

Article 1.- Governing scope and subjects of application

1. This Decree provides for prevention and combat of rabies of dogs, cats and other domestic animals susceptible to rabies (hereinafter collectively referred to as animals).

2. Vietnamese and foreign agencies, organizations or individuals engaged in the raising, transportation, trading, processing, export, import of animals and prevention and treatment of animal diseases shall observe the provisions of this Decree and other provisions of the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Veterinary Medicine.

Where it is otherwise provided for by a treaty to which the Socialist Republic of Vietnam is a contracting party, the provisions of that treaty prevail.

Article 2.- Interpretation of terms

In this Decree, the terms below are construed as follows:

1. Other domestic animals susceptible to rabies include buffaloes, cows, horses, swine, camels and monkeys.

2. Rabies means an acute infectious disease caused by a virus of the Rhabdoviridae family on many animal species and humans. Infected animals at the early phase of the disease are out of their mind and looking to aggressively bite things and other animals or humans and transmitting the disease through scratches and bites. Before dying of the disease, the infected animals often become paralyzed.

3. Rabid animal means an animal developing typical symptoms and pathological signs of rabies or on which the rabies germ is found.

4. Suspected rabid animal means an animal bitten, scratched or licked by a rabid animal.

DECREE No. 05/2007/ND-CP OF JANUARY 9, 2007, ON ANIMAL RABIES PREVENTION AND COMBAT

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the April 29, 2004 Ordinance on Veterinary Medicine;

At the proposal of the Minister of Agriculture and Rural Development,

DECREES:

Chapter I

GENERAL PROVISIONS

5. Animal contracting rabies means an animal that has had contact with a rabid animal or a suspected rabid animal.

6. Animal suspected of contracting rabies means a dog or a cat that bites or scratches humans or other animals without provocation.

7. Rabies nidus means a village, hamlet or street quarter (hereinafter collectively referred to as village) where exist rabid animals.

8. Rabies epidemic-infected area means an area where exist one or more rabies niduses, which have been identified by a competent animal health agency.

Article 3.- Prohibited acts

1. Giving rabies vaccination to dogs and cats suspected of being rabid, contracting rabies or suspected of contracting rabies.

2. Curing rabid animals or suspected rabid animals.

3. Slaughtering rabid animals, suspected rabid animals, animals contracting rabies or suspected of contracting rabies, except for slaughter to take disease samples for testing under the guidance of the animal health agency.

4. Leaving dogs unleashed at public places, populated areas or urban centers.

Article 4.- Responsibilities of state management agencies and People's Committees at all levels in rabies prevention and combat

1. The Ministry of Agriculture and Rural Development has the following responsibilities:

a/ To promulgate documents providing for and guiding measures to prevent and combat rabies, including vaccination, observation of animals suspected of being rabid, contracting rabies or suspected of contracting rabies; killing of rabid animals and destruction of their products; animal

slaughter and biopsy for test samples; packaging and sending of samples taken from sick animals for rabies diagnosis; registration for dog keeping, management of pet dogs and killing of ownerless dogs;

b/ To formulate a program on control and eradication of rabies in animals and humans, then submit it to the Prime Minister for approval, and direct the implementation of this program within the scope of its functions and tasks;

c/ To direct the animal rabies prevention and combat throughout the country;

d/ To inspect and oversee the direction and organization of animal rabies prevention and combat throughout the country.

2. The Ministry of Health has the following responsibilities:

a/ To promulgate documents guiding measures to prevent and combat human rabies; to organize prophylactic treatment, examination and consultation for prevention and combat of human rabies; vaccination, observation and treatment of people who are bitten or scratched by rabid animals, suspected rabid animals, animals contracting rabies or animals suspected of contracting rabies;

b/ To coordinate with the Ministry of Agriculture and Rural Development in formulating a program on control and eradication of animal and human rabies; to direct the implementation of this program after it is approved by the Prime Minister within the ambit of its functions and tasks;

c/ To direct the prevention and combat of human rabies throughout the country;

d/ To inspect and oversee the direction and organization of prevention and combat of human rabies throughout the country.

3. People's Committees at all levels have the following responsibilities:

a/ To organize the implementation of the anti-

rabies program in their respective localities;

b/ To direct and organize the application of anti-epidemic measures specified in this Decree and the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Veterinary Medicine;

c/ To direct and organize the vaccination of dogs and cats; to apply other mandatory prophylactic measures to prevent animal rabies; to disseminate and educate law to the people so that they actively participate in the prevention and combat of human and animal rabies.

Dogs left unleashed at public places, populated areas or urban centers shall be caught and impounded under regulations of commune, ward or township People's Committees (hereinafter referred to as commune-level People's Committees), which shall notify on the mass media places of temporary impoundment of seized dogs for their owners to redeem them, impose administrative sanctions on animal owners, and kill dogs which are not redeemed 48 hours after the notification is made.

Article 5.- Responsibilities of organizations and individuals keeping animals

1. Organizations and individuals keeping animals (hereinafter referred to as domestic animal owners) shall abide by the regulations on rabies prevention and combat and the instructions of the animal health agency in the course of treating an epidemic nidus in accordance with the provisions of Clause 1, Article 11 of this Decree.

2. Dog owners shall keep their dogs in accordance with the provisions of Article 6 of this Decree and bear all expenses for impoundment of their unleashed dogs, including expenses for feeding and killing them.

3. Owners of dogs or cats that are rabid and have bitten or scratched humans shall pay material

damages according to law.

Chapter II

PREVENTION OF ANIMAL RABIES

Article 6.- Keeping of dogs

Dog owners shall comply with the following regulations:

1. To register the dog keeping with commune-level People's Committees in urban centers or populated areas.

2. To leash, confine or keep their dogs in enclosures; to ensure veterinary hygiene and environmental sanitation, causing no annoyance to neighbors. To confine or keep their dogs in cages or kennels, or put on muzzles to and personally walk their dogs when taking them to public places, populated areas or urban centers.

3. To satisfy the veterinary hygiene conditions in case of concentrated dog keeping according to the provisions of Clause 1, Article 7 of the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Veterinary Medicine; not to cause noises and annoyances to neighbors.

Article 7.- Rabies vaccination

1. All dogs and cats subject to compulsory vaccination must be vaccinated against rabies according to regulations of the animal health agency.

2. Rabies vaccine(s) for dogs and cats must be on the list of vaccines, biologicals, microorganisms and chemicals used in veterinary medicine and permitted for circulation in Vietnam, and shall be preserved and used according to the guidance of manufacturers or the animal health agency.

3. The animal health agency shall grant vaccination certificates to owners of dogs and cats

that have been vaccinated according to regulations. Animal owners shall pay expenses for vaccination according to the provisions of law on veterinary medicine.

Article 8.- Rabies control and identification

1. Responsibilities of individuals and agencies for rabies control and identification:

a/ Animal owners shall regularly observe their animals. When their animals show abnormal behaviors or bite or scratch humans or other animals without provocation, they shall immediately confine them as well as bitten or scratched animals in enclosures for observation, and promptly report such to commune-level animal health workers.

b/ Commune-level animal health workers, upon being notified by animal owners according to the provisions of Point a, Clause 1 of this Article, shall promptly report such to commune-level People's Committees for supervision of confinement and keeping of suspected rabid animals, and at the same time report in writing to district-level state management agencies in charge of animal health.

c/ District-level state management agencies in charge of animal health, after receiving reports of commune-level animal health workers according to the provisions of Point b, Clause 1 of this Article, shall report in writing to provincial-level state management agencies in charge of animal health and district-level People's Committees on suspected rabid animals in their localities.

d/ Provincial-level state management agencies in charge of animal health, after receiving reports of district-level state management agencies in charge of animal health according to the provisions of Point c, Clause 1 of this Article, shall verify and make concrete conclusions on animals suspected of being rabid, contracting

rabies or suspected of contracting rabies before observing them according to the provisions of Clause 2 of this Article. If determining that those animals are rabid, they shall report such to the central state management agency in charge of animal health, provincial-level People's Committees, and notify such to district-level People's Committees for epidemic declaration according to the powers defined in Article 12 of this Decree; they shall concurrently notify commune-level People's Committees, animal owners, victims and provincial-level preventive medicine centers for coordination in directing commune-level animal health and health stations and animal owners to apply remedies in epidemic areas according to the provisions of Article 13 of this Decree.

2. Observation and supervision of animals suspected of being rabid, contracting rabies or suspected of contracting rabies:

a/ Dogs and cats suspected of being rabid which have bitten or scratched humans, shall be confined and observed for 90 days. If they have not bitten or scratched any human, they shall be killed;

b/ Dogs and cats contracting rabies shall be killed if they have not yet been vaccinated, or be confined and observed for 90 days if they have been vaccinated;

c/ Dogs and cats suspected of contracting rabies shall be confined and observed for 14 days.

Article 9.- Import, temporary import, re-export, temporary export, re-import, border-gate transfer and transit of animals through the Vietnamese territory

1. An animal imported into Vietnam from a territory or a country where no case of rabies is reported must fully satisfy the following conditions:

a/ Having a quarantine certificate issued by the country of exportation certifying that the animal does not show any clinical symptom of rabies;

b/ Originating from the territory or country where no case of rabies has been reported for at least 6 months before its exportation.

2. An animal imported into Vietnam from a territory or a country where rabies is prevalent must fully satisfy the following conditions:

a/ Having a quarantine certificate issued by the country of exportation certifying that the animal does not show any clinical symptom of rabies;

b/ Buffalo, cow, horse or swine has been raised and kept at a farm where no case of rabies is reported within 6 months before its exportation;

c/ Dog or cat has been given rabies vaccination and stay immune to rabies.

3. Animals temporarily imported, re-exported, transferred from border gate to border gate or transited through the Vietnamese territory must have quarantine certificates issued by countries of exportation certifying that they do not show clinical symptoms of rabies; dogs and cats must have been given rabies vaccination and stay immune to rabies; buffaloes, cows, horses and swine must originate from territories or countries where no case of rabies is reported within 6 months before their exportation.

4. Animals temporarily exported and re-imported into Vietnam must have quarantine certificates issued by countries temporarily importing them, certifying that those animals fully satisfy the conditions specified in Clause 3 of this Article.

Article 10.- Dog slaughter for business purposes

The slaughter of dogs for business purposes at slaughter houses must satisfy the veterinary hygiene conditions specified in Article 46 of the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Veterinary Medicine and the following regulations:

1. Dogs to be slaughtered must have rabies vaccination certificates issued by a competent animal health agency.

2. Persons engaged in dog slaughter and processing of dog meat must be given regular rabies vaccinations according to the regulations of the Health Ministry.

Chapter III

COMBAT OF ANIMAL RABIES EPIDEMIC

Article 11.- Containment of epidemic nidus

1. When an animal is determined to have rabies, its owner shall comply with the following regulations:

a/ To immediately kill the rabid animal. If its owner is unidentified, the commune-level People's Committee is responsible for killing;

b/ To keep in seclusion and observe animals suspected of being rabid, contracting rabies or suspected of contracting rabies in accordance with the provisions of Clause 2, Article 8 of this Decree;

c/ To sanitize, disinfect and decontaminate all cages, kennels, farming tools, means of transport, surrounding environment, feed, waste and other things that have been in contact with the rabid animal;

d/ To confine and observe all healthy dogs and cats in the epidemic nidus.

2. It is compulsory to vaccinate all healthy dogs and cats in the epidemic nidus and adjacent villages. If healthy dogs and cats in the epidemic nidus are not vaccinated, they shall be killed.

Article 12.- Declaration of rabies epidemic

1. Conditions for declaration of rabies epidemic in a commune:

a/ When there are dogs and cats determined to have rabies and humans dying of rabies in the commune;

b/ There is a written report of the district-level People's Committee on development of the epidemic;

c/ There is a written request for epidemic declaration of the provincial-level state management agency in charge of animal health.

2. Conditions for declaration of rabies epidemic in a district: A rabies epidemic is prevalent in five or more communes in that district.

3. Conditions for declaration of rabies epidemic in a province: A rabies epidemic is prevalent in five or more districts in that province.

4. Powers to declare the epidemic is specified in Article 18 of the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Veterinary Medicine.

Article 13.- Remedies for epidemic areas

1. For animals:

a/ Confining all dogs and cats in epidemic areas. Giving rabies vaccination to healthy animals in those areas and adjacent villages;

b/ Killing rabid animals or destroying animals dying of rabies; cleaning and disinfecting epidemic areas;

c/ Placing in seclusion and observing animals suspected of being rabid, contracting rabies or suspected of contracting rabies according to regulations;

d/ Not transporting or carrying dogs and cats from or into epidemic areas.

2. For humans:

a/ Humans who have been bitten, scratched or licked by rabid or suspected rabid dogs or cats or

who have come into contact with rabid dogs or cats shall immediately treat their wounds according to instructions of commune-level health stations, and come to preventive medicine centers for preventive examination and treatment. Treatment of rabies with medicinal herbs should be avoided;

b/ District-level preventive medicine centers must have sufficient anti-rabies serum and vaccine and shall organize epidemic watch teams;

c/ Persons directly engaged in cleaning and disinfection of epidemic areas shall take protective measures under instructions of the animal health agency.

Article 14.- Declaration of epidemic elimination

1. Conditions for declaration of epidemic elimination:

a/ 100% of dogs and cats in the epidemic area and adjacent villages have been vaccinated against rabies;

b/ 90 full days have elapsed since the first rabid animal appeared, of which 15 last days see no more animal rabid or dying of rabies;

c/ The epidemic nidus or epidemic area has been thoroughly cleaned and disinfected.

2. Powers to declare epidemic elimination:

The order and powers to declare epidemic elimination comply with the provisions of Clause 2, Article 27 of the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Veterinary Medicine.

Chapter IV

COMMENDATION, AND HANDLING OF VIOLATIONS

Article 15.- Commendation

Individuals or organizations that have recorded achievements in the prevention and combat of animal rabies will be promptly commended according to the provisions of law.

Article 16.- Handling of violations

Individuals or organizations that commit acts of violating the provisions of this Decree shall be administratively sanctioned according to the provisions of the Government's Decree No. 129/2005/ND-CP of October 17, 2005, on sanctioning of administrative violations in the domain of animal health, and Decree No. 150/2005/ND-CP of December 12, 2005, on sanctioning of administrative violations in security and social order and safety, and other relevant provisions of law.

Chapter V

IMPLEMENTATION PROVISIONS

Article 17.- Effect

This Decree takes effect 15 days after its publication in "CONG BAO." All previous stipulations contrary to this Decree are hereby annulled.

Article 18.- Responsibility to guide the implementation

1. The Minister of Agriculture and Rural Development shall guide and organize the implementation of this Decree.

2. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial/municipal People's Committees shall implement this Decree.

On behalf of the Government
Prime Minister
NGUYEN TAN DUNG