prove the compliance of the laboratory with the requirements provided in Article 37(4) and (5) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(4) Where a laboratory provided in Article 37(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council needs to be authorised to operate as an authorised laboratory, the Agriculture and Food Board contacts the laboratory for consent and, where consent is received, institutes administrative proceedings to grant authorisation.

(5) The Agriculture and Food Board makes a decision to grant or refuse to grant the authorisation to operate as an authorised laboratory within 30 working days after the receipt of the applicant's written application. In the event of authorisation of a laboratory provided in Article 37(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the Agriculture and Food Board makes a decision within 45 working days after the receipt of the relevant laboratory's consent. In the decision to grant the authorisation to act as an authorised laboratory, the details and description prescribed by Article 37(3) of the same Regulation are given.

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

(7) The Agriculture and Food Board revokes the authorisation to operate as an authorised laboratory in the situations provided in Article 39(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

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

(9) To change the scope of the authorisation, a new authorisation is applied for in accordance with subsection 3 of this section.

(10) An authorised laboratory notifies without delay the Agriculture and Food Board in a form reproducible in writing of changes in the details or conditions effective at the laboratory at the time of applying for the authorisation, which could affect the performance of its functions.

§ 92. Authorisation of a reference laboratory

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

(2) A reference laboratory is authorised to operate per each European Union reference laboratory in the field of animal health referred to in Article 93(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) To apply for the authorisation to operate as a reference laboratory, an applicant submits to the minister in charge of the policy area a written application along with documents that prove the compliance of the laboratory with the requirements provided in Articles 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 is granted or refused by a decree of the minister in charge of the policy sector within 20 working days after the receipt of an application. The scope of the authorisation is described in the decree granting the authorisation to operate as a reference laboratory.

(5) An authorisation to operate as a reference laboratory may be refused where the laboratory does not comply with the requirements provided in Articles 100(2) and (3) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(6) An authorisation to operate as a reference laboratory is granted for an unspecified period.

(7) A decree granting or refusing to grant an authorisation to operate as a reference laboratory is delivered to the applicant within three working days after the day of issue of the decree.

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

(9) Where a reference laboratory fails to duly perform its duties, the minister in charge of the policy sector has the right to set a term of up to three months for the elimination of deficiencies. Where the deficiencies are not eliminated, the authorisation is revoked in part or in full. During the time prescribed for the elimination of deficiencies, authorisation is deemed to be suspended.

(10) A reference laboratory operates on government orders submitted by the minister in charge of the policy sector. Fulfilment of the orders is financed from funds allocated from the state budget to the Ministry of Rural Affairs for that purpose.

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

(12) A reference laboratory notifies without delay the minister in charge of the policy sector in a form reproducible in writing of changes in the details or conditions effective at the laboratory at the time of applying for the authorisation, which could affect the performance of its functions.

§ 93. Conclusion of a civil law contract to perform the functions of a reference laboratory

(1) The minister in charge of the policy sector or a person authorised by the minister may conclude a civil law contract with a laboratory located in a contracting state of the European Economic Area for the purpose of performance of the functions of a reference laboratory in the field of animal health in Estonia.

(2) In deciding whether to conclude a civil law contract for the purpose of performing the functions of a reference laboratory and in determining the terms and conditions of the contract, the provisions of Articles 100 and 101 of Regulation (EU) 2017/625 of the European Parliament and of the Council and other relevant circumstances are followed.

Subchapter 5
Appeal

§ 94. Contestation of the activities of an authorised veterinarian

(1) Where a person finds that an activity relating to the authorisation of an authorised veterinary has infringed upon their rights, the person may file a written intra-agency appeal with the Agriculture and Food Board within 30 calendar days as of the day of learning of the activity.

(2) The Agriculture and Food Board makes a decision to grant or deny an intra-agency appeal within ten working days after receiving the appeal.

§ 95. Contestation of the quality of the veterinary service provided by a veterinarian

(1) A person who has been provided with the veterinary service has the right to request an opinion of the Agriculture and Food Board on the quality of the veterinary service.

(2) The Agriculture and Food Board does not express an opinion on the quality of the veterinary service where:
1) the veterinary service was provided more than two years ago;
2) a final court judgment exists in the same case, or
3) court proceedings are pending in the same case.

(3) The Agriculture and Food Board expresses their opinion on the quality of the veterinary service specified in subsection 1 of this section within 30 working days after receiving a request.

(4) Where the person disagrees with the opinion specified in subsection 3 of this section, the person may appeal against it with the administrative court on the conditions and in accordance with the rules provided in the Code of Administrative Court Procedure.

Chapter 7
Liability

§ 96. Failure to perform the duties of a veterinarian

The sanction for failure by a veterinarian to perform their duties or failure to perform such duties in the manner required is a fine of up to 200 fine units.

§ 97. Violation of animal-keeping requirements, including veterinary biosecurity requirements

(1) The sanction for a violation of animal-keeping requirements, including veterinary biosecurity requirements is a fine of up to 200 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 32,000 euros.

§ 98. Breach of the requirement to ensure the traceability of an animal

(1) The sanction for failure to perform or improper performance of the requirement to identify and register an animal is a fine of up to 200 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 32,000 euros.

§ 99. Non-compliance with veterinary requirements for an animal exhibition, competition, fair and auction and other event involving the bringing of animals together and for movement of animals, including trade in animals, export of animals and bringing animals to Estonia

(1) The sanction for the non-compliance with veterinary requirements for an animal exhibition, competition, fair and auction and other event involving the bringing of animals together and for movement of animals, including trade in animals, export of animals and bringing animals to Estonia is a fine of up to 200 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 20,000 euros.

§ 100. Non-compliance with veterinary requirements for the carriage of an animal and product of animal origin, handling a product of animal origin and germinal product and storage of goods-in-transit in a free zone and in a customs warehouse

(1) The sanction for the non-compliance with veterinary requirements for the carriage of an animal and product of animal origin, handing a product of animal origin and germinal product and storage of goods-in-transit in a free zone and in a customs warehouse is a fine of up to 200 fine units.

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

(3) The sanction for the act specified in subsection 1 of this section, where committed by a legal person, is a fine of up to 20,000 euros.

(4) The sanction for the act specified in subsection 2 of this section, where committed by a legal person, is a fine of up to 32,000 euros.

§ 101. Non-compliance with veterinary requirements for trade in a product of animal origin and germinal product, export thereof and bringing them to Estonia and for bringing hey and straw to Estonia

(1) The sanction for the non-compliance with veterinary requirements for trade in a product of animal origin and germinal product, export thereof and bringing them to Estonia and for bringing hey and straw to Estonia is a fine of up to 200 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 20,000 euros.

§ 102. Non-compliance with requirements for the use and replacement of a certificate issued on an animal, product of animal origin and germinal product and for the use of an identification document of a dog, cat and ferret

(1) The sanction for the non-compliance with requirements for the use and replacement of a certificate issued on an animal, product of animal origin and germinal product and for the use of an identification document of a dog, cat and ferret is a fine of up to 200 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 20,000 euros.

§ 103. Non-compliance with requirements for the handling of an animal disease agent and biological product

(1) The sanction for the non-compliance with requirements for the handling of an animal disease agent and biological product is a fine of up to 300 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 32,000 euros.

§ 104. Non-compliance with requirements for the notification of a suspected and diagnosed animal disease, including of extensive morbidity and mortality of animals

(1) The sanction for the non-compliance with requirements for the notification of a suspected and diagnosed animal disease, including of extensive morbidity and mortality of animals is a fine of up to 300 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 32,000 euros.

§ 105. Disregarding measures to be applied for animal disease control in the event of a threat, suspicion and outbreak of an especially dangerous animal disease and non-compliance with requirements for animal disease control

(1) The sanction for disregarding measures to be applied for animal disease control in the event of a threat, suspicion and outbreak of an especially dangerous animal disease and for non-compliance with requirements for animal disease control is a fine of up to 300 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 50,000 euros.

§ 106. Disregarding measures to be applied for the prevention and control of an animal disease subject to compulsory control and ad hoc control and non-compliance with requirements for animal disease control

(1) The sanction for disregarding measures to be applied for the prevention and control of an animal disease subject to compulsory control and ad hoc control and for the non-compliance with requirements for animal disease control is a fine of up to 300 fine units.

(2) The sanction for the same act committed by a legal person is a fine of up to 32,000 euros.

§ 107. Proceedings

(1) In a situation specified in subsections 2 and 4 of § 99 of this Act, the Agriculture and Food Board or the court may in accordance with § 83 of the Penal Code apply the confiscation of an animal, product of animal origin and germinal product that constituted an element of the misdemeanour.

(2) The Agriculture and Food Board is the out-out-of-court proceedings authority of the misdemeanours provided in §§ 96–106 of this Act.

Chapter 8
Implementing Provisions

Subchapter 1
Transitional Provisions

§ 108. Duties of a veterinarian

A veterinarian practising at the time of the entry into force of this Act performs the requirement provided in clause 6 of subsection 1 of § 19 as of 1 June 2022.

§ 109. Persons that have complied with the notification requirement and with the approval requirement in accordance with the Infectious Animal Disease Control Act

(1) Where a person has complied with the notification requirement under § 196 of the Infectious Animal Disease Control Act in force before the entry into force of this Act, the notification requirement under § 24 of this Act is deemed as complied with.

(2) Where a person has complied with the approval requirement under § 191 of the Infectious Animal Disease Control Act in force before the entry into force of this Act, the approval requirement under § 25 of this Act is deemed as complied with.

(3) It is deemed that a person who, before the entry into force of this Act, held an activity licence under § 191 of the Infectious Animal Disease Control Act whereby there is a notification requirement instead of an activity licence requirement as of the entry into force of this Act has complied with their notification requirement.

(4) It is deemed that a person who, before the entry into force of this Act and after 21 April 2021, performed the registration requirement in accordance with Article 84 of Regulation (EU) 2016/429 of the European Parliament and of the Council has complied with their notification requirement.

(5) It is deemed that a person who, before the entry into force of this Act and after 21 April 2021, obtained approval in accordance with Article 94 of Regulation (EU) 2016/429 of the European Parliament and of the Council has complied with their approval requirement.

§ 110. Administrative contract on the issue of means of identification used for marking farmed animals

An administrative contract that was concluded under the Infectious Animal Disease Control Act in force before the entry into force of this Act for the purpose of issuing means of identification used for marking farmed animals and that was effective at the time when this Act entered into force remains effective until terminated.

§ 111. Individual means of marking

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

§ 112. Biosecurity plan

An animal keeper brings a biosafety plan drawn up before the entry into force of this Act with requirements applicable to a biosecurity plan by 1 March 2022.

§ 113. Effectiveness of the administrative contract made with the Estonian University of Life Sciences

An administrative contract that was concluded with the Estonian University of Life Sciences under the Infectious Animal Disease Control Act in force before the entry into force of this Act for the purpose of additional funding of the operating costs related to the organisation of clinical studies in veterinary medicine and that was effective at the time when this Act entered into force remains effective until expiry.

§ 114. Validity of the professional activity licence of a veterinarian

The professional activity licence of a veterinarian valid at the time of the entry into force of this Act remains in force until its validity is suspended, it is declared invalid or revoked in accordance with the rules provided in this Act.

§ 115. Validity of a certificate certifying the professional activities of a 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 the entry into force of this Act remains valid until the expiry of the certificate.

§ 116. Register of veterinarians

A national register of veterinarians established on the basis of subsection 1 of § 22^1 of the Veterinary Activities Organisation Act in force before the entry into force of this Act is deemed the register of veterinarians specified in § 21 of this Act.

§ 117. Register of farmed animals

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

§ 118. Effectiveness of an administrative contract concluded for the purpose of operating as an authorised veterinarian

Authorisation granted to a veterinarian under an administrative contract concluded on the basis of the Veterinary Activities Organisation Act in force before the entry into force of this Act and effective at the time of entry into force of this Act remains valid until its expiry in accordance with the rules provided in this Act.

§ 119. Application of an hourly rate

Until 31 December 2021, an hourly fee is charged for the performance of an operation of official control at the rate established for 2021 on the basis of subsection 8 of § 35[3] of the Veterinary Activities Organisation Act in force before the entry into force of this Act.

§ 120. Validity of the authorisation of an authorised laboratory and reference laboratory

Authorisation granted for the purpose of operating as an authorised laboratory and state-owned 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 remains valid until its revocation in accordance with the rules provided in this Act.

§ 121. Border control posts

A border control post designated before 14 December 2019 is deemed 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.

Subchapter 2
Amendment and Repeal of Acts

§ 122.–§ 126.[Provisions amending other Acts have been omitted from this translation.]

§ 127. Repeal of the Trade in, Import and Export of Animals and Animal Products Act

The Trade in, Import and Export of Animals and Animal Products Act is repealed.

§ 128. [Provisions amending other Acts have been omitted from this translation.]

§ 129. Repealing of the Infectious Animal Disease Control Act

The Infectious Animal Disease Control Act is repealed.

§ 130.–§ 134.[Provisions amending other Acts have been omitted from this translation.]

§ 135. Repeal of Veterinary Activities Organisation Act

The Veterinary Activities Organisation Act is repealed.

Subchapter 3
Entry into force

§ 136. Entry into force of Act

(1) This Act enters into force on 1 December 2021.

(2) Clause 1 of subsection 2 of § 3 of this Act enters into force 28 January 2022.

(3) Clause 7 of subsection 1 and subsection 3 of § 19 and clause 4 of subsection 2 and subsection 7 of § 21 of this Act enter into force on 1 January 2023.

[1]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), amended by Directives 2006/100/EC (OJ L 363, 20.12.2006, pp 141–237), 2013/25/EU (OJ L 158, 10.06.2013, pp 368–375) and 2013/55/EU (OJ L 354, 28.12.2013, pp 132–170), Regulations (EC) No 1430/2007 (OJ L 320, 06.12.2007, pp 3–11), (EC) No 755/2008 (OJ L 205, 01.08.2008, pp 10–12), (EC) No 1137/2008 (OJ L 311, 21.11.2008, pp 1–54), (EC) No 279/2009 (OJ L 93, 07.04.2009, pp 11–12), (EU) No 213/2011 (OJ L 59, 04.03.2011, pp 4–7) and (EU) No 623/2012 (OJ L 180, 12.07.2012, pp 9–11) and Decisions (EU) 2016/790 (OJ L 134, 24.05.2016, pp 135–228), (EU) 2017/2113 (OJ L 317, 01.12.2017, pp 119–220), (EU) 2019/608 (OJ L 104, 15.04.2019, pp 1–91) and (EU) 2020/548 (OJ L 131, 24.04.2020, pp 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, pp 31–40), amended by Directives 2006/104/EC (OJ L 363,

20.12.2006, pp 352–367) and 2013/20/EU (OJ L 158, 10.06.2013, pp 234–239), Regulation (EC) No 219/2009 (OJ L 87, 31.03.2009, pp 109–154) and Decision 2009/470/EC (OJ L 155, 18.06.2009, pp 30–45).

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