

**KINGDOM OF CAMBODIA
NATION RELIGION KING**

Unofficial Translation

**Royal Government
No. 16**

**SUB-DECREE
ON
EXAMINATION OF ANIMAL HYGIENE
AND PRODUCTS ORIGINATING FROM ANIMALS**

THE ROYAL GOVERNMENT

- Referring to the Constitution of the Kingdom of Cambodia;
- Referring to the Royal Decree No. NS/RKT/1198/27 dated 30 November 1998 on the Establishment of the Royal Government of the Kingdom of Cambodia;
- Referring to the Royal Decree No. 02/NS/94, dated 20 July 1994 promulgating the use of the law on the Organization and the Conduct of the Council of Ministers;
- Referring to the Royal Decree No. NS/RKM/0600/001 dated 21 June 2000 promulgating the Law on Control of Quality and Safety of Goods and Services;
- Referring to the Sub-Decree No. 17 ANKr.BK dated 7 April 2000 on the Establishment and Conduct of the Ministry of Agriculture, Forestry & Fisheries;
- With approval from the Council of Ministers during its plenary meeting held on 14 February 2003.

DECIDES

Chapter I

General Provision

Article 1

This Sub-Decree is intended to determine the examination of animal hygiene and products originating from animals in order to prevent epidemics of animal diseases, to protect animals' health and public health by implementing the rules of veterinary medicine on all imports, exports, transits, and transports of goods subject to the examination of animal hygiene and products originating from animals from one region to another in the Kingdom of Cambodia through all means of transmitting diseases from animals or products originating from animals from animals to animals or from humans to humans or from humans to animals.

Article 2

For all carriage or transports of goods that are subject to the examination of animal hygiene and products originating from animals for imports, exports, transits, or transports of goods subject to the examination of animal hygiene and products originating from animals in the Kingdom of Cambodia, the owners of the goods must ask for examination and must comply with all rules of veterinary medicine.

Article 3

The Minister of Agriculture, Forestry, and Fisheries (MAFF) shall be responsible for implementing the examination of animal hygiene and products originating from animals with the Department of Production and Veterinary Medicine being authorised to examine animal hygiene and products originating from animals

Article 4

Definitions of key words that are used under this Sub-Decree are as follows:

- a. **examination of animal hygiene and products originating from animals:** refers to the examination for diseases or toxins caused by bacteria in order to protect animals' health and public health;
- b. **Transport in transit:** refers to the transport of goods that are subject to examination of animal hygiene and products originating from animals crossing the territory of the Kingdom of Cambodia. This transport in transit does not include loading of goods, stopping to unload goods into storage, opening of goods packages, or change of transports.
- c. **Sterilization:** refers to measures to eliminate disease, animal disease causing agents, or parasites causing animal illness through direct or indirect transmission;
- d. **Goods:** refers to all kinds of animals, products originating from animals and animals' food that are circulating or in circulation for sales or other purposes;
- e. **Products originating from animals:** refers to:
 1. Dead animals or killed animals or any parts of animals that have not been cooked or processed into products;
 2. Ivories, horns, and hairs that have been removed from live or dead animals and that have not been processed;
 3. Animals' meat or any products that originate from animals as supplies for human food, animals' food, and for use in the sectors of health, agriculture or industry;
- f. **Veterinary medical agent:** refers to veterinary medical officials who operates in the examination of animal hygiene and products originating from animals anywhere or who takes samples from animals or products originating from animals for analyses;
- g. **Animal disease-transmitting means:** refers to all kinds of animals and products originating from animals, animals' food, humans, transports,

animal raising materials, animal storage materials, or packaging materials that induce bacteria and cause animal disease epidemics;

- h. Animal disease-causing agents:** refers to viruses, bacteria, parasites, fungi, and other kinds of bacteria;
- i. Transport vehicles:** refers to tools loading goods which are subject to examination of animal hygiene and products originating from animals for the purpose of circulation;
- j. Rules of veterinary medicine:** refers to the breaking, disposal, sterilisation, quarantine, detention, vaccination, treatment, diversion of goods use, return to original source, slaughter, burial, burning, of goods that are subject to examination of animal hygiene and products originating from animals;
- k. Certificates of animal hygiene and products originating from animals:** refers to the certificates issued by the authority of production and veterinary medicine after the examination or analysis of the goods that are subject to examination of animal hygiene and products originating from animals finds that they are healthy and contain no transmittable diseases according to veterinary medical technicality;
- l. Animals:** refers to
 - 1. Domestic and wild four-legged animals including species for breeding;
 - 2. Domestic and wild birds including species for breeding;
 - 3. Monkeys, baboons including species for breeding;
 - 4. Bees, silk cocoons, reptiles, amphibians, snails, fish;
 - 5. Eggs for hatching, animal sperm, animal embryo.
- m. Quarantine stations:** refers to the place for detention or keeping apart animals for examination for animal endemic diseases and for rules of veterinary medicine in a specific time frame under the management of veterinary medical agents according to technical specifications;
- n. Packaging materials:** refers to materials for winding over or packaging a part of animals or products originating from animals to ensure hygiene and safety;
- o. Animal storage materials:** refers to materials for safe storing animals during transportation.

Chapter II

Examination of Animal Hygiene and Products Originating from Animals

Article 5

The Ministry of Agriculture, Forestry, and Fisheries must appoint examiners of animal hygiene and products originating from animals and phyto-sanitary officials to take part in implementing their respective tasks at international border check points, international border crossings, bilateral border crossings,

regional border crossings and sea ports in the Kingdom of Cambodia according to the Royal Government's decisions through a Sub-Decree.

The Ministry of Agriculture, Forestry, and Fisheries may establish checkpoints to examine animal hygiene and products originating from animals as well as checkpoints of phyto-sanitary examination at railway stations, dry ports, and domestic airports with authorisation from the Royal Government.

In case of necessity, when there are animal disease-causing sources or animal disease epidemics or anarchic movements of animals and products originating from animals, the Minister of Agriculture, Forestry, and Fisheries may declare urgently the establishment of temporary checkpoints of examination of animal hygiene and products originating from animals at appropriate locations in order to prevent animal disease epidemics or anarchic movements of animals and products originating from animals. When such problems have been eradicated, the Minister of Agriculture, Forestry, and Fisheries must declare the abolishment of the checkpoints of examination of animal hygiene and products originating from animals.

The checkpoints of examination of animal hygiene and products originating from animals shall be furnished with appropriate technical equipment in order to ensure the effectiveness of examination of animal hygiene and products originating from animals.

The checkpoints of examination of animal hygiene and products originating from animals shall be under direct management of the Department of Production and Veterinary Medicine of MAFF.

Article 6

The Minister of Agriculture, Forestry, and Fisheries must establish animal quarantine stations at checkpoints of examination of animal hygiene and products originating from animals with authorisation from the Royal Government.

Article 7

The examination of animal hygiene and products originating from animals shall be carried out according to requirements for animal hygiene and products originating from animals of each country.

Article 8

Goods that are subject to examination of animal hygiene and products originating from animals include:

1. All kinds of animals;
2. Products originating from animals and animals' food;
3. Transports, raising materials, animal storage materials, and packaging materials originating from animals

A list of goods that are subject to examination of animal hygiene and products originating from animals shall be determined by the a joint Prakas of the Minister of Agriculture, Forestry, and Fisheries; the Minister of Commerce; the Minister of Industry, Mines, and Energy; and the Minister of Health.

Article 9

Owners of the goods that are subject to examination of animal hygiene and products originating from animals must implement the following procedures:

- Make proper goods declaration;
- Have a certificate of hygiene;
- Show the document of goods transports to examiners of animal hygiene and products originating from animals;
- Ensure the quality, safety and hygiene of transport vehicles, raising materials, animal storage materials, and packaging materials for products originating from animals;
- Transport or load/unload goods at locations specified by the examiners of animal hygiene and products originating from animals in collaboration with relevant competent authority;
- Facilitate access for the examiners of animal hygiene and products originating from animals to taking samples of goods for analyses;
- Seek prior authorisation from the examiners of animal hygiene and products originating from animals in case of transporting or loading/unloading goods at locations not specified in collaboration with relevant authority.

Article 10

Before importing or exporting goods, the goods owners must apply for examination to the authority of examination of animal hygiene and products originating from animals.

Before the goods arrive at a border crossing, the goods owner must notify the checkpoint of examination of animal hygiene and products originating from animals, and must facilitate the examination.

Article 11

The natural or legal person who has applied for the examination of animal hygiene and products originating from animals on his/her goods must pay a fee for the service of examination of animal hygiene and products originating from animals. The service fee shall be paid into the national budget. The service fee of examination of animal hygiene and products originating from animals shall be determined by a joint Prakas of the Minister of Economy and Finance and the Minister of Agriculture, Forestry, and Fisheries.

Article 12

A natural or legal person may inform the closest examiners of animal hygiene and products originating from animals when he/she sees:

- a) a ship, a canoe, a boat, or any other transport vehicles that carry goods that are subject to examination of animal hygiene and products originating from animals have leakage or break down and drift or are driven into the territory of the Kingdom of Cambodia;

- b) Goods that are subject to examination of animal hygiene and products originating from animals that have been dropped by an airplane onto the territory of the Kingdom of Cambodia.

Article 13

During operation, examiners of animal hygiene and products originating from animals must wear uniforms, badges, and carry with them letter of mission appointment.

The uniform, badges of examiners of animal hygiene and products originating from animals shall be determined by a separate Sub-Decree.

The Minister of Agriculture, Forestry, and Fisheries must issue a Prakas on the procedures of examination of animal hygiene and products originating from animals and any other Prakas or instruction circulars to ensure that this Sub-Decree is implemented in an effective, transparent, and non-biased manner in the entire Kingdom of Cambodia.

Chapter III

Examination of Animal Hygiene and Products Originating from Domestic Animals

Article 14

When there is a source of transmittable diseases or disease endemic in any region in the territory of the Kingdom of Cambodia, the Minister of Agriculture, Forestry, and Fisheries must declare an animal disease endemic and must take urgent veterinary medical measures.

The buying, sales, and transports of animals and products originating from animals into, out of, or in transit in the region must temporarily stopped until there is a new declaration by the Minister of Agriculture, Forestry, and Fisheries.

Article 15

Animals and products originating from animals or transport vehicles must meet the following requirements:

- a) The animals must be healthy and brought from a endemic-free region or must not traverse an region affected by an animal disease endemic, and must be vaccinated according to the requirements by the authority of production and veterinary medicine.
- b) Products originating from animals and animals' food must be packaged properly according to technical requirements and must be hygienic.
- c) The transport vehicles, raising materials, animal storage materials or packaging materials of the product originating from animals must be sterilised before and after transportation.

Article 16

The procedures of examination of animal hygiene and products originating from domestic animals shall be determined by a Prakas of the Minister of Agriculture, Forestry, and Fisheries.

Chapter IV

Examination of Animal Hygiene and Products Originating from Animals on Imports and Monitoring

Article 17

The procedures of the examination of imports of goods that are subject to *examination of animal hygiene and products originating from animals* shall be required as follows:

- The natural person or legal person that import animals, products originating from animals and animals' food must notify examiners of animal hygiene and products originating from animals at least five (5) days before the arrival of goods;
- When the goods arrive at a border crossing of the Kingdom of Cambodia, the owner of the goods that are subject to examination of animal hygiene and products originating from animals *must report and ask for an examination*. The checkpoint of examination of animal hygiene and products originating from animals must locate a venue technically appropriate for examination.

The owner of the goods that are subject to *examination of animal hygiene and products originating from animals*, who transports the goods by water ways, must report, when the goods enter the territory of the Kingdom of Cambodia, to the closest checkpoint of examination of animal hygiene and products originating from animals to ask for an examination of the transport vehicle of goods that are subject to examination of animal hygiene and products originating from animals. The transport vehicle can dock at a port only when it is authorised by the checkpoint of examination of animal hygiene and products originating from animals after a sanitary examination has been conducted.

Article 18

The examination of imports of goods that are subject to examination of animal hygiene and products originating from animals *must be carried out based on the list of names of animal transmittable diseases*. It is banned to import animals and products originating from animals that carry disease-causing agents as specified in the list of names of animal transmittable diseases.

The list of names of animal transmittable diseases shall be determined by a *Prakas of the Minister of Agriculture, Forestry, and Fisheries*. The Minister of Agriculture, Forestry, and Fisheries has the right to revise the list of names of animal transmittable diseases as necessary.

The *Prakas* on the list of names of animal transmittable diseases shall enter into force 30 days after public announcement.

In case of necessity and urgency caused by the danger of the transmittable diseases, the *Prakas* on the list of names of animal transmittable diseases shall enter into force twenty four (24) hours after public announcement.

Article 19

A natural or legal person who transports animals or products originating from *animals into the Kingdom of Cambodia* must meet the following requirements:

- Have certificate of hygiene issued by the exporting country,
- Comply with Article 9 except for Sentence 6, Article 10 and Article 11 of this Sub-Decree.

Article 20

The animals or products originating from animals that do not meet the requirements as stipulated in regulations, commercial contracts, agreements, conventions, and other requirements of the Kingdom of Cambodia, examiners of animal hygiene and products originating from animals must implement the following measures:

- Return the goods to their original country;
- Divert the use of goods;
- Transport and load/unload goods at locations specified by the examiners of animal hygiene and products originating from animals;
- Detain animals at a quarantine station for monitoring, diagnosis, treatment, vaccination, or sterilisation;
- Destroy;

In case of destruction or return of goods to their original country, legal measures in force must be taken.

In case of treatment, vaccination, sterilisation, detention, or destruction, the owner or representative of goods must be completely responsible for maintenance, expenses, and services.

Chapter V

Examination of Animal Hygiene and Products Originating from Animals for Exports

Article 21

The export of goods that are subject to examination of animal hygiene and products originating from animals must undergo technical examinations for veterinary medical hygiene as specified in Article 15 of this Sub-Decree.

Article 22

For the export of goods that are subject to examination of animal hygiene and products originating from animals out of the Kingdom of Cambodia, the goods and products must undergo technical sanitary examination at the source location or at an animal quarantine station.

The goods that are subject to examination of animal hygiene and products originating from animals must comply with the requirements as stipulated in commercial contracts, agreements, conventions, and other requirements of the importing country.

Article 23

A natural or legal person who transports animals or products originating from animals out of the country must comply with the requirements as stipulated in Articles 9, 10 and 11 of this Sub-Decree.

Article 24

The goods, subject to examination of animal hygiene and products originating from animals, which are exported, if diagnosed to have a symptom that may cause endemic, examiners of animal hygiene and products originating from animals at examination checkpoints must temporarily stop the transit in order to apply the rules of veterinary medicine. The examiners of animal hygiene and products originating from animals must immediately report this temporary stop to the Department of Production and Veterinary Medicine to seek measures from the Minister of Agriculture, Forestry, and Fisheries.

Chapter VI

Examination of Animal Hygiene and Products Originating from Animals in Transits

Article 25

A natural or legal person who transports animals or products originating from animals in transit across the territory of the Kingdom of Cambodia must meet the following requirements:

- Have a certificate of animal hygiene and products originating from animals, which is issued by the exporting country;
- Must implement the requirements stipulated in Article 9 of this Sub-Decree except for Sentence 6,
- Must ensure that the safety seal is not opened;
- All the transport vehicles must not be infected with disease-causing agents or endemic diseases, which can spread along the roads during the transit.

Article 26

The procedures of the examination of goods in transit that are subject to examination of animal hygiene and products originating from animals shall be required as follows:

- The owner of the goods must notify examiners of animal hygiene and products originating from animals before the arrival of the goods at the border entry or exit point;
- Examiners of animal hygiene and products originating from animals must examine the transport vehicle and the external parts of the products originating from animals, animal hygiene, and the certificate of animal hygiene and products originating from animals of the exporting country and must facilitate speedy transportation.

Article 27

The goods that are subject to examination of animal hygiene and products originating from animals not meeting the requirements stipulated in commercial contracts, agreements, conventions, and other documents on animal hygiene and products originating from animals must comply with the requirements stated in Article 20 of this Sub-Decree.

In case of accidents during transportation that cause breaks or openings of packaging materials or danger to the animals, the owners of the goods must report immediately the incident to the closest examiners of animal hygiene and products originating from animals and to the closest authority. The examiners of animal hygiene and products originating from animals must immediately examine and apply the rules of veterinary medicine, and then issue a certificate of examination of animal hygiene and products originating from animals for continuation of exports.

Chapter VII

Examiners of Animal Hygiene and Products Originating from Animals

Article 28

Examiners of animal hygiene and products originating from animals shall have the following authority:

- Examine animal hygiene and products originating from animals and apply the rules of veterinary medicine on transport vehicles and the goods that are subject to examination of animal hygiene and products originating from animals at stocks, factories, firms, farms, quarantine stations, and checkpoints of examination of animal hygiene and products originating from animals in collaboration with relevant authority as necessary;
- Prepare minutes of offences and compile the matter to send to court

The owner or the manager of the movable property above must allow examiners of animal hygiene and products originating from animals to examine and must collaborate by providing information to the examiners of animal hygiene and products originating from animals

Article 29

Competent authority must help intervene in the operation of examination of animal hygiene and products originating from animals and must collaborate by providing information to examiners of animal hygiene and products originating from animals.

Chapter VIII

Penalty

Article 30

A person who commit an offence against Article 9, Sentences 1, 2, 3, 4, 5, & 7 of this Sub-Decree shall be fined according to Article 62, Chapter VII of the Law on Control of Quality and Safety of Goods and Services.

Article 31

A person who commit an offence against Article 14, Article 18, Paragraph 1 of this Sub-Decree shall be fined and penalised according to Article 63, Chapter VII of the Law on Control of Quality and Safety of Goods and Services.

Article 32

If a person refuses to pay fines, the matter must be referred to court.

Rewards for those with outstanding performance in and expenses for missions shall be determined by a Prakas of the Minister of Agriculture, Forestry, and Fisheries and the Minister of Economy and Finance.

Chapter IX

Conclusion

Article 33

The Sub-Decree No. 14 ANKr.BK dated 29 July 1988 on the Control of Animal Hygiene and Products Originating from Animals and any regulations contradicting this Sub-Decree shall be nullified.

Article 8

The Minister in charge of the Council of Minister, the Minister of Agriculture, Forestry, and Fisheries, Ministers and Secretaries of State of all ministries and agencies concerned shall be responsible for implementing this Sub-Decree according to their respective tasks thereafter its signature.

Phnom Penh, 13 March 2003

Prime Minister

Signature & Stamp

Hun Sen

cc:

- The Ministry of Royal Palace
- General Secretariat of the Senate
- General Secretariat of the National Assembly
- General Secretariat of the Royal Government
- Cabinet of Samdech Prime Minister
- All ministries/institutions
- All provincial/municipal governors
- As stipulated in Article 34
- Archive

No. 197

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"for promulgation and implementation"

Phnom Penh, 20 March 2003

Director

Department of Production and Veterinary
Medicine

Signature & Stamp

Kao Thol