

Regulations of Shanghai Municipality on Animal Epidemic Prevention

(Adopted at the 25th Session of the Standing Committee of the 12th Shanghai Municipal People's Congress on December 29, 2005; amended in accordance with the Decision on Revising the Regulations of Shanghai Municipality on Animal Epidemic Prevention adopted at the 19th Session of the Standing Committee of the 13th Shanghai Municipal People's Congress on May 27, 2010)

Chapter I General Provisions

Article 1

With a view to strengthening the administration of animal epidemic prevention, preventing, controlling, and exterminating animal epidemics, safeguarding the production safety of the breeding industry, protecting the physical health and the safety of life of the public, maintaining normal social orders, these Regulations are formulated on the basis of the Animal Epidemic Prevention Law of the People's Republic of China, the Emergency Regulations on Major Animal Epidemics and other laws and administrative regulations, and in the light of the actual circumstances of this Municipality.

Article 2

These Regulations are applicable to the prevention, control and extermination of animal epidemics, quarantine of animals and animal products, supervision on animal epidemic prevention, and other activities related to animal epidemic prevention within the administrative areas of this Municipality.

Article 3

This Municipality adopts the policy of focusing on the prevention of animal epidemics, and adheres to the principles of "comprehensive prevention and treatment, strict quarantine, focused controlling, and whole-course supervision and administration".

Article 4

The municipal and district/county people's governments shall strengthen the unified leadership on the work of animal epidemic prevention, strengthen the construction of the animal epidemic prevention organization at the town/township grassroots level and the construction of a contingent of health workers for the prevention of animal epidemics, establish and perfect an animal epidemic prevention system, and formulate and organize the implementation of the prevention and treatment planning for animal epidemics.

The municipal and district/county veterinary competent administrative departments shall be in charge of the work of animal epidemic prevention within their respective administrative areas.

The town/township people's governments and sub-district offices shall, in accordance with the requirements of the district/county people's government, carry out the work of animal epidemic prevention in their respective areas.

The relevant governmental administrative departments shall coordinate in doing well the relevant work of animal epidemic prevention in accordance with their respective duties.

Article 5

The municipal and district/county supervisory organs of animal hygiene are responsible for the work on quarantine of animals and animal products and other work relating to the supervision, administration and law-enforcement of animal epidemic prevention; the municipal and district/county prevention and control organs of animal epidemics shall assume the responsibility for such technological work as monitoring, testing and determining, diagnosis, epidemiology survey and epidemic situation reports of animal epidemics and other work of prevention and control.

The town/township animal epidemic prevention organizations at the grassroots level shall assume the responsibility for the routine work of animal epidemic prevention within their respective areas.

Article 6

The people's governments at all levels shall bring the work of animal epidemic prevention into the national economic and social development plan, and guarantee the necessary funds for the performance of the work of animal epidemic prevention.

Article 7

This Municipality supports insurance institutions in conducting insurance business on animal epidemics, and encourages the animal breeding farms and peasant households to participate in animal epidemic insurance.

The insurance institutions shall, in accordance with this Municipality's policy on agricultural insurance, carry out insurance measures for the animal breeding industry, and promptly provide compensations for loss within the insurance coverage to the animal breeding farms and peasant households in accordance with the insurance contracts.

Chapter II Prevention of Animal Epidemics

Article 8

The municipal and district/county veterinary competent administrative departments shall, in accordance with the animal epidemic prevention plan of this Municipality, formulate the implementation scheme of animal epidemic prevention in their respective administrative areas.

Article 9

This Municipality may practice mandatory immunization against animal epidemics that are not listed in the catalogue of animal epidemics subject to mandatory immunization as provided by the State, but seriously endanger the breeding industry and human health. The epidemics and related areas subject to mandatory immunization shall be put forward by the municipal veterinary competent administrative department, which shall organize the implementation thereof after obtaining approval from the Municipal People's Government.

The mandatory immunization work shall be organized for implementation by the prevention and control organ of animal epidemics, and be supervised by the supervisory organ of animal hygiene.

Article 10

The municipal prevention and control organ of animal epidemics shall, in accordance with the plan of animal epidemic prevention, take charge of the unified purchase of, and organize the supply of biological products needed for the implementation of mandatory immunization, store an appropriate amount of medicines, biological products and relevant materials for the prevention, control, and extermination of animal epidemics, set up the corresponding administrative system, and guarantee the timely supply of materials for animal epidemic prevention.

Article 11

The animal breeding farms shall, in accordance with relevant provisions on animal epidemic prevention and control, implement mandatory immunity inoculation; the units and individuals that engage in scattered breeding of animals shall cooperate with the prevention and control organ of animal epidemics in accepting mandatory immunity inoculation.

The animal breeding farms shall set up their own animal epidemic prevention system, establish the animal epidemic prevention archives, and allocate veterinary professional and technical personnel; the town/township animal epidemic prevention organizations shall be responsible for setting up the animal epidemic prevention archives of the animals under scattered breeding.

Article 12

This Municipality shall implement compulsorily rabies immunity for raising dogs. The municipal and district/county veterinary competent administrative departments shall, in accordance with the principle of rational layout and being convenient for immunization, set up rabies immunity places. The prevention and control organs of animal epidemics shall establish records for the prevention and treatment of rabies.

The unit or individual that raises dogs shall perform the duty of compulsory immunity of rabies according to law, and have the immunity certificate of rabies for the dog raised.

The immunity place of rabies shall, after implementing immunization, issue the immunity certificate of rabies, and take relevant informational records.

Article 13

Animals infected with an epidemic disease and their excrements, animal products infected with an epidemic disease, the sick or dead animals with unknown death causes, and the pollutants including animal excrements and padding materials, wrapping materials and containers in the course of transporting animals shall be handled according to the provisions instead of being disposed at random.

Article 14

The marketing of animals or animal products without quarantine certificates, or whose quarantine certificates are inconsistent with the actual products, or whose quarantine certificates are inconsistent with relevant stamps of examination or quarantine marks, is prohibited.

The slaughtering or marketing of the pigs, cows, sheep, dogs and other animals that do not bear immunization marks in violation of State-set provisions is prohibited.

Article 15

Slaughtering and processing houses shall have the decontamination capability, and have corresponding decontamination facilities installed.

The dead animals at animal breeding farms (households) or animal isolation places shall be unifiedly collected by the supervisory organs of animal hygiene and be delivered to the designated centralized decontamination grounds for disposal.

The production and operation units, the scientific research and education units and the veterinary centers and other units without the decontamination capability except for the proceeding clause shall deliver the animals, animal products and the relevant materials that need decontamination to the designated decontamination grounds and entrust them to carry out the decontamination.

The decontamination grounds of this Municipality shall be unifiedly planned by the Municipal People's Government.

Chapter III Control and Extermination of Animal Epidemics

Article 16

The municipal veterinary competent administrative department shall, in accordance with the national administrative system of animal epidemic information, carry out unified administration on the animal epidemic information of this Municipality, and make public the animal epidemic information on the authorization given by the veterinary competent administrative department under the State Council.

Article 17

The municipal and district/county people's governments shall formulate predetermined emergency handling scheme of major animal epidemic situation in accordance with the actual circumstances of the locality, and report such scheme to the veterinary competent administrative department at higher level for the record, and set up emergency reserve forces for animal epidemic prevention. The emergency reserve forces for animal epidemic prevention shall be composed of personnel from the veterinary, public health, public security, and other administrative departments and relevant experts, and shall regularly carry out technical training and drill in emergency control of the unexpected major animal epidemic situation.

The municipal and district/county veterinary competent administrative departments shall, in accordance with the predetermined emergency handling scheme of major animal epidemic situation formulated by the people's governments of the same level, and different types of animal epidemics, their prevalent characteristics and extents of harm, formulate implementation plans respectively.

Article 18

The units that engage in the activities of production and operation, veterinary service, scientific research and education in relation to animals or animal products shall set up the registration and statistics system of animal epidemics, and regularly report to the municipal or district/county prevention and control organ of animal epidemics at the locality; where the sick or dead animal colony, or animals or animal products infected with an epidemic disease or suspected of being infected with an epidemic disease are discovered, the units shall promptly report to the municipal or district/county prevention and control organ of animal

epidemics at the locality. Other units and individuals that discover animals or animal products infected with an epidemic disease or suspected of being infected with an epidemic disease shall report to the municipal or district/county prevention and control organ of animal epidemics

The prevention and control organ of animal epidemics shall monitor the animal epidemic situation in accordance with laws. The units and individuals engaging in breeding and operating animals, and producing and operating animal products shall cooperate, and shall not refuse or hinder.

Article 19

Where a major animal epidemic occurs, the municipal and district/county people's governments shall set up emergency headquarters of major animal epidemics to exercise unified leadership and command over the emergency handling work of major animal epidemic situation within their respective administrative areas. The municipal and district/county veterinary competent administrative departments shall demarcate the epidemic spot, the epidemic zone, and the area under threats in accordance with laws, and promptly put forward the suggestions on starting the emergency commanding system, the predetermined emergency handling scheme of major animal epidemics, and on imposing a blockade on the epidemic zone to the people's government of the same level, and notify the neighboring areas.

Where a major animal epidemic occurs and the epidemic zone to be blockaded is confined to the district/county proper, the district/county people's government at the locality shall organize the imposition of a blockade on the epidemic zone; where it is necessary to impose a trans-district/county blockage on the epidemic zone, the Municipal People's Government shall decide on the issue and organize the imposition of a blockade on the epidemic zone.

Article 20

For the demarcated epidemic spot, the municipal or district/county people's governments shall immediately organize the veterinary, public health, public security, and other administrative departments and relevant units to adopt the following measures:

1. to set up warning signs around the epidemic spot;
2. to prohibit the outward transportation of animals or animal products from the epidemic spot, and the entry of animals from outside;
3. to exterminate and cremate or destroy the animals and animal products infected with an epidemic disease, suspected of being infected with an epidemic disease, or being susceptible to infections in the epidemic spot;

4. to carry out decontamination of dead animals, animal excrements, polluted padding materials and other materials in the epidemic spot; and

5. to carry out overall sterilization on the epidemic spot, and adopt the sterilization and other restrictive measures on the personnel, conveyance, and other materials to and from the epidemic spot in accordance with the requirements of exterminating the animal epidemics.

Article 21

For the demarcated epidemic zone, the municipal or district/county people's governments shall promptly organize the veterinary, public health, public security, and other administrative departments and relevant units to adopt the following measures:

1. to set up warning signs around the epidemic zone;

2. to prohibit the outward transportation of the animals or animal products susceptible to infection and the entry of animals from outside;

3. to set up temporary sterilization inspection stations at the entrance and exit of the epidemic zone to conduct sterilization on the personnel and conveyance to and from the epidemic zone;

4. to rear animals in the epidemic zone that are susceptible to infection in pens or at designated places, conduct emergency immunity inoculation, or exterminate the animals in accordance with the requirements of exterminating the animal epidemics, and carry out overall sterilization on relevant places; and

5. to shut down the markets of animals and animal products in the epidemic zone.

Article 22

For the demarcated area under threats, the municipal or district/county veterinary competent administrative departments shall organize relevant units to adopt the following measures:

1. to carry out emergency immunity inoculation on the animals susceptible to infection in the area under threats in accordance with the requirements; and

2. to adopt sterilization and other preventive measures on the conveyance of animals and relevant materials in the area under threats.

Article 23

The emergency headquarter of major animal epidemics may adopt the measures of extermination, destruction, etc. in accordance with the requirements of preventing and controlling the major animal epidemics; where losses are incurred to the parties concerned, the government shall give them reasonable compensation.

Article 24

After the occurrence of major animal epidemics, the public security department shall, in accordance with the unified arrangements made by the municipal or district/county people's governments, take charge of the blockading of the epidemic zone, the work of public security and safety guarding, and assist, or participate in exterminating animals; the department of industry and commerce shall take charge of shutting down the markets of animals and animal products; the department of public health shall take charge of monitoring the epidemic situation of related crowds of people; and other administrative departments shall coordinate in doing well relevant work in accordance with their respective duties.

Article 25

The removal of the blockade on the epidemic zone shall meet the following conditions:

1. after the disposal of all infected animals and animal products in the epidemic zone as provided, no new case of sickness is found after monitoring of more than one incubation period of the epidemic disease that occurred; and
2. all places, utensils, vehicles, clothing and other articles that are polluted by the infected animals are cleaned and sterilized.

Where all conditions listed in the preceding clauses are met, and the situation has been checked and accepted by the veterinary competent administrative department of higher level, the people's government that originally issued the blockade order shall announce the removal of the blockade, and notify the neighboring areas.

Chapter IV Quarantine of Animals and Animal Products

Article 26

The supervisory organs of animal hygiene shall, in accordance with the relevant provisions of the State, have corresponding qualified quarantine officers to carry out specific quarantine work on animals and animal products.

Article 27

Before selling and transporting animals and animal products, the owners shall apply for quarantine to the district/county supervisory organ of animal hygiene at the locality, and can sell and transport the animals and animal products only after passing the quarantine and obtaining the quarantine certificates.

Article 28

The introduction of milch or stud animals and their semen, embryos and eggs kept for hatching from another province shall first go through the relevant quarantine inspection and

approval formalities provided by the State at the municipal supervisory organ of animal hygiene. After the milch or stud animals and their semen, embryos and eggs kept for hatching are introduced, the owners shall, in accordance with relevant provisions, keep the milch or stud animals under observation in isolation.

Article 29

For live pigs, this Municipality practices the slaughtering at designated places and centralized quarantine. Other animal species subject to slaughter at designated places and centralized quarantine shall be put forward by the municipal veterinary competent administrative department jointly with other relevant departments, approved by the Municipal People's Government, and announced to the public.

The slaughterhouses shall accept the animals with the quarantine certificate issued by the place of origin. The supervisory organs of animal hygiene shall have the slaughtered animals quarantined, issue the quarantine certificate of animal products, and affix the stamp of check-off or seal the provided quarantine marks.

Article 30

The units and individuals operating animals or animal products shall check the quarantine certificates, relevant stamps of check-off or sealed quarantine marks at the time of purchasing animals or animal products.

Article 31

After the qualified animal products that have gone through the quarantine inspection arrive at the destination, the owners may, in accordance with relevant provisions of the State, apply for the relevant certificate needed to transfer or distribute animal products to the supervisory organs of animal hygiene by relying on the original effective animal quarantine certificate. The supervisory organs of animal hygiene shall, when handling the relevant certificate, write down the related information of animal products for future use with no charge.

Chapter V Supervision on Animal Epidemic Prevention

Article 32

The supervisory organ of animal hygiene shall, in accordance with relevant provisions of the State, have corresponding qualified personnel to carry out specific supervision work on animal epidemic prevention.

Article 33

The activities and places related to the breeding and operation of animals, or the production and operation of animal products, or the animal epidemic prevention, shall meet the conditions of animal epidemic prevention provided by the State, and accept the supervision and inspection and on-the-spot guidance by the supervisory organ of animal hygiene.

The provisions of the preceding clause are applicable to the acts of holding the animal trade fair or the temporary exhibition, or the exhibition and spot sale activities and relevant places involving animals.

Article 34

The supervisory organ of animal hygiene shall, in accordance with the provided scope, conditions and procedures, sample, keep for inspection, and spot check animals and animal products in carrying out the supervision and inspection, and shall not arbitrarily enlarge the types of or increase the amount of sample-taking, keeping-for-inspection, and spot-checking.

Article 35

If animals without quarantine certificates are found in the supervision and inspection on animal epidemic prevention, the supervisory organ of animal hygiene may request the owners or carriers to deliver the animals to designated places within this Municipality to have them kept for inspection and testing, and carry out the quarantine formalities retroactively.

Where it is found in the supervision and inspection on animal epidemic prevention that the quarantine certificate does not agree with the actual products, or with the relevant stamp of check-off or quarantine marks, or is overdue, or obliterated, the supervisory organ of animal hygiene may request the owners or carriers to deliver the relevant animals to designated places within this Municipality to have them kept for inspection and testing, and carry out the quarantine formalities anew.

The supervisory organ of animal hygiene shall issue the quarantine certificate for the animals that pass the quarantine through retroactive inspection or re-inspection; the supervisory organ of animal hygiene shall dispose of the animals that fail to pass the quarantine in accordance with relevant provisions.

The relevant expenses incurred in the period of keeping the animals for inspection and testing shall be borne by the owners or the carriers.

Article 36

The supervisory organ of animal hygiene shall carry out quarantine on animals and animal products that are found to be suspected of being infected, in accordance with relevant provisions of the State. The animals that are ascertained as being infected through quarantine

and the bodies of animals that died of disease or from unknown causes shall be disposed of in accordance with relevant provisions of the State; the animals that are ascertained as being not infected shall be promptly returned or released from closed retention.

For the infected animals and animal products and the animals and animal products that fail to pass the quarantine from the epidemic zone, the owners or the carriers shall, under the supervision of the supervisory organ of animal hygiene, deliver to the designated decontamination places within this Municipality for disposal by destruction. The expenses incurred for decontamination shall be borne by the owners or the carriers.

Article 37

In carrying animals and animal products into this Municipality, the quarantine certificates and relevant stamp of check-off, quarantine marks, sterilization certificate of the conveyance shall be presented and the animals and animal products shall be made to pass through the entrance designated by the Municipal People's Government to accept the inspection of certificates, inspection of objects, and sterilization made by the supervisory organ of animal hygiene. The animals and animal products can be allowed to enter this Municipality only after the signature and stamp of check-off made at the entrance are obtained. The acts of carrying animals and animal products into this Municipality without passing through the entrance designated by the Municipal People's Government are prohibited.

No units and individuals may accept the animals and animal products that are illegally carried into this Municipality without passing through the designated entrance and obtaining the signature and stamp of check-off made at the entrance.

Article 38

Anyone engaging in veterinary treatment activities shall obtain the Permit of Veterinary Treatment issued after examination by the municipal veterinary competent administrative department in accordance with laws.

Anyone engaging in pet treatment activities shall meet the following conditions:

1. having places that meet the conditions for animal epidemic prevention;
2. having qualified professionals suitable for the business of veterinary treatment;
3. having necessary instruments and facilities for veterinary treatment activities;
4. having the corresponding management system; and
5. having other conditions provided by laws and regulations.

The veterinary professional and technical personnel that engage in veterinary treatment activities shall attend training courses and pass the examination, and obtain the veterinary professional qualification.

The veterinary treatment organ shall, in accordance with the operation items and scope approved, carry out the treatment activities, and strictly follow the professional and technical norms.

No units and individuals may provide veterinary treatment places and other conditions for the illegal veterinary treatment activities.

Article 39

The scientific research and education unit and the veterinary center shall collect in a timely manner the discarded things of scientific research and education and veterinary treatment generated by their own units, and in a classified way store them temporarily in the special wrappers or closed containers that cannot be penetrated and with water proof. The wrappers and containers of the discarded scientific research and education and veterinary treatment shall have clear warning marks and warning specifications.

The scientific research and education unit and the veterinary center with no capability of handling the discarded things shall deliver in a timely manner the discarded things generated by scientific research and education and veterinary treatment to the designated centralized disposal units of the medical discarded things, and entrust them to have the discarded things disposed, among which the dead animals and the relevant articles that need decontamination shall be delivered to the designated decontamination grounds and entrust them to carry out the decontamination.

Chapter VI Legal Liabilities

Article 40

Where laws and regulations carry provisions on punishment of the acts of violating the provisions of these Regulations, punishment shall be imposed on the wrongdoers in accordance with the provisions of these laws and regulations.

Article 41

Where a party fails to cooperate in having immunity inoculation of bred animals in accordance with the mandatory immunization requirements of animal epidemics, in violation of the provisions of Clause 1 of Article 11 and Clause 2 of Article 12 of these Regulations, the supervisory organ of animal hygiene shall order a correction and give a warning; where

the wrongdoer refuses to make the correction, the supervisory organ of animal hygiene shall handle the matter on behalf of the wrongdoer, the relevant expenses shall be borne by the wrongdoer, and a fine of not more than 1,000 yuan may be imposed.

Article 42

Where the animal breeding farms fail to set up the animal epidemic prevention archives in violation of the provisions of Clause 2 of Article 11 of these Regulations, the supervisory organ of animal hygiene shall order a correction; where the wrongdoer refuses to make the correction, a fine of not less than 1,000 yuan and not more than 5,000 yuan shall be imposed on the wrongdoers.

Article 43

Where a party disposes the animals infected with an epidemic disease and their excrements, the animal products infected with an epidemic disease, the sick or dead animals with unknown death causes, and the pollutants including animal excrements and their padding materials, wrappers and containers in the carrier of delivery and other animals and animal products unqualified through inspection, in violation of the provisions of Article 13 of these Regulations, the supervisory organ of animal hygiene shall order it to carry out the decontamination, and the expenses incurred for the disposal shall be borne by the wrongdoer, and a fine of not more than 3,000 yuan may be imposed.

Article 44

Where a party fails to deliver the animals and animal products and relevant materials that need decontamination to the designated decontamination grounds for disposal, in violation of the provisions of Clause 3 of Article 15 of these Regulations, the supervisory organ of animal hygiene shall order it to carry out the decontamination; where the wrongdoer refuses to carry out the decontamination, the supervisory organ of animal hygiene shall make disposal on behalf of the wrongdoer, the expenses incurred for the disposal shall be borne by the wrongdoer, and a fine of not more than 3,000 yuan may be imposed.

Article 45

Where animals and animal products are carried into this Municipality without passing through the designated entrance to this Municipality in violation of the provisions of Article 37 of these Regulations, the supervisory organ of animal hygiene shall impose on the carriers a fine of not less than 1,000 yuan and not more than 10,000 yuan.

Where the animals and animal products carried into this Municipality without signature and stamp of check-off made at the designated entrance are accepted in violation of the provisions of Article 37 of these Regulations, the supervisory organ of animal hygiene shall

give a warning to the accepting unit or individual, and cumulatively impose a fine of not less than 10,000 yuan and not more than 100,000 yuan.

Article 46

Where a party engages in veterinary treatment activities with no permit, in violation of the provisions of Article 38 of these Regulations, the supervisory organ of animal hygiene shall order it to stop the veterinary treatment activities and confiscate the illegal gains involved; in case the illegal gains exceed 30,000 yuan, a fine of not less than one time of the illegal gains and not more than three times of the illegal gains may be cumulatively imposed; in case the illegal gains are more than 10,000 yuan but less than 30,000 yuan, a fine of not less than 10,000 yuan and not more than 30,000 yuan may be cumulatively imposed; in case there are no illegal gains or the illegal gains are not more than 10,000 yuan, a fine of not less than 3,000 yuan and not more than 10,000 yuan may be cumulatively imposed.

Article 47

Where the scientific research and education unit and the veterinary center fail to collect in a classified way and temporarily store the discarded things in accordance with the provisions, or the wrappers and containers of the discarded things with no warning marks or warning specifications, in violation of the provisions of Clause 1 of Article 39 of these Regulations, the supervisory organ of animal hygiene shall order a correction and give a warning; where the wrongdoer refuses to make the correction, a fine of not less than 1,000 yuan and not more than 10,000 yuan shall be imposed.

Where the scientific research and education unit and the veterinary center fail to deliver the discarded things to the designated centralized unit for the disposal of medical discarded things, in violation of the provisions of Clause 2 of Article 39 of these Regulations, the supervisory organ of animal hygiene shall order a correction and give a warning; where the wrongdoer refuses to make the correction, the supervisory organ of animal hygiene shall handle the matter on behalf of the wrongdoer, the relevant expenses shall be borne by the wrongdoer, and a fine of not less than 1,000 yuan and not more than 10,000 yuan may be imposed.

Article 48

Where the working personnel of animal epidemic prevention commit one of the following acts, the unit where the wrongdoer works in or its superior competent administrative departments shall give an administrative sanction; where the wrongful act constitutes a crime, the criminal liabilities shall be prosecuted:

1. violating the operational procedures of quarantine with consequences;

2. issuing false quarantine certificate, stamp of check-off or quarantine marks;
3. selling the quarantine certificate, stamp of check-off or quarantine marks;
4. violating relevant provisions of the State or this Municipality on fee-charging; or
5. other acts of dereliction of duties, abusing one's powers, or playing favoritism and committing irregularities.

Chapter VII Supplementary Provision

Article 49

These Regulations shall be effective as of March 1, 2006.