

On Introducing Amendments and Supplements in the Law of the Kyrgyz Republic on Veterinary

Adopted by the Legislative Assembly
of Jogorku Kenesh of the Kyrgyz Republic

May 25, 1998

Article 1. Introduce in the Law of the Kyrgyz Republic on veterinary (Vedomosti of the Supreme Soviet of the Republic of Kyrgyzstan, 1992, No 4/2, page 177) the following amendments and supplements:

1. Article 1 should have the following content:

«Article 1. Terms employed in this Law

The following terms are employed in this law:

Veterinary business shall mean the sphere of activity of legal entities and natural persons to protect animals' health, provide production of animal origin products qualitative in veterinary-sanitary respect, protect population from diseases common to human beings and animals and to solve veterinary sanitary problems of environment protection;

The State Veterinary Service under the Ministry of Agriculture and Water Resources of the Kyrgyz Republic, departmental veterinary services of other ministries and establishments and organizations and enterprises, also privately practicing veterinarians shall carry out veterinary business in the Kyrgyz Republic.

Veterinary-sanitary measures shall mean the system of activities to prevent the emergence and spread of contagious and mass non-contagious animals diseases, protect people's health from diseases common to animals and human beings and to prevent damage caused by animals diseases;

Assessment of risk shall mean the determination of probability of activation [becoming active] of natural epizootic centers, carrying pathogenic organisms of contagious diseases from outside and emergence and spread of animals diseases caused by these factors, as well as forecasting of biological and economic consequences;

Quarantine shall mean a complex of temporary veterinary-sanitary and administrative restrictive measures directed at prevention and spread of contagious animals diseases;

Special quarantine regime shall mean a special legal regime of activity of state bodies, bodies of local self-administration, enterprises, establishments, organizations and entities, irrespective of types of property, directed at localization and liquidation of centers of quarantine objects that allows a temporary establishment of restrictions,

06/02/98

Agreement on the Application of Sanitary and Phytosanitary Measures
Translated by Hamida Ahmetova
C:\Msoffice\Standards\VeterAmd-Gov-Adopted

provided by this law, in exercising citizens' and legal entities' rights and imposes additional obligations on them;

Veterinary control shall mean any procedure to check and provide the fulfillment of veterinary-sanitary measures.

Veterinary-sanitary expert examination shall mean a complex of special investigations with a view to evaluate the quality of products of animal and vegetable origin and to solve the issue of their use;

Animals shall mean agricultural, domestic, zoo, circus, laboratory, and wild animals, as well as fur-bearing animals, poultry, fish, bee and other representatives of fauna;

Animal origin products shall mean meat and meat products, milk and dairy products, eggs and egg products, products of bee-keeping, hides, wool, hair, furs, down and feather, endocrine glands, blood, bones, horns, hoofs and other animal produce;

Veterinary preparations (remedies) shall mean biological, vegetable, chemical and pharmaceutical preparations and other remedies for diagnostics and precautions of diseases and treatment of animals, special instruments, materials, equipment, automobiles and veterinary equipment.».

2. Article 2 should be added with paragraph 2 of the following content:

«Normative-legal acts on veterinary are to be published, and except in urgent cases related to protection of animals' and people's health and life, they shall come into force no earlier than 15 days from time of publication.».

3. The law should be added with Article 2-1 of the following content

«Article 2-1 - Development of Veterinary-Sanitary Measures

Veterinary-sanitary measures shall be based on scientific data and an objective evaluation of a situation (risk level) and may not be used for artificial restriction or discrimination of trade or for other protectionist purposes. In the assessment of risks scientific evidence, relevant processing and production methods, inspection, sampling and testing methods, quarantine, ecological conditions and economic factors shall be taken into account.

Veterinary-sanitary measures shall be developed and applied without discrimination according to a country of origin of goods in which identical or similar conditions exist and shall not restrict trade to a more extent than necessary to provide a proper level of veterinary-sanitary protection. Veterinary-sanitary measures shall be adapted to regional conditions taking into account disease-free zones and zones of low disease prevalence.

06/02/98

Agreement on the Application of Sanitary and Phytosanitary Measures

Translated by Hamida Ahmetova

C:\Msoffice\Standards\VeterAmd-Gov-Adopted

Notification on draft developed veterinary-sanitary measures significantly affecting trade, if not substantially the same as international standards, guides and recommendations, or if international standards, guides and recommendations do not exist, shall be preliminarily published to notify interested parties for making their comments and suggestions.».

4. The law should be added with Article 3-1 of the following content:

«Article 3-1. Organization of Veterinary Control

«Veterinary control requirements shall be established within the framework that provides the implementation of veterinary-sanitary measures taken and shall be the same for domestic and imported goods. Bodies of state veterinary control shall inform an applicant, at his request, of terms for implementing control procedures.

Size of payment for the issue of a veterinary certificate, import permit and other services shall not exceed the cost of services rendered and shall be approved by the Cabinet of Ministers of the Kyrgyz Republic.

Veterinary-sanitary measures of other countries shall be accepted if they provide the proper level of veterinary-sanitary protection used in the Kyrgyz Republic.».

5. In Article 10:

- the third paragraph should have the following content:

«Activities (omissions) of officials of the State Veterinary Service of the Kyrgyz Republic, who carry out veterinary control, may be appealed within a month with a higher state veterinary Inspector.»;

- add the article with the forth paragraph of the following content:

«State veterinary inspectors' decisions may be appealed in legal form.».

Article 2. This law shall come into force from the moment of publication.

President of the Kyrgyz Republic

A. Akaev

06/02/98

Agreement on the Application of Sanitary and Phytosanitary Measures
Translated by Hamida Ahmetova
C:\Msoffice\Standards\VeterAmd-Gov-Adopted