

KINGDOM OF CAMBODIA

Nation Religion King

**The Council of State Ministers
No. 14/ANK**

SUB-DECREE

ON THE INSPECTION OF ANIMAL SANITARY AND ANIMAL ORIGINATED PRODUCTS

- Referring to the Constitution of the People's Republic of Cambodia;
- Referring to the Law on the Establishment and Functioning of the Council of State Ministers promulgated Decree No. 03/D dated February 10, 1982;
- Referring to the Decree Law No. 07/D dated July 13, 1982 regarding the Competence and Procedure for Making Laws and Orders;
- Pursuant to the request of the Minister of Agriculture;

IT IS HEREBY DECIDED

CHAPTER 1 GENERAL PROVISIONS

Article 1: General Provisions

The purposes of inspection of animal sanitary and animal originated products are to prevent the breaking out of animal transmission diseases and circulation of animal originated products from one region to another in the country or exported to a foreign country and to prevent a transmission of such disease by any means of transport in order to protect animals and animal originated products.

Article 2:

The control over the animal sanitary and animal originated products shall be based on the contract signed by and between the imported and exported countries on the animal disease and animal originated products and shall be based on the authorization letter for purchase or transportation of animal and animal originated products crossing from one region to another in the People's Republic of Cambodia. The Ministry of Agriculture shall determine the regulation regulating the purchase and transport of animal and animal originated products.

Article 3:

The goods that are subject to the control of animal sanitary and animal originated products include:

- all kind of cattle and poultry "both domestic and wild animals", honey bees, silk worm, and aquatic creature and products originated from those animals;
 - the means of transport of and equipment for raising and maintaining animals;
- The Ministry of Agriculture shall formulate law concerning animal originated products that are the subject of control of animal sanitary and animal originated products.

Article 4:

The State, collectivity, or private organizations conducting a business of transport animal or animal originated products from one region to another inside the country, exporting or importing into the country is required to request for an inspection of animal sanitary as stated in Article 3 and shall comply with all kind of rules regulating the inspection of animal sanitary and animal originated products.

CHAPTER 2

The Inspection of Animal Sanitary and Animal Originated Products

Article 5:

The animal sanitary and animal originated product inspection offices shall be established at the Phnom Penh railway station, Phnom Penh port, Kampongsom port, Pochentong airport, border checkpoints and postal establishments.

In case of emergency, an animal sanitary and animal originated product inspection office may be established at other institution as necessary.

All animal sanitary and animal originated product inspection offices shall be under the direct supervision of the Department of Animal Production and Veterinary.

The provincial-municipal animal production and veterinary office shall have the right to inspect the cattle and bird and product originated thereof in the scope of its territorial competence without establishing any additional inspection office.

The Department of Animal Production and Veterinary shall the right to inspect the animal sanitary and animal originated products within the People's Republic of Cambodia.

Article 6:

In order to conduct the transport of goods that are subject to the animal sanitary and animal originated product inspection, the owner of the goods shall comply with the following requirements:

- prepare a proper declaration as stated in the regulatory order;
- the goods shall be consistent with the contract signed between the importing and exporting countries regarding the animal transmitted diseases;
- the goods shall bear sanitary certificate;
- mean of transport and animal raising or packing equipment and animal originated products shall ensure quality and hygiene;
- the goods shall be transported and loaded in the location as determined by the animal and animal originated product inspection office; and
- if the goods need to be transported or packed in a way other than the specified manner, the owner shall obtain a prior approval from the animal sanitary and animal originated product inspection office.

Article 7:

Within 15 days prior to the arrival or dispatch of the goods, the goods owner shall request for an inspection by the animal sanitary and animal originated product inspection office.

Upon the arrival or dispatch of goods, the goods owner shall request for an inspection by the animal sanitary and animal originated product inspection office.

Article 8:

Within no later than 24 hours from the notification of the arrival or dispatch of the goods, the animal sanitary and animal originated product inspection team shall designate its agent to conduct the inspection.

Article 9:

The animals and animal originated products that are inconsistent with the contract concerning the animal and animal originated product transmitted disease, the owner shall respect to following measures:

- to convert the purpose of use of goods;
- the goods shall not be loaded or unloaded or imported into the People's Republic of Cambodia;
- to circulate or store the goods in place determined by the Sanitary Inspection Team;
- to maintain for treatment or hygienic works; and
- to dispose of goods.

In the case where the animal or goods were held for treatment or hygienic work, the owner of goods shall provide the feed and care for the animal.

An approval from the Ministry of Agriculture, Forestry and Fisheries is needed in the case of destruction of the goods or animals.

Article 10:

If the ship, boat, or vessel loaded with the goods which are subject to animal sanitary and animal originated product inspection, due to its broken engine, and floated into territorial sea, river, river banks or if the said goods were dropped by the airplane onto the territory of the People's Republic of Cambodia, a person who sees such fact shall report to the nearest animal sanitary and animal originated product inspection office or to the local authority of the place for inspection and report to the competent ministry.

Article 11:

The owner of animal farm and the producer who produces the goods that is subject to animal sanitary and animal originated product or any person, who is aware of animal transmitted disease or doubtful of a virus being transmitted into his or her community, shall take immediate measure to eliminate such virus. If he or she is unable to do so, request shall be submitted to the organization in charge of animal sanitary and animal originated product inspection or to the organization in charge of animal production and veterinary for intervention in the elimination.

Article 12:

During the performance of his or her duties, the veterinary nurse who finds any transportation of animal or animal originated product that is not hygienically sound he or she shall cause a temporary suspension of such transport and hand over the animal or product to the local authority for management and immediately report to the nearest local animal organization for appropriate measure.

Article 13:

Any area affected by animal disease transmission shall be declared to be a disease transmitted region. The purchase or transport of animal and animal originated product from such region shall be under a direction inspection of the animal sanitary and animal originated product inspection organization or the animal production and veterinary organization until the transmission is completely eliminated.

Article 14:

The disease or virus is transmitted at the port, airport, railway station, bus station/taxi range, or at border crossing points, the “animal sanitary and animal originated product organization” shall take veterinary measure to overcome such incident. In the case of suspension of a crossing, loading, or unloading of the goods that are subject to animal sanitary inspection, the animal sanitary and animal originated product organization shall make suggestion to the Ministry of Agriculture and the Ministry of Telecommunication and Posts or the Department of civil aviation.

In case of urgency, animal sanitary and animal originated product organization may order a complete stop for a crossing, loading, or unloading, and however, it shall promptly report to the Ministry of Agriculture and the Ministry of Telecommunication and Posts or the Department of civil aviation.

Article 15:

A person requesting for his or her animal sanitary and animal originated product shall pay excise tax for sanitary and animal originated product. A person shall pay fee for veterinary measure if he or she requested for a prevention or elimination of transmitted virus.

The Ministry of Agriculture shall issue a Prakas to fix the rate for both excised taxes.

CHAPTER 3

Rights and Competencies of Animal Sanitary and Animal Originated Product Entity

Article 16:

The Animal Sanitary and Animal Originated Product Entity shall have the following rights:

- to inspection animal sanitary and animal originated product;
- to collect sample for analyzing and make decision after such analysis;
- to take sanitary measure to prevent and eliminate a transmission of animal disease and animal originated product;
- to issue to the owner or representative a sanitary certificate for animal and animal originated product; and
- to enter into animal farm or animal originated product storage premise or warehouse.

In order to enter into a military or security premise or warehouse a prior approval from the person in charge is needed.

Article 17:

The provincial/municipal animal production and veterinary shall have the right to impose a fine up to 2,000 Riels or convert the consumption purpose of the goods which is worth up to 10,000 Riels. If the fine or conversion of consumption purpose is worth more than the amounts specified above a consultation with the provincial/municipal People’s Revolutionary Committee is needed.

The Animal Sanitary and Animal Originated Product Office shall have the right to impose a fine up to 10,000 Riels or convert the consumption purpose of the goods which is worth up to 100,000 Riels. If the fine or conversion of consumption purpose is worth more than the amounts specified above a consultation with the Department of Animal Production and Veterinary is needed.

The Department of Animal production and Veterinary shall have the right to impose a fine up to 100,000 Riels or convert the consumption purpose of the goods which is worth up to

200,000 Riels. If the fine or conversion of consumption purpose is worth more than the amounts specified above a consultation with the Ministry of Agriculture is needed.

Any complaint against the decision of the provincial/municipal Animal Production and Veterinary Office shall be reviewed and decided by the provincial/municipal People's Revolutionary Committee.

Any complaint against the decision of the Animal Sanitary and Animal Originated Product Office shall be reviewed and decided by the Department of Animal Production and Veterinary.

Any complaint against the decision of the Department of Animal Production and Veterinary shall be reviewed and decided by the Ministry of Agriculture.

Article 18:

An offender who refused to pay the fine shall be referred to the court of law for decision. The money collected from fine payment shall be credited into the State budget.

Article 19:

During the course of his or her operation, the Animal Sanitary and Animal Originated Product team shall wear uniform, bear identification sign, and holds staff identity card as official of the Animal Sanitary and Animal Originated Product Office.

The Ministry of Agriculture shall define uniform and identification sign by a ministerial Prakas.

CHAPTER 4 Penalties

Article 20:

A warning or a sanitary certificate shall be issued or be fined up to 200 Riels for any person who:

- refused to show bill of loading to the official of the Animal Sanitary and Animal Originated Product Office at its request;
- refused an inspection by the official of the Animal Sanitary and Animal Originated Product Office or refused to a taking of samples for analysis; or
- violated paragraphs 4 and 5 of Article 6.

Article 21:

Any person who violated paragraphs 1 and 3 of Article 6 shall be fined:

- from 100 Riels to 300 Riels per head of cattle;
- from 5 Riels to 10 Riels per head of bird;
- from 20 Riels to 100 Riels per kilogram of animal originated product.

Article 22:

Any person who violated Article 13 shall be fined:

- from 300 Riels to 500 Riels per head of cattle;
- from 10 Riels to 20 Riels per head of bird;
- from 100 Riels to 200 Riels per kilogram of animal originated product.

In case of recidivism, the amount of fine shall be double.

Article 23:

Any person who transports animal and animal originated products with transmitted disease from one region to another in the country without animal sanitary certificate or violated paragraphs 2 of Article 6 and Article 9 shall be fined in Riels or its equivalent currencies as follows:

- from 500 Riels to 1000 Riels per head of cattle;
- from 20 Riels to 50 Riels per head of bird;
- from 200 Riels to 300 Riels per kilogram of animal originated product.

Article 24:

If any problem occurs during the course of performance of its duties, the animal sanitary and animal originated product entity shall request to the nearest local authority for immediate intervention.

Article 25:

During the course of performance of his or her duties, the animal sanitary and animal originated product official who is negligent, carelessly in taking responsibility and made an improper quality analysis for the goods shall be subject to a sanction under the Administrative Law.

If such negligence caused a damage to the animals or break out of animal transmitted disease from one region to another he or she shall be held responsible under civil code in addition to the administrative sanction.

Article 26:

Any person who commits an embezzlement of fine taxes, violates the law, receives bribe, offers a bribe, or use his or her official authority for personal interest shall be punished under the criminal law in force.

**CHAPTER 5
Final Provisions**

Article 27:

The Cabinet of the council of State Ministers, the Ministry of Agriculture, the relevant ministries, the provincial/municipal People's Revolutionary Committee shall implement this Sub-decree in conjunction to its roles and responsibilities.

Article 28:

The Sub-decree shall enter into legal force from the date of public promulgation.

CC:

- Cabinet of Central Committee of the Party
- Cabinet of the Council of State Ministers
- Cabinet of the Parliament
"for information"
- the Ministry of Agriculture
"to take action"
- Archives/files

Phnom Penh, July 29, 1988

For the Council of State Ministers

Vice President

Signature and Seal: **Chea Soth**

No. 0814/MAFF

Having properly copied from the original copy and sent to:

-All provincial/municipal Agriculture Department;
-All direct subordinate entities of the Ministry of Agriculture "to take action";

For the Minister of Agriculture

Director of Department

Signature and Seal: **Sin Van**

No. 0814/MAFF

Having properly copied from the copied copy and sent to:

-All animal production and veterinary offices,
"to take action";

Phnom Penh, August 16, 1988

For the Department of Animal Production and Veterinary

Vice Director

Signature and Seal: **Siv Nhan**